

**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 231

Held at :

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

Tuesday, May 20 2008

Tenue à:

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

Mardi, le 20 mai 2008

Appearances/Comparutions

Ms. Julie Gauthier	Registrar
M ^e Pierre R. Dumais Ms. Janie Larocque	Commission Counsel
Mr. Peter Manderville	Cornwall Community Police Service and Cornwall Police Service Board
Ms. Diane Lahaie	Ontario Provincial Police
M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Leslie McIntosh	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Allan Manson	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. Michael Neville	The Estate of Ken Seguin and Doug Seguin and Father Charles MacDonald
Mr. William Carroll	Ontario Provincial Police Association
Mr. Ian Paul	Coalition for Action
Mr. Jeff Carroll	Mr. Jeff Carroll

Table of Contents / Table des matières

	Page
List of Exhibits :	iv
JEFF CARROLL, Resumed/Sous le même serment	1
Examination in-Chief by/Interrogatoire en-chef Mr. Pierre Dumais (cont'd/suite)	1
Ruling by the Commissioner re funding/Décision par Le Commissaire re financement	57
JEFF CARROLL, Resumed/Sous le même serment	62
Examination in-Chief by/Interrogatoire en-chef Mr. Pierre Dumais (cont'd/suite)	62

LIST OF EXHIBITS/LISTE D' EXHIBITS

NO.	DESCRIPTION	PAGE NO
P-1669	(735900) - Supplementary Occurrence Report dated 29 June 98	15
P-1670	(735907) - Supplementary Occurrence Report dated 13 Aug 98	25
P-1671	(124020) - Coroner's Investigation Statement dated 21 June 98	26
P-1672	(738552) - Notes of Jeffrey Carroll dated 10 July 98 to 17 Aug 98	28
P-1673	(735994) - Arrest Report dated 11 July 98	40
P-1674	(735955) - Arrest Report dated 11 July 98	40
P-1675	(735935) -List of materials	47
P-1676	(735761) - Notes of Jeffrey Carroll dated Mar 01	50
P-1677	(735762) - Notes of Jeffrey Carroll dated 24-25 Jul 01	51
P-1678	(735764) - Notes of Jeffrey Carroll dated 22 Apr 02 to 08 May 02	51
P-1679	(735732) - General Occurrence Report dated 20 June 00	53
P-1680	(735734) - Supplementary Occurrence Report dated 14 July 00	111
P-1681	(725774) - Letter from Greg McNally to Jeffrey Carroll dated 09 May 01	132

1 --- Upon commencing at 1:05 p.m./

2 L'audience débute à 13h05

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:** Thank you.

10 Good morning all -- good afternoon, sir.

11 **MR. CARROLL:** Good afternoon, sir.

12 **THE COMMISSIONER:** Maitre Dumais, I was
13 going to give my decision with respect to the funding for
14 the CCR but I left it in the office, so if we could do it
15 after the break?

16 **MR. MANSON:** Whatever works for you.

17 **THE COMMISSIONER:** Oh, well, we will keep
18 you in suspense then, Mr. Manson.

19 Maitre Dumais, welcome back.

20 **MR. DUMAIS:** Thank you, Commissioner.

21 **JEFF CARROLL, Resumed/Sous le même serment:**

22 ---EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.

23 **PIERRE DUMAIS (Cont'd/suite):**

24 **MR. DUMAIS:** Good afternoon, Sergeant.

25 So when we left off last Friday I was just

1 finishing -- I had just finished off the investigative
2 steps you had taken on the 20th of June. We had established
3 that on the 21st of June, which was a Sunday, you were off,
4 and we were just starting to look at the 22nd day of June,
5 but before I go there if I could just take you back at June
6 20th, I have one last question for you. And that's Exhibit
7 1664. These are your notes, Sergeant.

8 (SHORT PAUSE/COURTE PAUSE)

9 THE COMMISSIONER: What page, Me. Dumais?

10 MR. DUMAIS: I'm looking at page 972.

11 THE COMMISSIONER: Nine-seven-two (972),
12 okay. So are you at the exhibit, sir? So the exhibit is
13 1664.

14 MR. CARROLL: Okay.

15 THE COMMISSIONER: All right. So those are
16 your notes.

17 And then if you look in the top left-hand
18 corner, there is a number there starting with "717".

19 MR. CARROLL: I see that.

20 THE COMMISSIONER: All right. Well, now go
21 to 978, Me. Dumais?

22 MR. DUMAIS: Nine-seven-two (972) or pages
23 15 of the notes.

24 THE COMMISSIONER: Okay.

25 So if you can look at -- you know, there's

1 numbers on the right-hand side that says 15 of 32?

2 MR. CARROLL: I'm there.

3 MR. DUMAIS: All right.

4 So I'm just looking at about mid-page,
5 Sergeant. I'm trying to determine exactly what you would
6 have seized from the Lewis residence. So the first item is
7 three boxes of three-and-a-half floppy discs. Is that
8 correct?

9 MR. CARROLL: That's correct.

10 MR. DUMAIS: And you would have -- there
11 would have been some loose diskettes as well?

12 MR. CARROLL: That's right.

13 MR. DUMAIS: And then there would have been
14 a binder full of sheets containing a number of different
15 internet addresses. Is that correct?

16 MR. CARROLL: That's correct.

17 MR. DUMAIS: And we have already discussed,
18 I believe, the different pornographic magazines as well as
19 some of the books that you would have seized?

20 MR. CARROLL: That's right.

21 MR. DUMAIS: All right.

22 So we had briefly discussed some cut-up
23 pictures that you had seized as well, but my understanding
24 is that you also seized some photo albums. Is that
25 correct?

1 **MR. CARROLL:** There was a photo album that
2 contained a few Polaroid pictures that were similar to the
3 ones that were cut up.

4 **MR. DUMAIS:** And my understanding is that
5 you looked through that album and determined that some of
6 these pictures were missing. Is that correct?

7 **MR. CARROLL:** That's correct.

8 **MR. DUMAIS:** And did Mr. Lewis indicate that
9 the pictures that were missing from the album were the ones
10 that you would have cut up?

11 **MR. CARROLL:** Yes, he did.

12 **MR. DUMAIS:** All right.

13 So do you recall looking at those pictures
14 and determining if there was any pattern in the way they
15 had been cut up?

16 **MR. CARROLL:** They all appeared to be cut
17 horizontally across the picture, looking like they were cut
18 up with scissors.

19 **MR. DUMAIS:** All right, thank you. So these
20 -- these were my last questions regarding that date.

21 So I understand then on June 22nd, and I'm
22 looking at page 17 of your notes, Sergeant, that you did
23 have a meeting with Inspector Trew, Staff Sergeant Brunet,
24 Sergeant Snyder and Sergeant Lalonde?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** All right. So you recall that
2 meeting?

3 **MR. CARROLL:** Yes, I do.

4 **MR. DUMAIS:** All right. So can you simply
5 indicate to us what was discussed?

6 **MR. CARROLL:** That meeting took place at the
7 very beginning of that shift. We decided exactly what we
8 were going to do with respect to Mr. Hickerson and this
9 investigation, and it was decided that we were going to
10 remove the computer from the residence and we were going to
11 attempt to locate a will and possibly a suicide note.

12 **MR. DUMAIS:** All right. Is part of the
13 discussion, Sergeant, the fact that you seize this material
14 from the Lewis residence?

15 **(SHORT PAUSE/COURTE PAUSE)**

16 **MR. CARROLL:** I believe it was discussed. I
17 don't see it recorded here in my notes.

18 **MR. DUMAIS:** All right.

19 So do you think the principal reason for
20 seizing the computer was just to determine whether or not
21 there was a will on it?

22 **MR. CARROLL:** More importantly, a suicide
23 note.

24 **MR. DUMAIS:** All right,

25 Now, I understand then that you did attend

1 the Hickerson residence. Is that correct?

2 MR. CARROLL: That's correct.

3 MR. DUMAIS: And I understand as well then
4 that when you got there, Mr. Lewis was on the scene. Is
5 that correct?

6 MR. CARROLL: Yes, he was on the scene. He
7 was in the backyard cutting the grass as a matter of fact.

8 MR. DUMAIS: All right. And you did have
9 some discussion with him and asked him to leave. Is that
10 correct?

11 MR. CARROLL: That's correct.

12 MR. DUMAIS: All right. And were you able
13 to determine at that point-in-time that he had not entered
14 the residence?

15 MR. CARROLL: That's right. We had had an
16 officer posted outside the residence throughout the night
17 and no one had gone in.

18 MR. DUMAIS: All right. So you entered the
19 residence and seized the computer. Is that correct?

20 MR. CARROLL: That's correct.

21 MR. DUMAIS: And you brought it back to the
22 detachment?

23 MR. CARROLL: That's correct.

24 MR. DUMAIS: And what did you do then?

25 MR. CARROLL: There was some difficulty at

1 the office attempting to hook that computer up to our own
2 system. We returned back to the Hickerson residence with
3 that computer, hooked it up to the peripherals in Mr.
4 Hickerson's residence and began examining the computer
5 there.

6 MR. DUMAIS: All right. So my understanding
7 is you did find a will. Is that correct?

8 MR. CARROLL: That's correct.

9 MR. DUMAIS: And did you observe anything
10 else?

11 THE COMMISSIONER: Was a will in the
12 computer, sir?

13 MR. CARROLL: I believe it was, Mr.
14 Commissioner.

15 THE COMMISSIONER: Okay.

16 MR. CARROLL: There was also a notation on
17 the computer itself that pertained to guidelines for the
18 executors of wills, and Mr. Lewis was appointed the
19 executor by Mr. Hickerson.

20 MR. DUMAIS: And I'm just looking at mid-
21 page 976, Sergeant. My understanding that you began
22 examining some of the computer files with Constable Paquin?

23 MR. CARROLL: That's correct.

24 MR. DUMAIS: And, again, you -- not again,
25 but you would have found some computer files that would

1 have contained some pornographic material. Is that
2 correct?

3 **MR. CARROLL:** There was material that was of
4 a sexual subject matter. There was an essay that was
5 entitled "When a Man of God has Sex with a Boy" and files
6 that had to do with erotica, dirty sex, the gay creed and
7 various articles on puberty.

8 **MR. DUMAIS:** All right. The essay, was it
9 something that was on the computer or was that in a written
10 form?

11 **MR. CARROLL:** That was in written form.

12 **MR. DUMAIS:** All right. Were you able to
13 determine who had written that? Did you ever follow that
14 up with Mr. Lewis?

15 **MR. CARROLL:** I don't believe I did. I
16 assumed that it was something that Mr. Hickerson was
17 reading up -- working on.

18 **MR. DUMAIS:** All right. Do you recall going
19 through it, Sergeant?

20 **MR. CARROLL:** I believe I would have perused
21 it. I don't recall much of the contents of it.

22 **MR. DUMAIS:** All right.

23 Now, just at the bottom of page 19, the last
24 entry, and I'll read it out for you:

25 "Computer diskettes checked at random

1 from box of loose diskettes. Turned
2 over to me on June 20th by James Lewis."

3 So I take it, Sergeant, you would have taken
4 the diskettes from the Lewis residence and put them into
5 the computer and you were just reviewing that?

6 **MR. CARROLL:** That's correct.

7 **MR. DUMAIS:** All right. And you were just
8 reviewing these diskettes at random. Is that correct?

9 **MR. CARROLL:** That's correct.

10 **MR. DUMAIS:** And were you able to determine
11 by just this review whether or not the materials were
12 commercial in nature?

13 **MR. CARROLL:** From the diskettes, all of the
14 images appeared to be copied off of the internet; saved his
15 files to the floppy disks. They were from internet sources
16 that could have been from anywhere.

17 **MR. DUMAIS:** All right. And my
18 understanding is that your further search of the premises
19 permitted you to find a number of videos. Is that correct?

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

21 **MR. DUMAIS:** And did you review some of
22 these videos?

23 **MR. CARROLL:** Yes, I did. In total
24 approximately 85 videotapes were located, 7 of those were
25 homemade videos that featured Mr. Hickerson and Mr. Lewis

1 engaging in consensual sex.

2 MR. DUMAIS: All right.

3 MR. CARROLL: The remainder of them were all
4 commercially made pornographic videos that you would buy at
5 an adult video store or order from some supplier of adult
6 material.

7 MR. DUMAIS: All right. And my
8 understanding is you're doing the same thing with videos as
9 you're doing with the computer diskettes, just checking
10 them randomly?

11 MR. CARROLL: The videos were all watched in
12 entirety. We -- I -- we were mindful even in those days.

13 MR. DUMAIS: I'm sorry, Sergeant, I meant at
14 the -- at the residence. You're still at the residence.
15 Is that correct?

16 MR. CARROLL: Yes, that's correct. And they
17 were checked just to see what their contents were.

18 MR. DUMAIS: All right, but they're not --
19 am I right in understanding that, that you're just checking
20 these videos randomly at the residence?

21 MR. CARROLL: At the residence. Yes, you
22 are right.

23 MR. DUMAIS: All right. So these -- so the
24 only homemade videos, if I can call them that way, were
25 these seven videos. Is that correct?

1 MR. CARROLL: That's correct.

2 MR. DUMAIS: All right.

3 And my understanding is at the end of the
4 day, you essentially seize all of this material and package
5 everything and brought everything back to headquarters?

6 MR. CARROLL: That's right.

7 MR. DUMAIS: And my understanding is that
8 you would have seized some magazines as well. Is that
9 correct?

10 MR. CARROLL: That's correct.

11 MR. DUMAIS: There's one entry which I'd
12 like you to look at, Sergeant, and that's the top entry at
13 pages 978.

14 MR. CARROLL: Okay.

15 MR. DUMAIS: Perhaps you can just read the
16 entry for me.

17 MR. CARROLL: You're referring to:

18 "Found up to 50 boxes of photographic
19 slides ..."?

20 MR. DUMAIS: Correct.

21 MR. CARROLL: "... and numerous music tapes
22 ..."?

23 MR. DUMAIS: Yes.

24 MR. CARROLL: "... several issues of *The*
25 *Body Politic* laying around and

1 apparently slides of summer vacation
2 pictures."

3 **MR. DUMAIS:** All right. So nothing -- and
4 am I right in understanding that you reviewed these
5 photographs or these slides and that none of them contained
6 any child pornography?

7 **MR. CARROLL:** No, none of the slides or the
8 pictures had any pornographic materials on them.

9 **MR. DUMAIS:** All right.

10 And if you can just read the last entry for
11 me, Sergeant, on that same page?

12 **MR. CARROLL:** At the bottom of the page?

13 **MR. DUMAIS:** Yes, please.

14 **MR. CARROLL:** Beginning with "Staff Sergeant
15 Brunet and Inspector Trew"?

16 **MR. DUMAIS:** Correct.

17 **MR. CARROLL:** "They were advised of the
18 materials that we had found and what
19 they appeared to contain. They were
20 shown samples of the materials and the
21 photos. Some materials fit into child
22 pornography as it's defined in the
23 *Criminal Code*, as the persons depicted
24 in them were clearly under the age of
25 13 and that further investigation would

1 be required."

2 MR. DUMAIS: And so then my understanding is
3 that you had another meeting with Staff Sergeant Brunet the
4 following morning on June 23rd?

5 MR. CARROLL: That's correct.

6 MR. DUMAIS: And my understanding is that at
7 that point-in-time you decided to start a "Possession of
8 Child Pornography Material" investigation. Is that ---

9 MR. CARROLL: That's correct.

10 MR. DUMAIS: All right.

11 Now, there is one entry on top of Bates
12 pages 979 as well I'd like you to look at.

13 THE COMMISSIONER: That would be 22 of 32,
14 sir?

15 MR. DUMAIS: Correct.

16 MR. CARROLL: Okay, I'm there.

17 MR. DUMAIS: Now, it's with respect to
18 Sergeant Lalonde, so it's indicated:

19 "Sergeant Lalonde will seize other film
20 video materials diskettes, photographs
21 and magazines. They will be viewed at
22 police headquarters."

23 So is there still materials left at -- at
24 the Hickerson residence?

25 MR. CARROLL: There were some materials I

1 believe left in Mr. Hickerson's bedroom.

2 MR. DUMAIS: All right.

3 MR. CARROLL: Sergeant Lalonde, being the
4 Forensic Ident Officer assigned to the case, he was going
5 to take care of seizing those materials and bringing them
6 to HQ.

7 MR. DUMAIS: All right. Do you recall what
8 these materials were that were left in the bedroom?

9 MR. CARROLL: I believe that there were some
10 cut-up photos as well that were in Mr. Hickerson's room.

11 MR. DUMAIS: All right. So if I can just --
12 do you recall seeing those photos, Sergeant?

13 MR. CARROLL: I believe I would have seen
14 them while we were inside the residence doing the initial
15 work inside the -- the bedroom of Mr. Hickerson.

16 Nothing stands out in my mind about exactly
17 what those pictures were. They were probably seen and left
18 there to be seized with all of the other bedroom articles.

19 MR. DUMAIS: All right.

20 If I can just take you to a document which
21 is a supplementary occurrence report as prepared by Mr.
22 Lalonde, and that's Document Number 735900.

23 (SHORT PAUSE/COURTE PAUSE)

24 THE COMMISSIONER: Exhibit Number 1669 is a
25 supplementary occurrence report and the author is

1 P. Lalonde. Report time, the 29th of June, 1998.

2 --- EXHIBIT NO./PIÈCE NO. P-1669:

3 (735900) - Supplementary Occurrence Report
4 dated June 29, 1998

5 MR. DUMAIS: I'm sorry, Commissioner, I
6 missed the exhibit number.

7 THE COMMISSIONER: It's 1669.

8 MR. DUMAIS: One-six-six-nine (1669). Thank
9 you.

10 Now, Sergeant, this is a fairly detailed
11 description of the Hickerson scene, but the only area of
12 interest is found at Bates page 606, the entry that's at
13 the bottom of the page that starts with the words, "On the
14 23rd day of June '98".

15 THE COMMISSIONER: Before last -- it's the
16 last page itself, sir? The front of it.

17 MR. CARROLL: Okay.

18 MR. DUMAIS: I'll just read it out for you.

19 It's:

20 "On the 23rd day of June, '98 at
21 approximately 0814 hours, writer
22 returned on scene. Writer completed
23 the search of the master bedroom.
24 Writer noted that a plastic grocery bag
25 was handing ..."

1 I believe:

2 "... hanging on the back doorknob of
3 the room door. It contained sections
4 of cut-up photographs. Constable
5 Carroll was advised."

6 **MR. CARROLL:** Okay.

7 **MR. DUMAIS:** All right. So do you recall
8 seeing that bag in the bedroom when you were in there
9 previously?

10 **MR. CARROLL:** I recall seeing the bag --
11 just noting that there was a bag hanging on the door at one
12 point-in-time. I don't believe I searched the contents of
13 that bag while we were in the bedroom at the initial time
14 of discovery anyways.

15 **MR. DUMAIS:** All right.

16 Do you recall specifically Sergeant Lalonde
17 coming back to headquarters and saying something to the
18 effect, "Listen I found these additional pictures; they're
19 cut up as well" and you having a look at them?

20 **MR. CARROLL:** I don't recall that
21 specifically, no.

22 **MR. DUMAIS:** All right. So you couldn't
23 tell us today whether or not they were -- you would have
24 noted if they were cut up in the same style as the other
25 pictures?

1 MR. CARROLL: No, I couldn't tell you.

2 MR. DUMAIS: All right.

3 (SHORT PAUSE/COURTE PAUSE)

4 So my understanding, Sergeant, is that a
5 plan was devised or a setup was put in place at
6 Headquarters for you to review this material; is that
7 correct?

8 MR. CARROLL: That's correct.

9 MR. DUMAIS: And can you tell us what was
10 the setup and who was involved?

11 MR. CARROLL: There was a dedicated office
12 in our building at the time that wasn't in use; it was
13 normally occupied by our Drug Unit, all of the articles
14 that were seized in the course of this investigation were
15 moved into that office to store them and allow us to
16 privately go through them without having to worry about
17 other people popping in and possibly risking the element of
18 maintaining continuity with respect to this material.

19 Myself, Constable Blake Paquin and an OPP
20 officer, Detective Constable Don Genier worked on viewing
21 all of this material and on piecing the cut-up pictures
22 together over the next several days.

23 MR. DUMAIS: All right. Now, Detective
24 Constable Genier was involved in this process?

25 MR. CARROLL: He was an officer that was

1 assigned to Project Truth. I'm not entirely sure on what
2 discussions took place between our Service and the OPP with
3 respect to having Constable Genier help us in this
4 undertaking. That took place at a level higher than
5 myself. Certainly his assistance for putting all of the
6 materials back together and viewing all the materials was
7 much appreciated.

8 MR. DUMAIS: All right.

9 MR. CARROLL: And so I wasn't about to
10 question it.

11 MR. DUMAIS: The -- all right, so certainly
12 you do not remember contacting anyone from Project Truth?

13 MR. CARROLL: I don't believe I contacted
14 anybody.

15 MR. DUMAIS: All right. So, when he shows
16 up on the 24th of June, that morning, do you have any
17 discussions with him, with respect to what you found and
18 what you're looking for in this material?

19 MR. CARROLL: I believe I may have briefed
20 him on the progress of the investigation up until this
21 point and discussed with him our wishes to piece all these
22 pictures back together to see if we can figure out who
23 might be in them, but other than that, I don't recall
24 anything specific.

25 MR. DUMAIS: All right. Now, you've listed

1 on the 24th day of June, in your notes, so that's at Bates
2 pages 92, the items that were found either at 43 Beach
3 Street which I believe is the Hickerson residence and the
4 materials that was found at 112 Baldwin, which I believe to
5 be the Lewis residence; is that correct?

6 MR. CARROLL: That's correct.

7 MR. DUMAIS: And if we're looking at the
8 items at 112 Baldwin, you do have listed in there 43
9 reassembled pictures, all from the bag of cut-up photos.
10 All photos were part of the album at one time.

11 MR. CARROLL: That's correct.

12 MR. DUMAIS: And if we look at the items
13 seized at 423 Beach Street, there does not appear to be any
14 listing of cut-up photos reassembled, Sergeant, do you know
15 why that is?

16 MR. CARROLL: I believe all of the photos
17 were -- or pieces of photos were taken back to Headquarters
18 and they were worked on in one great big pile to see how
19 many pictures that we could put back together from all the
20 pieces. It was a two or three-day long jigsaw puzzle
21 project to get all of the pictures put back together.

22 The 43 is the sum total of what we were able
23 to put back together.

24 MR. DUMAIS: All right. But presumably,
25 Sergeant, you would have kept the pictures from the

1 different location separate; right?

2 **THE COMMISSIONER:** You seized some waste --
3 some that were in a wastepaper basket at Lewis' home.

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

5 **THE COMMISSIONER:** All right. And what
6 counsel is asking you is, were they kept separate or did
7 you put them altogether?

8 **MR. CARROLL:** They were put altogether to --
9 to reassemble them.

10 **THE COMMISSIONER:** Is there any reason for
11 that, not keeping them apart?

12 **MR. CARROLL:** I don't know, Mr.
13 Commissioner. They all appeared to be the exact same type
14 of Polaroid pictures, all presumably coming from the same
15 source. As far as piecing them back together they were all
16 done in one great big group.

17 **THE COMMISSIONER:** All right.

18 **MR. DUMAIS:** But presumably the pictures
19 coming from the different locations, I mean, would not need
20 to be put together with the other location. Do you
21 understand what I'm saying?

22 **MR. CARROLL:** They wouldn't have had to be.

23 **MR. DUMAIS:** All right.

24 **MR. CARROLL:** I think for a matter of
25 convenience and just finding a place to put all of these

1 pieces back together again, they were all done in one great
2 big group.

3 **MR. DUMAIS:** All right, Sergeant. So as far
4 as you can recall, these 43 reassembled pictures is the sum
5 total of all the cut-ups that would have been found in
6 either location?

7 **MR. CARROLL:** That was everything that we
8 could get back together.

9 I do remember there were a number of pieces
10 left over at the end of this exercise that we couldn't
11 match up with anything because they were either too small
12 or didn't have enough detail in the cut-up portions of the
13 pictures.

14 **MR. DUMAIS:** All right. Were you personally
15 involved in the reassembly exercise or were you viewing
16 videos or doing something else; do you recall?

17 **MR. CARROLL:** I was viewing videos.
18 Constable Paquin, our member at the time, and Detective
19 Constable Genier were the persons that were taping the
20 pictures back together.

21 **MR. DUMAIS:** All right. And you do have an
22 entry at the end of the day, so Bates pages 93 and you've
23 indicated it's the fourth bullet on that page; indicating
24 that essentially that all movies seized were viewed, all
25 but the seven personal ones of Hickerson and Lewis of a

1 commercial-grade movies; is that correct?

2 MR. CARROLL: That's correct.

3 MR. DUMAIS: All right. And when you're
4 saying that you would have viewed these videos, Sergeant,
5 you viewed them from front to end; is that correct?

6 MR. CARROLL: That's correct.

7 MR. DUMAIS: All right. Now, I believe the
8 next entry in your notebook regarding this investigation is
9 on June 30th, Sergeant, and that's at Bates pages 986.

10 THE COMMISSIONER: So 29 of 32, sir?

11 MR. CARROLL: Okay.

12 MR. DUMAIS: So my understanding is that you
13 would have met James Lewis at Headquarters and offered to
14 return some of these materials to him; is that correct?

15 MR. CARROLL: That's correct.

16 MR. DUMAIS: And do you recall what his
17 position was?

18 MR. CARROLL: Sorry, I didn't hear that last
19 part.

20 MR. DUMAIS: Do you recall what his position
21 was, whether or not he accepted the return of some of these
22 materials?

23 MR. CARROLL: He accepted the computer box
24 itself back and some of the connectors and the peripheral
25 items for the computer; we didn't require them any further

1 in the investigation and there was no material on the
2 computer that would prevent us returning it back to him.

3 **MR. DUMAIS:** All right. So the computer and
4 accessories was returned. My understanding is that he did
5 not want back the commercial-grade videos and that he would
6 have signed a Quit Claim B -- or a Quit Claim and these
7 would have been destroyed by your office; is that ---

8 **MR. CARROLL:** That's correct.

9 **MR. DUMAIS:** All right. And I'm just
10 looking at the entry in your notes on the 15th day of August
11 '98, so Bates pages 989.

12 **THE COMMISSIONER:** So that's the last page,
13 sir.

14 **MR. DUMAIS:** Perhaps you can just read that
15 top entry for us, Sergeant.

16 **MR. CARROLL:** That's from the 13th of August,
17 you said?

18 **MR. DUMAIS:** The -- 13, correct.

19 **MR. CARROLL:** Okay.

20 "All pornographic tapes, magazines and
21 packaging turned over to me from
22 Hickerson's residence by James Lewis
23 destroyed at the Hotel Dieu Hospital
24 incinerator. Total weight of this
25 material was 601 pounds. Personal tape

1 number 4 of Hickerson and Lewis was
2 retained because it showed the rifle
3 that was used by Mr. Hickerson to shoot
4 himself " ---

5 **THE COMMISSIONER:** Wait, wait, sir, just a
6 minute. You are supposed to read exactly what it says.

7 **MR. CARROLL:** Oh, I'm sorry.

8 **THE COMMISSIONER:** That's okay, but that's
9 what he asked you.

10 **MR. CARROLL:** Do you want me to start over?

11 **THE COMMISSIONER:** No, no. Just the ---

12 **MR. CARROLL:** "Personal tape No. 4 of
13 Hickerson kept as tape clearly shows
14 the position of the rifle in the
15 bedroom. The date of this [picture]
16 hasn't been clearly established."

17 **THE COMMISSIONER:** The word "picture" is not
18 there but ---

19 **MR. CARROLL:** Sorry.

20 **MR. DUMAIS:** So then you would have kept
21 this one tape, which would have shown the rifle in the
22 bedroom. Is that correct?

23 **MR. CARROLL:** That's correct.

24 **MR. DUMAIS:** All right. And what about the
25 seven tapes that would have shown -- that involved Lewis

1 and Hickerson. Were they part of that 85-tape collection?

2 MR. CARROLL: Yes, they were.

3 MR. DUMAIS: All right, and they were
4 destroyed as well?

5 MR. CARROLL: They were destroyed.

6 MR. DUMAIS: And perhaps just to complete
7 the record if we can just file the Supplementary Occurrence
8 Report. I have no questions, but it's Document Number
9 735907.

10 THE COMMISSIONER: So what about the
11 photographs, Mr. Dumais. Are you holding us that promise
12 for a while longer for suspense?

13 Thank you. Exhibit Number 1670 is a
14 Supplementary Occurrence Report from Officer Carroll.
15 Report time is the 13th of the eighth month 1998.

16 --- EXHIBIT NO./PIÈCE No P-1670:

17 (735907) - Supplementary Occurrence Report
18 dated 13 Aug 98

19 MR. DUMAIS: So that's the SOR, Sergeant,
20 that explains what happened to the material. Is that
21 correct?

22 MR. CARROLL: That's correct.

23 MR. DUMAIS: And of course Mr. Commissioner
24 is much interested in what happened to those pictures. So
25 were those pictures part of this material that was

1 incinerated or were they otherwise kept?

2 MR. CARROLL: No, they weren't. They were
3 kept for a period of time in an attempt to possibly
4 identify some of the people in those pictures. I did that
5 later on by arranging a meeting at the Children's Aid
6 Society with some senior workers who had been employed by
7 the agency for some time. I had them look at the pictures
8 in hopes that they would be able to recognize some of the
9 boys that were in the pictures.

10 MR. DUMAIS: All right. So I will get to
11 that shortly.

12 If we can just close off the Hickerson
13 suspicious death investigation. So I understand that a
14 number of different steps were taken; there's blood
15 splatter evidence and Sergeant Lalonde was much involved as
16 the Ident officer in gathering evidence. And I understand
17 as well that there was a Coroner's Investigation Statement
18 prepared. If I can just have you look at that for a
19 second. That's Document Number 124020.

20 THE COMMISSIONER: Exhibit 1671 is the
21 Coroner's Investigation Statement and there's a date, 21st
22 of June, I believe, 1998.

23 --- EXHIBIT NO./PIÈCE No P-1671:

24 (124020) - Coroner's Investigation Statement
25 dated 21 June 98

1 **MR. DUMAIS:** So my understanding, Sergeant,
2 was that the medical cause of death that was determined by
3 the Coroner was self-inflicted gunshot wound through the
4 roof of the mouth. Is that correct?

5 **MR. CARROLL:** That's correct.

6 **MR. DUMAIS:** All right. And my
7 understanding is that your investigation came to the same
8 conclusion. Is that ---

9 **MR. CARROLL:** That's correct.

10 **MR. DUMAIS:** All right. Now, my
11 understanding is that from then on, and as you've indicated
12 earlier to us, you began an investigation into the
13 possession of child pornography. Is that correct?

14 **MR. CARROLL:** That's correct.

15 **MR. DUMAIS:** And more specifically, you were
16 investigating the materials that James Lewis had in his
17 possession. Is that correct?

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

19 **MR. DUMAIS:** And I understand that on July
20 10th of that same year, you would have made arrangements to
21 meet with him. Is that correct?

22 **MR. CARROLL:** That's correct.

23 **MR. DUMAIS:** And I understand that this
24 being a separate investigation, you took down notes
25 specific to this investigation, and they can be found at

1 Document Number 738552.

2 THE COMMISSIONER: Exhibit 1672 are notes
3 from Sergeant Carroll. The first entry is the 10th of July
4 1998; 1 of 12 pages.

5 --- EXHIBIT NO./PIÈCE No P-1672:

6 (738552) - Notes of Jeffrey Carroll dated 10
7 July 98 to 17 Aug 98

8 MR. DUMAIS: So are these your dedicated
9 notes to this investigation, Sergeant?

10 MR. CARROLL: Well, these are the notes to
11 this investigation. They're not from a separate dedicated
12 note, but this incident number was created for the purposes
13 of reporting the child pornography aspect of this case.

14 MR. DUMAIS: All right. So if we are
15 looking at the top number there on the first page on the
16 right hand, that's the occurrence number; is that correct?

17 MR. CARROLL: That's right.

18 MR. DUMAIS: All right, so you met up --
19 your notes indicate that you met up with James Lewis in the
20 reception area, but the notes also indicate that this
21 followed a -- your meeting with him followed the meeting
22 that he would have had with Detective Constable Genier. Is
23 that correct?

24 MR. CARROLL: That's correct.

25 MR. DUMAIS: Are you aware what this was

1 about?

2 MR. CARROLL: No, I wasn't part of that
3 meeting at all, and it had really nothing to do with me.

4 MR. DUMAIS: All right. So -- but you're
5 aware of what Detective Constable Genier was to talk to him
6 about?

7 MR. CARROLL: No, I wasn't.

8 MR. DUMAIS: You're not? All right.

9 MR. CARROLL: No, I wasn't part and parcel
10 of that at all.

11 MR. DUMAIS: Okay, and there's no
12 discussions either prior to his meeting with Mr. Lewis or
13 after to discuss what was said?

14 MR. CARROLL: I don't believe there were.

15 MR. DUMAIS: And you do not know whether or
16 not -- what his area of interest was?

17 MR. CARROLL: I believe it would have been a
18 Project Truth matter, but I'm not sure of that and it
19 wasn't something that I really chose to involve myself in.

20 MR. DUMAIS: All right. And there would
21 have been no discussion between you and the Detective
22 Constable as to what the materials that you found could
23 relate to what Project Truth was investigating?

24 MR. CARROLL: No, there wasn't, but
25 Detective Constable Genier would have been well aware of

1 what we found because he was part and parcel of reviewing
2 it and putting it back together.

3 **MR. DUMAIS:** I'm just saying, there's no
4 sharing of intelligence in that they did not discuss with
5 you, "well, listen, we did meet with Hickerson last week
6 and we talked to him about this, this and that", there's no
7 discussion with any of that; correct?

8 **MR. CARROLL:** No, there wasn't.

9 **MR. DUMAIS:** All right. And whether or not
10 Mr. Lewis was a target of Project Truth or not, you had no
11 knowledge of?

12 **MR. CARROLL:** No, I didn't.

13 **MR. DUMAIS:** You weren't told and you didn't
14 ask?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** All right. So then you,
17 yourself meet up with Mr. Lewis. Is that right?

18 **MR. CARROLL:** That's right.

19 **MR. DUMAIS:** And is Detective Constable
20 Genier part of that interview, do you recall?

21 **MR. CARROLL:** No, he isn't.

22 **MR. DUMAIS:** All right. And are you meeting
23 with him just by yourself, Sergeant, or is there someone
24 else involved?

25 **MR. CARROLL:** No, it's just myself.

1 **MR. DUMAIS:** And, Sergeant, if you could
2 just tell us what the interview was about; what you did;
3 what materials you had with you to conduct the interview
4 and what happened?

5 **MR. CARROLL:** I had all of the materials
6 that were seized by us present in the room and I had a
7 laptop computer that was hooked up so that I could use it
8 as part of the interview with Mr. Lewis.

9 **MR. DUMAIS:** And you certainly, at one point
10 in time, would have asked him where he had obtained the
11 materials that was located at his residence. Is that
12 correct?

13 **MR. CARROLL:** That's correct.

14 **MR. DUMAIS:** And he indicated to you that he
15 had received them from Mr. Hickerson. Is that correct?

16 **MR. CARROLL:** That's right.

17 **MR. DUMAIS:** And did he indicate when he
18 would have received those?

19 **MR. CARROLL:** I believe I already knew at
20 this point in time from Mr. Lewis that he had gotten his
21 materials in the -- sometime during the last week of Mr.
22 Hickerson's life.

23 **MR. DUMAIS:** All right. So it would have
24 been shortly before Mr. Hickerson committed suicide?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** Now, my understanding is that
2 you did warn him at one point in time that he was going to
3 be charged for possession of child pornography. Is that
4 correct?

5 **MR. CARROLL:** That's correct.

6 **MR. DUMAIS:** And I understand that at one
7 point in time he indicated he wished to speak to his
8 counsel, which would have been Sean Adams. Is that right?

9 **MR. CARROLL:** That's right.

10 **MR. DUMAIS:** And do you know if he did or
11 not?

12 **MR. CARROLL:** Yes, he -- he was taken to a
13 private room, very shortly after that and allowed to
14 contact his lawyer and speak with his lawyer in private.

15 **MR. DUMAIS:** And after his -- after he
16 consulted with counsel he agreed to continue with the
17 interview, is that correct?

18 **MR. CARROLL:** That's right. That would have
19 been at 2:55.

20 **MR. DUMAIS:** All right.

21 So, he related to you what his relationship
22 with Mr. Hickerson was.

23 **MR. CARROLL:** That's correct.

24 **MR. DUMAIS:** And the fact that he would have
25 met him at Mr. Hickerson's place of employment, is that

1 correct?

2 MR. CARROLL: Yes.

3 MR. DUMAIS: And I'm looking at the entry,
4 Sergeant, at Bates pages 942, top of the page.

5 MR. CARROLL: Okay.

6 MR. DUMAIS: And, I'm just going to read to
7 you and correct me if the entry is wrong:

8 "I showed James two Polaroid pictures,
9 they had been cut up, that we have re-
10 assembled."

11 Did you mean by that, Sergeant, two as in t-
12 w-o, you showed him two pictures or did you have all the
13 pictures with you?

14 MR. CARROLL: I think I had all of the
15 pictures.

16 MR. DUMAIS: All right.

17 MR. CARROLL: That's probably just an error
18 in writing of mine.

19 MR. DUMAIS: And so then he would have
20 identified some of the people that he would recognize, is
21 that correct?

22 MR. CARROLL: Well, he recognized his
23 brother and identified him to me. He also pointed out
24 another male by the name of Jean but he did not know that
25 man's last name or that person's last name.

1 **MR. DUMAIS:** All right. Did he appear to
2 believe that this -- that Jean resided in Cornwall? He was
3 from the area?

4 **MR. CARROLL:** I'm not sure.

5 **MR. DUMAIS:** And, all of these re-assembled
6 Polaroid pictures, Sergeant, were sexual in nature? Is
7 that correct?

8 **MR. CARROLL:** That's correct.

9 **MR. DUMAIS:** And, were all of them depicting
10 children?

11 **MR. CARROLL:** Some of the people in the
12 pictures were younger boys, males, ten years old; eight,
13 nine, ten years old per chance.

14 **MR. DUMAIS:** All right.

15 **MR. CARROLL:** Some of them were older
16 teenagers, 17, 18 ---

17 **MR. DUMAIS:** All right.

18 **MR. CARROLL:** --- maybe.

19 **MR. DUMAIS:** Did you ask Mr. Lewis who had
20 taken these pictures?

21 **MR. CARROLL:** I believe at one point in the
22 interview Mr. Lewis discusses the fact that Mr. Hickerson
23 took the pictures because some of the people wanted to be
24 pictured -- wanted to be photographed.

25 **MR. DUMAIS:** All right.

1 But you believe they were all taken by Mr.
2 Hickerson?

3 **MR. CARROLL:** Yes, I do.

4 **MR. DUMAIS:** All right.

5 Do you know whether or not Mr. Lewis was
6 present during the taking of some of these pictures?

7 **MR. CARROLL:** No, I don't.

8 **MR. DUMAIS:** All right.

9 And did you ask Mr. Lewis whether or not
10 these were pictures of -- were they all young boys?

11 **MR. CARROLL:** Not all of them were. There
12 were a variety of ages. There were more than one
13 individual in the pictures. Again, I would guess their
14 ages ran any where from seven, eight, nine, ten up to 16,
15 17, 18.

16 **MR. DUMAIS:** All right.

17 And did you -- sorry, did you ask Mr. Lewis
18 whether or not these were pictures taken of either children
19 or teenagers in the Cornwall area?

20 **MR. CARROLL:** I do not believe I did ask
21 them that question specifically, but he did indicate that
22 they were taken in Mr. Hickerson's -- either Mr.
23 Hickerson's bedroom or his house.

24 **MR. DUMAIS:** All right.

25 Were most if not all of these pictures taken

1 in Mr. Hickerson's home?

2 MR. CARROLL: I would think they were.

3 MR. DUMAIS: All right. And I understand
4 that Mr. -- well, if you can just look at the entry that's
5 at Bates pages 942 and that's the second bullet from the
6 bottom, Sergeant. "I asked..." Sorry -- yes, I'll try and
7 read it out for you:

8 "I asked James who or why these were
9 all cut up, and he tells me he didn't
10 want them..."

11 MR. CARROLL: "...didn't want them around
12 to cause Richard any more trouble."

13 MR. DUMAIS: Thank you.

14 "He tells me Richard gave -- gave him
15 these a week or so before he killed
16 himself but won't tell me when he cut
17 them up."

18 MR. CARROLL: That's correct.

19 MR. DUMAIS: So he wouldn't say why he
20 wouldn't tell you?

21 MR. CARROLL: I don't know why he was -- his
22 thought pattern was kind of difficult to follow at times.
23 He -- he indicated that he didn't want the pictures to
24 cause Richard any more trouble. I guess I read, and we
25 could probably still read into that, this would have taken

1 place before Richard Hickerson killed himself because once
2 he was dead I doubt any more trouble would be caused by
3 him. I don't know.

4 **MR. DUMAIS:** All right.

5 And I mean when you are referring to these
6 pictures, cut-up pictures, you're not making a difference
7 between the pictures that were located in Lewis' residence
8 and the one's located in Hickerson's, is that correct?

9 **MR. CARROLL:** No, I'm not. Because once
10 they were all put back together they all looked like they
11 were the same pile of pictures.

12 **MR. DUMAIS:** But of course the distinction
13 is they are found in two different locations. Right?

14 **MR. CARROLL:** That's right.

15 **THE COMMISSIONER:** So for example -- let's
16 assume for a minute that photographs -- there's two
17 different styles of photographs. They're all taken at the
18 same place but some are child pornography and some aren't.
19 Then it would have become important to determine whether
20 Mr. Lewis was in possession of the child pornography, would
21 it not?

22 **MR. CARROLL:** Yes, I can see that, Mr.
23 Commissioner.

24 **THE COMMISSIONER:** Thank you.

25 **MR. DUMAIS:** And, did he indicate to you why

1 he had cut up some of these pictures and why he had kept
2 others?

3 MR. CARROLL: The ones that he kept he told
4 me that he kept them because he liked them.

5 MR. DUMAIS: All right.

6 And fair to say that you engage him in some
7 discussion when you are reviewing this material with
8 respect to his thoughts on taking pictures of children
9 engaged in sexual acts, either by themselves or with
10 adults, and is it a fair summary that he would have
11 provided you with the explanation that they, one, were all
12 consenting and, two, that they were sexual beings or
13 something to that effect.

14 MR. CARROLL: Something to that effect, yes;
15 I believe those were his words.

16 MR. DUMAIS: All right.

17 And I understand that you did this with the
18 pictures and you also reviewed some of the computer
19 diskettes that you would have found at his residence?

20 MR. CARROLL: That's right.

21 MR. DUMAIS: All right.

22 (SHORT PAUSE/COURTE PAUSE)

23 MR. DUMAIS: And my understanding is that
24 towards the end of the interview Mr. Lewis became
25 distraught. Is that correct?

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

2 **MR. DUMAIS:** And you would have informed him
3 or placed him under arrest under the *Mental Health Act* and
4 driven him to the hospital; is that correct?

5 **MR. CARROLL:** Mr. Lewis made a comment
6 towards the end of the interview that he fully understood
7 now why Richard killed himself. He became more and more
8 and more solemn throughout the interview. I was concerned
9 for his safety and just to be cautious I took him to the
10 Cornwall General Hospital and relayed to medical staff
11 there exactly what my concerns were that he may hurt
12 himself and he was admitted to the hospital under the
13 *Mental Health Act* for observation.

14 **MR. DUMAIS:** All right.

15 Again, just to complete the record, sir, if
16 we can file the arrest reports? So the first one is found
17 -- the first one is Document Number 735994. Oh, and the --
18 sorry, the second document would be 735955.

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

20 **THE COMMISSIONER:** Exhibit 1673 is an email
21 from Jeff Carroll sent to LouAnna MacDougall and Debbie
22 Parisien.

23 **MR. DUMAIS:** No, sorry, Commissioner, that
24 can't be right.

25 **THE COMMISSIONER:** That's right, because

1 that was Doc 736836.

2 MR. DUMAIS: No.

3 THE COMMISSIONER: Just a second.

4 MR. DUMAIS: Let me run through those
5 numbers again.

6 THE COMMISSIONER: Well, we have the 735955.
7 So it's the other one we need.

8 MR. DUMAIS: The other one is 735994.

9 THE COMMISSIONER: Okay, try again.

10 So Exhibit 1673 is an arrest report dated
11 the 11th of July, 1998 and the other exhibit -- sorry --
12 1674 is another arrest report and it is again on the 11th of
13 July, 1998. The arrestee is James Lewis in both documents.

14 --- EXHIBIT NO./PIÈCE NO. P-1673:

15 (735994) - Arrest Report dated 11 July 98

16 --- EXHIBIT NO./PIÈCE NO. P-1674:

17 (735955) - Arrest Report dated 11 July 98

18 MR. DUMAIS: Sergeant, if we can look at
19 Exhibit 1674 firstly, I believe that's the arrest report
20 that was filed in the suicide investigation?

21 MR. CARROLL: That's correct.

22 MR. DUMAIS: So essentially you confirm in
23 there that a number of material was turned over to you and
24 that you would have opened a separate occurrence which
25 flowed from this investigation which would be 168834-8?

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

2 **MR. DUMAIS:** And this arrest report, again,
3 confirms what you just told us about being arrested under
4 the *Mental Health Act* and brought to the hospital?

5 **MR. CARROLL:** Yes. Exhibit 1674 pertains to
6 the arrest on the child pornography charges.

7 **MR. DUMAIS:** Right.

8 **MR. CARROLL:** The other incident is a
9 separate incident because it's an apprehension under a
10 provincial statute of the *Mental Health Act*. That's a
11 statistical matter that the two be reported under separate
12 occurrence numbers.

13 **MR. DUMAIS:** Yes, of course.

14 **MR. CARROLL:** They both flow from the same
15 transaction. One is an apprehension under provincial
16 statute, the other one is a *Criminal Code* charge.

17 **MR. DUMAIS:** Right, because you arrest him
18 for the possession charge. You release him and then you
19 re-apprehend him.

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

21 **MR. DUMAIS:** Correct, all right. Thank you.

22 So I'm just looking at Exhibit 1673. So
23 that's the second arrest report on the second page, so
24 Bates page 780.

25 **MR. CARROLL:** Okay.

1 **MR. DUMAIS:** But a different exhibit number,
2 Commissioner.

3 **MR. MANSON:** Bates page 713979.

4 **THE COMMISSIONER:** Bates page 713979 is
5 1674.

6 **MR. DUMAIS:** All right.

7 So I'm just looking at the second page,
8 Sergeant, 780. So simply in the middle of your occurrence
9 arrest report you do confirm that Mr. Lewis provided you
10 with an inculpatory statement; is that correct?

11 **MR. CARROLL:** That's correct.

12 **MR. DUMAIS:** All right.

13 Now, I just want to take you back to your
14 notes for just a moment, Sergeant, and that's at the last
15 entry at Bates pages 950. So it would be the 11th page of
16 your notes.

17 **MR. CARROLL:** Okay.

18 **MR. DUMAIS:** All right.

19 So my understanding is that you take these
20 reassembled Polaroid photographs, you show them to Mr.
21 Lewis, he identifies two people on the pictures, or at
22 least identifies one and provides you with the first name
23 of another and does not -- is not able to identify any of
24 the other children or teenagers on these photographs, is
25 that correct?

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

2 **MR. DUMAIS:** All right.

3 So -- and you remember specifically showing
4 him each and every picture, is that right?

5 **MR. CARROLL:** Yes, I showed him as many
6 pictures as we had at the end of putting them together.

7 **MR. DUMAIS:** All right.

8 So then your entry on August 17th, '98
9 indicates that you would have met with Bill Carriere on
10 that day; is that correct?

11 **MR. CARROLL:** That's correct.

12 **MR. DUMAIS:** All right.

13 And that's what you were alluding to when
14 you indicated earlier on that you had met someone with the
15 CAS?

16 **MR. CARROLL:** Yes, sorry, I jumped ahead
17 there.

18 **MR. DUMAIS:** That's fine.

19 So again you identified these pictures as
20 pictures turned over by James Lewis. And perhaps if you
21 can just read the last three lines for me, Sergeant?

22 **MR. CARROLL:**

23 "The seniors say staff view same re
24 possible identification of
25 participants."

1 **MR. DUMAIS:** All right.

2 So it appears that the Children's Aid
3 Society had some involvement in attempting to identify
4 these pictures, is that correct?

5 **MR. CARROLL:** That's correct.

6 **MR. DUMAIS:** And so do you know what the
7 process was? Were you involved in this?

8 **MR. CARROLL:** Yes, I was. I took all of the
9 pictures down to the CAS building myself. I'm not sure
10 whether they were in their new facility or their old one.
11 I laid all of the pictures that we were able to assemble
12 together out. Several of their senior staff who would have
13 been with the agency dating back 15 years or so, which is
14 when we believe the pictures were taken, viewed the
15 pictures in hopes to identify some of the people that were
16 in them. No identifications were made.

17 **MR. DUMAIS:** All right. And would you have
18 turned these pictures over to the Children's Aid?

19 **MR. CARROLL:** No, I kept the pictures.

20 **MR. DUMAIS:** All right. So you were there.
21 Spend a certain amount of time with some of the CAS staff.
22 No identification, and you left with the pictures. Is that
23 correct?

24 **MR. CARROLL:** That's correct.

25 **MR. DUMAIS:** All right. And did you attempt

1 to have anyone else identify these pictures?

2 MR. CARROLL: No, I didn't.

3 MR. DUMAIS: All right. And so you would
4 not have gone to Mr. Hall either. Is that correct?

5 THE COMMISSIONER: Inspector Hall you mean?
6 Oh no, Mr. Hall, the other fellow.

7 MR. DUMAIS: The ---

8 MR. CARROLL: The brother?

9 MR. DUMAIS: Mr. Lewis' -- thank you,
10 Commissioner, Mr. Lewis' brother.

11 MR. CARROLL: No, I didn't bring Mr. Lewis'
12 brother into this process.

13 MR. DUMAIS: All right.

14 THE COMMISSIONER: Did you ever give these
15 photographs over to the OPP or loan them so they can show
16 them to anybody ---

17 MR. CARROLL: No, I didn't. No I didn't, I
18 never thought of doing that. I would assume since
19 Detective Constable Genier was involved in the assembly
20 process that should he have recognized anybody in the
21 pictures that was important to one of their investigations,
22 he would have let me know about it, but he never did.

23 MR. DUMAIS: He certainly didn't indicate
24 that he had any interest in any of them. Is that ---

25 MR. CARROLL: No, he didn't.

1 **MR. DUMAIS:** All right.

2 Now, my understanding is that some time
3 afterwards and I believe -- I believe it's in 2001 but I
4 maybe incorrect, the matter -- these charges proceeded to
5 trial. Mr. Lewis was acquitted. Is that correct?

6 **MR. CARROLL:** That's correct.

7 **MR. DUMAIS:** All right. Do you recall on --
8 were you there when he was acquitted?

9 **MR. CARROLL:** Yes, I was.

10 **MR. DUMAIS:** Do you recall on what the
11 argument was or what the basis was?

12 **MR. CARROLL:** There was a couple of
13 arguments, primarily the issue of ownership. These
14 pictures, according to James, were in Mr. Hickerson's --
15 that Mr. Hickerson gave to him some time before he died and
16 Mr. Hickerson was not around to interview with respect to
17 this.

18 The statement of Mr. Lewis was challenged at
19 trial. It wasn't admitted. It would appear that his
20 utterances with respect to Mr. Hickerson giving him this
21 material took place before he had an opportunity to make
22 his call to his lawyer and that, I believe, was the reason
23 why the statement wasn't admitted.

24 **MR. DUMAIS:** All right.

25 I'd like to look at another document,

1 Sergeant, and that's Document Number 735935.

2 **THE COMMISSIONER:** Thank you.

3 Exhibit 1675 -- you're going to have to help
4 me here.

5 **MR. DUMAIS:** Well, I guess that's my first
6 question, Commissioner. I was just going to ask Sergeant
7 Carroll if he was able to identify this log.

8 Now, I'm not sure if this is an exhibit log
9 at his headquarters or whether or not these are exhibits
10 that were logged at the trial?

11 **MR. CARROLL:** This is the list of materials
12 that were taken from Lewis' residence, 112-A Baldwin
13 Avenue.

14 **MR. DUMAIS:** All right.

15 So then, Sergeant, this is just your log at
16 the office. Is that correct?

17 **MR. CARROLL:** That's correct.

18 **MR. DUMAIS:** All right. That explains that.
19 Thank you.

20 --- **EXHIBIT NO./PIÈCE NO. P-1675:**

21 (735935) - List of materials

22 **MR. DUMAIS:** Now, as far as you can recall,
23 Sergeant, what happened to the exhibits that were used in
24 the trial and filed and the exhibits that were not used and
25 not filed and retained by the Cornwall Police Services

1 after the trial and the appeal period was over?

2 MR. CARROLL: After the trial was over and
3 the appeal period had expired, all of the exhibits --
4 because of the nature of the material -- were destroyed,
5 either by shredding or by incineration.

6 MR. DUMAIS: All right. So was any
7 consideration given to keeping the Polaroid pictures in
8 your possession for future use?

9 MR. CARROLL: At that point-in-time, no
10 there wasn't.

11 MR. DUMAIS: All right. And, again, as
12 you've indicated, you did not think of transferring the
13 pictures over to Project Truth. Is that correct?

14 MR. CARROLL: No, I didn't.

15 MR. DUMAIS: All right. And as far as
16 you're concerned, Sergeant, all of the material or all of
17 the child pornography material that was found, either at
18 the Lewis residence or at the Hickerson residence, were
19 reviewed by yourself or someone from your Service and at
20 some point-in-time destroyed?

21 MR. CARROLL: That's correct.

22 MR. DUMAIS: All right.

23 I understand now -- we're going to move to
24 another investigation that you were involved with, Sergeant
25 Carroll, and that is the investigation regarding the

1 allegations of Marc Latour.

2 Now, I understand that at one point-in-time
3 in June of 2000, you would have received a referral from
4 Project Truth. And if I can firstly take you to your
5 notes, Sergeant, and that is Document Number 735760.

6 **(SHORT PAUSE/COURTE PAUSE)**

7 **MR. DUMAIS:** I understand, Commissioner,
8 that some of these notes relating to this specific
9 investigation were filed, and if I can just direct Madam
10 Clerk to Exhibit 359.

11 **THE COMMISSIONER:** Merci.

12 **MR. DUMAIS:** Mr. Commissioner, am I correct
13 that this exhibit starts at Bates pages 183?

14 **THE COMMISSIONER:** Yes, and you are?

15 **MR. DUMAIS:** And at Bates pages 194.

16 **THE COMMISSIONER:** Again, yes.

17 **MR. DUMAIS:** All right.

18 So these are your notes regarding the Latour
19 investigation, Sergeant, is that correct?

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

21 **MR. DUMAIS:** All right.

22 **MR. CARROLL:** Or a portion of them. There's
23 several notebooks involved in this investigation.

24 **MR. DUMAIS:** My next point, Sergeant, and
25 perhaps, Commissioner, just to avoid the confusion; there

1 are a number of entries in a number of notebooks and
2 perhaps if I can file them all at this point in time and we
3 can keep them together?

4 And I will give Madam Clerk all of the
5 numbers.

6 So the first one would be Bates pages 735761
7 in the Cross documents, I believe; then 735762 -- 762.

8 **(SHORT PAUSE/COURTE PAUSE)**

9 **MR. DUMAIS:** Madam Clerk, do you want me to
10 wait for the others?

11 **THE COMMISSIONER:** Thank you.

12 Exhibit 1676 are notes of Detective Jeff
13 Carroll and the first entry on that is Wednesday, the 7th of
14 March, 2001. So 1676 is that exhibit.

15 **MR. DUMAIS:** And then, Commissioner, if we
16 can file Document Number 735762?

17 **THE COMMISSIONER:** No, that's -- 735761 is
18 Exhibit 1676.

19 **--- EXHIBIT NO./PIÈCE NO. P-1676:**

20 (735761) - Notes of Jeffrey Carroll dated
21 Mar 01

22 **THE COMMISSIONER:** Pardon? Tu m'as donne?

23 Okay. 1677 is notes from Detective Sergeant
24 Jeff Carroll with the first notation being the 25th of July,
25 2001.

1 --- EXHIBIT NO./PIÈCE NO. P-1677:

2 (735762) - Notes of Jeffrey Carroll dated
3 24-25 Jul 01

4 **MR. DUMAIS:** Then the next two documents are
5 735763.

6 **THE COMMISSIONER:** I'm sorry?

7 **MR. DUMAIS:** That's correct, Exhibit 365.

8 **THE COMMISSIONER:** Three-six-five, okay.

9 **MR. DUMAIS:** And the last one is 735764.

10 **THE COMMISSIONER:** Thank you. Exhibit 1678
11 are notes of Detective Sergeant Jeff Carroll of book number
12 1, 2002 and the first date is the 22nd of April, 2002.

13 --- EXHIBIT NO./PIÈCE NO. P-1678:

14 (735764) - Notes of Jeffrey Carroll dated 22
15 Apr 02 to 08 May 02

16 **MR. DUMAIS:** Okay.

17 Sorry, Madam Clerk, just one last one,
18 Document Number 735765.

19 Sorry -- 362, thank you.

20 All right, Sergeant. I believe we have all
21 of the relevant notes with respect to this investigation.

22 So my understanding is that Sergeant
23 Lefebvre would have received a call on this matter on the
24 21st day of June, 2000 and he would have received this
25 telephone call from someone from Project Truth. Is that

1 correct?

2 MR. CARROLL: That's my understanding.

3 MR. DUMAIS: And he did relay that to you,
4 Sergeant?

5 MR. CARROLL: I was assigned the case at
6 that time by Sergeant Lefebvre.

7 MR. DUMAIS: All right.

8 Well, perhaps we can just file the General
9 Occurrence Report that Sergeant Lefebvre was able to file
10 that day, and that's Document Number 735732.

11 (SHORT PAUSE/COURTE PAUSE)

12 THE COMMISSIONER: Okay, the Occurrence
13 Report, it will be Exhibit 1679 entered by Sergeant
14 Lefebvre and the report time is the 20th of June, 2000.

15 --- EXHIBIT NO./PIÈCE NO. P-1679:

16 (735732) - General Occurrence Report dated
17 20 June 00

18 MR. DUMAIS: All right.

19 So Sergeant, it appears that this General
20 Occurrence Report was prepared and entered by Sergeant
21 Lefebvre, Sergeant G. Lefebvre, on June 20th, 2000. It
22 indicates that he would have received a phone call from
23 Project Truth on the previous date, so on the June 19th, and
24 that this was a referral from Project Truth and that, at
25 the last line of that document, that the matter was being

1 forwarded to SACA for further investigation. And I take it
2 that SACA would be yourself who would have received it. Is
3 that correct?

4 **MR. CARROLL:** That's the Sexual Assault and
5 Child Abuse Unit. I don't know if I had physically been
6 moved into that unit. At that time the case was assigned
7 to me regardless of where I was sitting in the building.
8 But I was assigned the investigation at that point.

9 **MR. DUMAIS:** And am I correct that Staff
10 Sergeant Garry Derochie was your immediate supervisor at
11 that time? Do you recall that?

12 **MR. CARROLL:** I'm not certain if Staff
13 Derochie had moved into the manager's position of the
14 Cornwall Investigation Unit at that time or not.

15 **MR. DUMAIS:** All right.

16 So you don't recall who would have assigned
17 you this case?

18 **MR. CARROLL:** Well, it would have been
19 Sergeant Lefebvre that assigned me the case. Who the staff
20 sergeant of the day was I'm not exactly certain.

21 **MR. DUMAIS:** All right.

22 Do you recall whether or not you at about
23 the same time would have received some piece of
24 correspondence from Detective Inspector Pat Hall on this
25 matter?

1 **MR. CARROLL:** I didn't receive that
2 correspondence or any correspondence myself from Detective
3 Inspector Hall. I do know that one was sent to the
4 Cornwall Police Service by him pertaining to that case.
5 Exactly when I saw that document I'm not sure but I do know
6 that it contained an explanation as to why this case was
7 being referred to the Cornwall Police Service.

8 **MR. DUMAIS:** Okay. So perhaps we can have a
9 look at that correspondence. It's Document Number 735769.
10 My understanding is it's an exhibit -- 368?

11 **THE COMMISSIONER:** Yes, Exhibit 368 is a
12 letter dated June 19th, 2000 to the Chief of Police from Pat
13 Hall, Detective Inspector -- dealing with this matter.

14 **(SHORT PAUSE/COURTE PAUSE)**

15 **THE COMMISSIONER:** Mr. Dumais, there are
16 matters in this letter that, I believe ---

17 **MR. DUMAIS:** That's correct, Commissioner.
18 There is this document -- well, I'm assuming that when the
19 document was entered as an exhibit, that ---

20 **THE COMMISSIONER:** There was a publication
21 ban put on it.

22 **MR. DUMAIS:** I'm assuming.

23 **THE COMMISSIONER:** Yes, but I think then we
24 should be putting a publication ban on 1679. And Mr. Lee?

25 **MR. LEE:** You recall that I act for Mr.

1 Latour, sir?

2 THE COMMISSIONER: Yes.

3 MR. LEE: I think you and I are thinking the
4 same thing in a few of these documents.

5 THE COMMISSIONER: A dangerous thing.

6 MR. LEE: It is.

7 THE COMMISSIONER: To be thinking the same
8 thing.

9 MR. LEE: Yes. This is -- I'm not exactly
10 sure how we should be dealing with this, and I don't have a
11 specific recollection of how we dealt with it when Mr.
12 Latour was here because I'm not sure there is any value to
13 a publication ban in this instance, given that members of
14 the media and others out there may not appreciate what the
15 ban relates to, given that ---

16 THE COMMISSIONER: M'hm.

17 MR. LEE: --- I made a request related to
18 some of these documents in camera. So it's not simply a
19 matter -- as an example to be perfectly clear, this is
20 purely hypothetical and doesn't apply at all if it were the
21 name of one of Mr. Latour's kids or something like that.
22 We could just say there's a publication ban on the name of
23 Mr. Latour's kid and that would be the end of it.

24 In this case, that's not what we have and it
25 would contravene your order for us to explain in a public

1 hearing what exactly it is we are talking about. So we've
2 got a little bit of an issue here.

3 I don't -- I mean I certainly don't want
4 these documents to go in as "C" exhibits because I think
5 they're important as they relate to the Greggain
6 allegation.

7 **THE COMMISSIONER:** Right.

8 **MR. LEE:** But on the other hand, a
9 publication ban doesn't do us a heck of a lot. Again, I
10 don't know if maybe we might be at a stage where the most
11 just remedy here may be redaction of the documents for
12 public consumption, but I mean I'm struggling here with
13 exactly how we do this.

14 **THE COMMISSIONER:** M'hm, well, redaction is
15 a major ---

16 **MR. LEE:** It is.

17 **THE COMMISSIONER:** --- major thing here.

18 **MR. LEE:** But redaction of the information
19 that your order applies to leaves the rest of it available
20 publicly and the alternative, it seems to me, may be that
21 the documents have to be "C" exhibits, in which case none
22 of it is available publicly.

23 **THE COMMISSIONER:** Well, let's put it this
24 way; you guys know a lot more about what all of this is
25 than I do at this point. I just put up the question about

1 ---

2 MR. LEE: Right.

3 THE COMMISSIONER: --- so I don't know if
4 you folks need five, ten minutes to talk about that?

5 MR. LEE: Can we have a short break, sir, so
6 I can discuss this with counsel?

7 THE COMMISSIONER: All right. We are going
8 to take a short break, sir.

9 THE REGISTRAR: Order; all rise. À l'ordre;
10 veuillez vous lever.

11 This hearing will resume at 2:45.

12 --- Upon recessing at 2:28 p.m./

13 L'audience est suspendue à 14h28

14 --- Upon resuming at 2:53 p.m./

15 L'audience est reprise à 14h53

16 THE REGISTRAR: Order; all rise. À l'ordre;
17 veuillez vous lever.

18 This hearing is now resumed. Please be
19 seated. Veuillez vous asseoir.

20 THE COMMISSIONER: Thank you.

21 So you wish me to deal with the decision
22 first, Maître Dumais?

23 Sure, all right.

24 --- RULING ON ALLOCATION OF FUNDS/DÉCISION SUR LA
25 RÉPARTITION DES FONDS:

1 **THE COMMISSIONER:** After a very able
2 argument by Mrs. Daley, I have come to this decision. The
3 Citizens for Community Renewal have made a third
4 application for supplementary funding, which I heard on
5 Monday, May 12th, 2008.

6 After I recommended funding for the CCR on
7 November 17th, 2005, the CCR sought additional funding in
8 June 2006. On June 30th, 2006, I recommended the CCR's
9 request for supplementary funding. As part of the
10 recommendation, I gave the CCR a maximum of 400 hours of
11 paralegal funding. I also said that if more hours should
12 be required, the CCR was free to apply for further
13 amendment. In that same Ruling, I recommended funding for
14 a second-counsel fee but limited to a maximum of 30 days,
15 and the second-counsel fee was limited to 75 percent of
16 recovery.

17 In March 2007, I recommended supplementary
18 funding for the CCR after it requested funding to retain a
19 former police officer to assist counsel with policing
20 issues. Upon reviewing CCR's motions, materials, and
21 hearing the submissions of CCR counsel and noting that no
22 parties opposed the CCR's motion, I indicated that I would
23 grant the CCR's request at least in part. In granting the
24 CCR's request and recommended supplementary funding, I am
25 mindful of the public expenditure of funds. I agree with

1 counsel that additional funding for a law clerk may well be
2 more efficient and cost effective than leaving this work
3 with a junior lawyer. It is clear from the Affidavit of
4 Juda Strawczynski filed in support of the motion that the
5 CCR's law clerk has taken on an expanded role on the CCR
6 litigation team. In addition, the CCR is a full
7 participant in an Inquiry that has more hearing days than
8 initially forecast.

9 I have decided to recommend an additional
10 675 hours for law clerk funding. This is somewhat less
11 than counsel requested but should be sufficient, in my
12 view, to do the work proposed. It is also consistent with
13 additional funding I have recommended for another publicly
14 funded party in similar circumstances.

15 As for the request for an additional
16 allocation of days for second-counsel funding, I agree with
17 the submission that there are several key witnesses to come
18 and also understand the need for transition. I am
19 therefore recommending an additional 30 days as requested.
20 The second-counsel fee will again be limited to 75 percent
21 of recovery, and that order is made today with the
22 recommendation going to the Attorney General in due course,
23 Mr. Manson. Is that fine?

24 **MR. MANSON:** Yes.

25 **THE COMMISSIONER:** Thank you.

1 **MR. MANSON:** I take it made today but
2 there's a bit of a gap between ---

3 **THE COMMISSIONER:** Oh, no, no. It will be -
4 --

5 **MR. MANSON:** Retroactive?

6 **THE COMMISSIONER:** --- retroactive, sure.

7 **MR. MANSON:** Thank you.

8 **THE COMMISSIONER:** Thank you.

9 Maître Dumais?

10 Oh, by the way, before I forget, I'm sorry,
11 Maître Dumais, I wish to advise you that I will not be
12 available tomorrow morning until 11 o'clock. So we will
13 start the hearings at 11:00. Thank you.

14 **MR. DUMAIS:** Perhaps I can let my friend,
15 Mr. Lee, address the issue?

16 **THE COMMISSIONER:** Sure.

17 **MR. LEE:** I spoke with both Mr. Dumais and
18 Mr. Engelmann at the break, and the consensus we seem to
19 come to is that it might work best and be as transparent as
20 we can be if the documents were stamped with the typical
21 publication ban sticker and perhaps an explanation provided
22 that in these documents, the matter is not directly related
23 to the allegations against Gilf Greggain are subject to the
24 ban.

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

1 **MR. LEE:** So that would give the media, and
2 whoever is reading it considering possibly publishing it,
3 some direction on what is subject to the ban without going
4 into any more detail than is absolutely necessary.

5 **THE COMMISSIONER:** Okay, but my
6 understanding was when we first dealt with this back in
7 exhibits 300s ---

8 **MR. LEE:** Yes.

9 **THE COMMISSIONER:** --- and when Mr. Latour
10 testified, that there was an in camera Ruling done at that
11 point.

12 **MR. LEE:** There was.

13 **THE COMMISSIONER:** And so all we are going
14 to do is put the publication ban stamp on these next few
15 exhibits and the ones that we've just been given as a "aide
16 mémoire" to the media who have to go back to the Latour
17 material when he testified, so they can satisfy themselves
18 of their obligation.

19 **MR. LEE:** Exactly.

20 **THE COMMISSIONER:** All right?

21 **MR. LEE:** Yes.

22 **THE COMMISSIONER:** Fair.

23 **MR. LEE:** Thank you.

24 **THE COMMISSIONER:** Thank you. So, Madam
25 Clerk, on all of the exhibits that we have put in with

1 respect to the Latour matter, there will be a publication
2 stamp put on.

3 All right. Thank you very much for dealing
4 with that at this point.

5 **MR. DUMAIS:** Thank you, Commissioner, and
6 just for everyone's benefit, that Ruling can be found in
7 the in camera transcripts, Volume 100, at page 7. So your
8 specific Ruling is found there.

9 **THE COMMISSIONER:** Very good, Mr. Dumais,
10 that's good. All right, I think we've covered that one off
11 well.

12 **MR. DUMAIS:** So then, Mr. Commissioner,
13 dealing with the two most -- and I'll identify the
14 documents that I believe are subject to this specific
15 Ruling, and the first one is Exhibit 359.

16 **THE COMMISSIONER:** Three-five-nine (359)?

17 All right. That Exhibit has not been
18 stamped and it should be.

19 **MR. DUMAIS:** Yes, and the second one is the
20 one I'm going to ask Sergeant Carroll to look at, and
21 that's Exhibit 368, and that should be stamped as well, as
22 per your direction.

23 **THE COMMISSIONER:** Thank you.

24 **JEFF CARROLL, Resumed/Sous le même serment**

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

1 **PIERRE DUMAIS (cont'd/suite)**

2 **MR. DUMAIS:** So, Sergeant, is this the piece
3 of correspondence that your office would have received on
4 June 20th, 2000, relating to this matter?

5 **MR. CARROLL:** I believe it is.

6 **MR. DUMAIS:** And it's a letter from
7 Detective Inspector Pat Hall and it's addressed to Staff
8 Sergeant R. Carter?

9 **MR. CARROLL:** That's correct.

10 **MR. DUMAIS:** And I believe Staff Sergeant
11 Carter was the liaison officer with the Project Truth
12 investigation; is that correct? Was that your
13 understanding?

14 **MR. CARROLL:** I'm not sure if that's what
15 his capacity was at that time. I'm fairly certain that he
16 was the officer in charge of the Criminal Investigation
17 Division.

18 **MR. DUMAIS:** All right. I mean in any event
19 ---

20 **MR. MANDERVILLE:** Sorry to interrupt, Mr.
21 Commissioner.

22 I understand Staff Sergeant Derochie was the
23 liaison officer in charge at that time.

24 **THE COMMISSIONER:** Thank you, sir.

25 **MR. DUMAIS:** All right. In any event, the

1 correspondence was received by Staff Sergeant Carter;
2 correct? And it notes in the first paragraph and I'll just
3 read it out for you:

4 "On June 19th, 2000 the above-noted
5 victim called the offices of Project
6 Truth to advise of being sexually
7 assaulted while a student of Gilf
8 Greggain who was his grade 3 teacher at
9 St. Peter's School, Second Street East,
10 Cornwall, Ontario. The victim was
11 approximately eight or nine years old."

12 So certainly it appears that someone would
13 have left a message on their answering machine; is that
14 correct?

15 **MR. CARROLL:** I'm not sure about that.

16 **MR. DUMAIS:** So you don't recall being
17 advised of that?

18 **MR. CARROLL:** When I was assigned this case
19 it was relayed to me that it had come in through Project
20 Truth.

21 **MR. DUMAIS:** All right.

22 **MR. CARROLL:** I don't think I was aware of
23 this correspondence at that time.

24 **MR. DUMAIS:** All right. So then if we skip
25 the second paragraph, it appears to indicate that these

1 alleged offences occurred in the City of Cornwall. The
2 exact nature of the allegation was not solicited as it was
3 felt it would be more appropriate for your police service
4 to conduct the investigation.

5 Was that your understanding, that because
6 the allegation occurred within the City of Cornwall that is
7 why you were investigating?

8 **MR. CARROLL:** Yes, I guess that would be
9 fair to say that.

10 **MR. DUMAIS:** All right. I mean just earlier
11 on I believe you told us, Sergeant, that the correspondence
12 would explain why Cornwall Police Services would have
13 received the file.

14 **MR. CARROLL:** Yes.

15 **MR. DUMAIS:** And I guess my question to you
16 is what was your understanding, why was Project Truth not
17 investigating this and why was Cornwall Police Services
18 asked to do it?

19 **MR. CARROLL:** I don't believe I had one at
20 that time. I was doing it because I was assigned to do it
21 by my immediate supervisor.

22 **MR. DUMAIS:** All right. So you're not aware
23 of any protocol between OPP and Cornwall Police; you're
24 asked to investigate this and you investigate it; correct?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** All right. Now, my
2 understanding is that following this assignment you would
3 have contacted Mr. Latour; is that correct?

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

5 **MR. DUMAIS:** And I understand that
6 arrangements would have been made for him to attend your
7 office to provide a statement; is that correct?

8 **MR. CARROLL:** That's correct.

9 **MR. DUMAIS:** And that would have been set up
10 for June 23rd, 2000; is that correct?

11 **MR. CARROLL:** That's correct.

12 **MR. DUMAIS:** All right. Now, I'm just going
13 to ask you to have a look at Exhibit 358B for a moment.

14 **THE COMMISSIONER:** You would have that in
15 that -- so, yes, 358B. Do you have that, sir?

16 **MR. DUMAIS:** So you will ---

17 **THE COMMISSIONER:** It's a transcript, sir,
18 so the first page should be a black ---

19 **MR. CARROLL:** Okay, I have that.

20 **THE COMMISSIONER:** All right.

21 **MR. CARROLL:** I have that.

22 **THE COMMISSIONER:** All right.

23 **MR. DUMAIS:** So you will recall, Mr.
24 Commissioner, that the actual Exhibit 358 is the videotape
25 of the three ---

1 **THE COMMISSIONER:** Yes.

2 **MR. DUMAIS:** The B document is the
3 transcript that our office prepared.

4 So you've seen this, the transcript of the
5 statement that you would have taken on -- from Marc Latour
6 on June 23rd, 2000, Sergeant?

7 **MR. CARROLL:** Yes, I've seen that before.

8 **MR. DUMAIS:** All right. So then if you can
9 just situate us a bit; Mr. Latour comes into your office,
10 what discussion do you have with him with respect to this
11 allegation, before the statement starts actually?

12 **MR. CARROLL:** I would have met him in our
13 front lobby simply just to introduce myself to him in
14 person and let him know that we were going to be going to a
15 more comfortable interview room on the second floor; that I
16 was going to be in a position to be able to, audio and
17 video, record the interview.

18 **MR. DUMAIS:** All right. So -- and the
19 statement was videotaped; is that correct?

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

21 **MR. DUMAIS:** All right. So I'm just looking
22 at the first page of the statement and you're just, at this
23 point, asking for an open question, asking him to describe
24 in general what the allegation is?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** And you find out at this time
2 that this would have occurred at St. Peter's School, that
3 he would have been in grade 3 and that the alleged
4 perpetrator would have been Mr. Greggain, and he believes
5 that his first name was Gilf; is that correct?

6 **MR. CARROLL:** That's correct.

7 **MR. DUMAIS:** And he told you the story as
8 well that previous to that he would have been in Ms.
9 Gosling's class in grade 2 and that he would -- he passed
10 grade 2 with -- he was doing fairly well in grade 2 but in
11 grade 3, in Mr. Greggain's class, Mr. Greggain's class he
12 was -- his grades were dropping; is that fair?

13 **MR. CARROLL:** That's fair.

14 **MR. DUMAIS:** All right. And as well, in
15 this statement, and I'm just looking at the bottom of page
16 2; he relates an occurrence where his father would have
17 been involved. Do you recall that?

18 **MR. CARROLL:** Yes, I do.

19 **MR. DUMAIS:** All right. So do you recall
20 what he told you?

21 **MR. CARROLL:** He told me that on one
22 occasion his father found him outside the school crying and
23 he shared with his father that it was Mr. Greggain that had
24 caused him to cry and his father went in and had some words
25 with Mr. Greggain.

1 **MR. DUMAIS:** All right. And as far as you
2 can recall, Mr. Latour would not have told his father any
3 of the specifics of the sexual allegation; is that correct?

4 **MR. CARROLL:** As far as I can recall, yes.

5 **MR. DUMAIS:** All right. So he would have
6 simply mentioned that he had been physically assaulted by
7 Mr. Greggain?

8 **MR. CARROLL:** That's right.

9 **MR. DUMAIS:** And when his father attended
10 the school to speak to Mr. Greggain, Mr. Latour would have
11 been present in the hallway; is that correct.

12 **MR. CARROLL:** My recollection of this is
13 that Mr. Latour heard his father and Mr. Greggain having
14 words but he wasn't present to witness it himself.

15 **MR. DUMAIS:** All right. Now, I'm just
16 looking at the top of Bates pages 884 which is page 3 of
17 the transcript and I'll just start reading from Mr.
18 Latour's answer; that's at the bottom of the previous page:

19 "I heard it, I wouldn't go in, that's
20 when with him the beatings and
21 everything stopped after. I can
22 remember Ms. Gosling coming into the
23 classroom when she found out."

24 And I'll just skip the next paragraph and
25 then it continues:

1 "Anyway, I can remember Ms. Gosling was
2 a very good teacher. When she found
3 out I can still remember; she said if
4 you hurt Marc or any other child I will
5 beat you."

6 "You heard that answer?"

7 "Yes, I was present. Anyways, the
8 beating did stop and the touching but I
9 was still always scared of him,
10 petrified of him."

11 Do you see that, where you're saying that?

12 **MR. CARROLL:** Yes, I see that.

13 **MR. DUMAIS:** What was your understanding
14 back then, Sergeant, as to when this event would have
15 occurred with Ms. Gosling?

16 **MR. CARROLL:** Exactly what he's discussing
17 about Ms. Gosling, I was never quite 100 percent sure about
18 that in relation to the conversation that his father had
19 with Mr. Greggain.

20 I would have loved to have the opportunity
21 to talk to Ms. Gosling to help clarify that a little bit
22 more; Ms. Gosling had passed away long before this
23 complaint was made.

24 **MR. DUMAIS:** All right. But was your
25 understanding that the incident with Ms. Gosling followed

1 immediately after in time with the confrontation with the
2 father or at some subsequent time?

3 MR. CARROLL: My understanding was that the
4 two were closely related in time; exactly when and in which
5 order they came in, I was never quite sure of.

6 MR. DUMAIS: All right. But clearly Mr.
7 Latour's statement, at that time, was that during this
8 intervention from Ms. Gosling, he would have present,
9 correct?

10 MR. CARROLL: That would be my
11 understanding, yes.

12 MR. DUMAIS: Pardon me?

13 MR. CARROLL: Yes, I believe so.

14 MR. DUMAIS: All right. Now, a little later
15 on -- and I'm looking at Bates pages 889 of the transcript,
16 Sergeant, so page 8; Mr. Latour does indicate that he would
17 have sent a letter to his sisters and brothers, is that
18 correct?

19 MR. CARROLL: That's correct.

20 MR. DUMAIS: And I understand that at one
21 point in time you did have an interview with Marc's sister,
22 is that correct?

23 MR. CARROLL: Yes.

24 MR. DUMAIS: All right. But the letter
25 would not have disclosed any of the sexual abuse he would

1 have suffered at the hands of Mr. Greggain, is that
2 correct?

3 MR. CARROLL: That's my recollection of
4 that.

5 In fact, the sister told me that she
6 wouldn't have even showed me the letter.

7 MR. DUMAIS: We'll get to that, but I
8 believe she indicated to you that she did not have the
9 letter and even if she had, she would not have produced a
10 copy for you; is that ---

11 MR. CARROLL: That's correct.

12 MR. DUMAIS: All right. I mean, clearly
13 Marc's position in his statement was that in any event the
14 letter would not have disclosed any of the specifics of the
15 sexual abuse at the hands of Mr. Greggain, is that right?

16 MR. CARROLL: That's what I recall.

17 MR. DUMAIS: All right. So at one point in
18 time there's an area of questioning that relates to his --
19 by that I mean Mr. Latour being a relative of Dick Nadeau,
20 is that correct?

21 MR. CARROLL: Yes, you are.

22 MR. DUMAIS: Do you recall that?

23 MR. CARROLL: Yes, I do recall that.

24 MR. DUMAIS: All right. So do you recall
25 what type of relationship that Marc had with Dick at that

1 time?

2 MR. CARROLL: I believe they are cousins but
3 cousins through marriage.

4 MR. DUMAIS: But certainly would not have
5 been a close relationship, is that correct?

6 MR. CARROLL: That's right. They hadn't --
7 as I recall, they hadn't seen each other in a number of
8 years.

9 MR. DUMAIS: All right. So this is -- these
10 -- this statement is taken in the year 2000, so then you're
11 not concerned with him being a cousin to Dick Nadeau, is
12 that correct?

13 MR. CARROLL: No, not in that sense.

14 MR. DUMAIS: All right. And just before
15 moving further, Commissioner, with this, this statement
16 should also be stamped ---

17 THE COMMISSIONER: Which one now,
18 Exhibit 358?

19 It has been. It has already been ---

20 MR. DUMAIS: Stamped?

21 Thank you.

22 And Mr. Latour does confirm for you that he
23 did initially give a call to Project Truth regarding this
24 allegation; is that correct?

25 MR. CARROLL: Yes.

1 **MR. DUMAIS:** And he does get into some of
2 the details with respect to his stay at Alfred; do you
3 recall that?

4 **MR. CARROLL:** Yes, he did.

5 **MR. DUMAIS:** Where he would have suffered
6 some abuse while at Alfred?

7 **MR. CARROLL:** Yes, that's correct.

8 **MR. DUMAIS:** All right. And he does
9 indicate -- I'm just looking at the bottom of page 11, the
10 last four entries:

11 "Well, I did call Project Truth years
12 ago."

13 "How long ago do you figure it was that
14 you called them?"

15 "I got up the nerve I think when they
16 first started investigating."

17 "Did anybody from there ever get back
18 to you?"

19 And on the following page, the answer:

20 "Never. And I left it at that."

21 **MR. CARROLL:** I see that, yes.

22 **MR. DUMAIS:** So did you understand that to
23 mean that he had contacted Project Truth a while back?

24 **MR. CARROLL:** Yes, I did.

25 **MR. DUMAIS:** All right. So I don't know if

1 you're aware of this but when Mr. Latour took the stand, he
2 did explain that what he was referring to here was the
3 Alfred investigation; were you aware of that?

4 **MR. CARROLL:** Yes, I am.

5 **MR. DUMAIS:** All right, okay. Now in the
6 next couple of pages, Mr. Latour gets into some of the
7 concerns that he has with some of the members of the
8 Cornwall Police Services, is that right?

9 **MR. CARROLL:** That's correct.

10 **MR. DUMAIS:** All right. And he had been
11 involved in a number of investigation and prosecution with
12 him as an alleged perpetrator or a perpetrator, is that
13 correct?

14 **MR. CARROLL:** That's correct.

15 **MR. DUMAIS:** And he is concerned with the
16 way he had been treated by some of the members and he was
17 concerned, as well, with -- with the Crown's office, is
18 that correct?

19 **MR. CARROLL:** That's correct.

20 **MR. DUMAIS:** All right. And as he's
21 recounting that to you, is that any cause of concern?

22 **MR. CARROLL:** Yes and no.

23 I was wondering exactly where Mr. Latour was
24 going with raising those concerns with me but at the same
25 time I was doing my best to say to him that I was prepared

1 to put everything else aside; I really didn't care what
2 happened to him in the past with respect to anybody, I was
3 only concerned with what the present matter was that he was
4 present to report.

5 MR. DUMAIS: All right. And is it fair to
6 say that during this first interview, you're essentially
7 letting Mr. Latour say what he wants to say?

8 MR. CARROLL: That's right. In this very
9 first interview with Mr. Latour, I went into it with the
10 sole purpose of trying to establish some sort of a rapport
11 with him and get him to a point that he was comfortable
12 talking to me about anything he wanted to talk to me about.

13 MR. DUMAIS: All right. So you sometime go
14 off topic and you just let him go on, is that fair?

15 MR. CARROLL: Let him talk -- let him say
16 whatever he wants.

17 MR. DUMAIS: All right. And I mean, is that
18 something that you do in all your historical sexual abuse
19 investigations, Sergeant?

20 MR. CARROLL: I try and do it in any
21 investigation I'm doing. I'm there to sit and listen to
22 the complainant, the victim or the witness and to make them
23 as comfortable with me as I can and basically let them
24 guide the conversation and I'll try and work the
25 investigation in around with what they say.

1 **MR. DUMAIS:** All right. Now I'm looking at
2 Bates pages 897, that's page 16 of the transcript,
3 Sergeant, the second paragraph.

4 **THE COMMISSIONER:** It would be page 15 on
5 the top, I think.

6 **MR. DUMAIS:** I believe it's 16.

7 **THE COMMISSIONER:** Sixteen (16), on the
8 right-hand side, if that's easier for you, sir.

9 **MR. DUMAIS:** I guess -- so looking at the
10 end of your question, firstly, so then you're speaking,
11 Sergeant:

12 "What would you like done over the
13 molestation and the stuff involving
14 your former teacher?"

15 And then the answer to him:

16 "Well, he's probably going to say,
17 'No.' There's only two people who know
18 what happened and that's me and him."

19 So from that point on, you would have known,
20 Sergeant, that there are no eyewitnesses to the occurrence;
21 is that correct?

22 **MR. CARROLL:** That's correct.

23 **MR. DUMAIS:** All right. And Marc is
24 probably correct in saying or stating that it's his word
25 against Mr. Greggain?

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

2 **MR. DUMAIS:** All right. But Mr. Latour does
3 disclose -- and that's on the following page -- that he
4 believes that there could be other victims?

5 **MR. CARROLL:** Okay.

6 **MR. DUMAIS:** So I'm just looking at the
7 fourth entry, ML:

8 "So I'd like you to go and talk to
9 him about it though."

10 "Well, if there are grounds to lay a
11 charge we'll be laying a charge".

12 Answer from Mr. Latour there:

13 "Fine. You know why I think he did
14 it to others."

15 And then your question:

16 "Have you ever heard from other that
17 he did things to them?"

18 And then he does disclose an incident that occurred with a
19 janitor that he knows by the names of Jules Tyo. Is that
20 correct?

21 **MR. CARROLL:** That's correct.

22 **MR. DUMAIS:** And what do you recall of what
23 Mr. Latour would have told you about this?

24 **MR. CARROLL:** I remember Mr. Latour
25 mentioning a conversation that he had with Jules Tyo where

1 Jules Tyo seemed to have some knowledge about Mr.
2 Greggain's activity with respect to students.

3 MR. DUMAIS: And is it fair to say that Mr.
4 Tyo would have spoken about something that he would have
5 witnessed Mr. Greggain doing to other children? Is that
6 correct?

7 MR. CARROLL: That's my recollection, yes.

8 MR. DUMAIS: All right. And really this had
9 nothing to do with the incident involving Mr. Latour, is
10 that correct?

11 MR. CARROLL: No, it didn't.

12 MR. DUMAIS: All right.

13 And as Mr. Latour was recounting this, he
14 was saying that this is information that Mr. Tyo would have
15 volunteered.

16 MR. CARROLL: I believe it was.

17 MR. DUMAIS: And at the time that he would
18 have volunteered this information, Mr. Tyo would not have
19 been aware that Mr. Latour was also a victim, is that ---

20 MR. CARROLL: I believe so.

21 MR. DUMAIS: All right.

22 And present during this statement made by
23 Mr. Tyo would have been a third individual by the name of
24 Dennis Rochon. Is that correct?

25 MR. CARROLL: That's correct.

1 **MR. DUMAIS:** And my understanding -- and
2 we'll get to that a little later on -- is that you
3 eventually did meet with Mr. Jules Tyo and you took a
4 statement from him.

5 **MR. CARROLL:** Yes, I did.

6 **MR. DUMAIS:** And did you take his statement
7 and meet with Mr. Dennis Rochon?

8 **MR. CARROLL:** No, I never did.

9 **MR. DUMAIS:** All right. Did you attempt to
10 locate him?

11 **MR. CARROLL:** Yes, I did. You can
12 understand that Rochon is a very, very common name in the
13 City of Cornwall. I was not able to identify a Dennis
14 Rochon who would have likely attended school with Mr.
15 Latour in the '60s -- mid-'60s.

16 **MR. DUMAIS:** Did you -- did you ask Mr.
17 Latour whether or not he knew where he was?

18 **MR. CARROLL:** I don't believe I asked Mr.
19 Latour to assist me in finding Mr. Rochon.

20 **MR. DUMAIS:** All right. So essentially when
21 you are looking for someone like this Sergeant, do you go -
22 - do you do a CPIC search? Is that one of the first steps?

23 **MR. CARROLL:** Check CPIC -- you attempt to
24 check driver's licence, record information, address
25 information with respect to people that may have come into

1 contact with the Cornwall Police Service.

2 MR. DUMAIS: All right. And Mr. Latour
3 appears to indicate in his statement that -- and I'm just
4 looking at the fourth entry from the bottom -- and I'll
5 just read it out:

6 "Dennis just lived around the corner
7 from Greggain's Used Furniture here on
8 Bedford and Eight there; Bedford and
9 Eight."

10 And I mean -- and obviously Mr. Latour is
11 giving Mr. Rochon's address when he was a youth but did you
12 happen to go there at that address and see if you -- if Mr.
13 Rochon could be located?

14 MR. CARROLL: No, I didn't. Greggain's Used
15 Furniture is an establishment that's obviously before my
16 time. There is no such business located in the Bedford and
17 Eight Street area and that didn't assist me at all in
18 attempting to find Dennis Rochon who would have been a
19 school mate of Mark Latour's back in the '60s.

20 (SHORT PAUSE/COURTE PAUSE)

21 MR. LEE: Mr. Commissioner, could I just
22 have a moment?

23 (SHORT PAUSE/COURTE PAUSE)

24 MR. DUMAIS: Perhaps, just a point of
25 clarification, Sergeant ,rather than dealing with it later

1 on; was it your understanding that Dennis Rochon would have
2 been a classmate of Mr. Latour back in the '60s or whether
3 or not he was a recent acquaintance of Mr. Latour?

4 **MR. CARROLL:** I'm not quite sure, I'm sorry.

5 **MR. DUMAIS:** All right. Well, fair enough.
6 Suffice it to say that you -- you made some
7 attempts to find him and you were unable to locate him.

8 **MR. CARROLL:** That's correct.

9 **MR. DUMAIS:** All right.

10 Because certainly what Mr. Rochon could have
11 offered was some corroborations to Mr. Tyo's statement to
12 Mr. Latour.

13 **MR. CARROLL:** He might have been able to --
14 I wasn't able to establish that for sure because I wasn't
15 able to locate Dennis Rochon.

16 **MR. DUMAIS:** Fine. But of course he could
17 have helped clarify the matter one way or another.

18 **MR. CARROLL:** He possibly could have.

19 **MR. DUMAIS:** Fair enough. All right.

20 Now, I'm just looking at the next page which
21 is at page 18 of the transcript -- Bates pages 899. So the
22 last two entries on that page starting with your question
23 to Mr. Latour:

24 "When was the last time that you saw
25 Greggain?"

1 Answer from Mark:

2 "I seen him three weeks ago, just
3 briefly, my girlfriend was in over here
4 on Pitt Street getting Pokeman cards
5 for my daughter and he's walking down
6 the sidewalk with a bunch of retarded
7 children, handicapped children but
8 there were a couple of woman (sic) with
9 him."

10 And he continues on:

11 "Every time he sees me he turns his
12 head and goes the other way because he
13 knows. I talked it over with my
14 fiancé, to Linda, and I said, 'You know
15 Linda you've been at work at Versa Care
16 for 15 years.' I said, 'You worked
17 with this guy's daughter or
18 granddaughter'."

19 But certainly -- and this is taken up again
20 in different statements -- Mr. Latour appeared to have been
21 concerned that Mr. Greggain was in the presence of
22 handicapped children. Is that correct?

23 **MR. CARROLL:** Yes.

24 **MR. DUMAIS:** All right.

25 And did you follow any of this up, Sergeant?

1 Did you check whether or not he was involved with any --
2 whether Mr. Greggain was involved with any agency dealing
3 with disabilities?

4 **MR. CARROLL:** No, I didn't. I had no idea
5 of what exactly what context that Mr. Latour made this
6 observation of Mr. Greggain; was he in a care giving role,
7 or was he just out on the street with a bunch of people or
8 what?

9 **MR. DUMAIS:** All right. And knowing this,
10 you did not either communicate with the Children's Aid
11 Society and indicate to them that you felt that the
12 children may have been at risk? Is that ---

13 **MR. CARROLL:** No, I didn't. There was not
14 enough information there for me to make a report to the
15 Children's Aid Society.

16 **MR. DUMAIS:** All right.

17 **THE COMMISSIONER:** And why is that?
18 Because?

19 **MR. CARROLL:** He sees Mr. Greggain on the
20 street with what he feels are some retarded or some
21 handicapped children and there were a couple of women with
22 him.

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

24 **MR. CARROLL:** I have no context to that at
25 all; was he just out on the street and a bunch of people

1 happen to be by? Did he look like he was out walking with
2 a group of people? I'm investigating a very old allegation
3 about Mr. Greggain in his capacity then as a teacher whom
4 he is now retired and the Children's Aid Society, I feel,
5 would ask me just what type of investigation do you expect
6 us to be able to launch with this information.

7 **MR. DUMAIS:** All right but I mean certainly
8 the context of Mr. Latour's observation was an allegation
9 that he's making that he was being -- that he had been
10 sexually abused by Mr. Greggain as a child?

11 **MR. CARROLL:** Yes.

12 **MR. DUMAIS:** All right. You weren't -- you
13 weren't concerned?

14 **MR. CARROLL:** Based on just what this -- no,
15 I didn't ---

16 **MR. DUMAIS:** All right.

17 **MR. CARROLL:** --- have any concern at that
18 time.

19 **MR. DUMAIS:** All right. And you just
20 indicated to us, Sergeant, that Mr. Greggain was retired.
21 You did not know that at that time; is that correct?

22 **MR. CARROLL:** I believe I did ---

23 **MR. DUMAIS:** All right.

24 **MR. CARROLL:** --- know that he was retired.

25 **MR. DUMAIS:** So you knew that, you had

1 personal knowledge that he was retired?

2 MR. CARROLL: At that time I was sitting on
3 a local separate school -- school council in my off duty
4 hours as a volunteer.

5 MR. DUMAIS: Yes.

6 MR. CARROLL: I asked some of the -- the
7 older members of the school council who were teachers and
8 principals if they ever heard of Mr. Greggain. I didn't
9 tell them exactly why I was asking this question and I was
10 given information at that time he had retired a number of
11 years ago.

12 MR. DUMAIS: All right, but you found that
13 out in your investigation, in your subsequent
14 investigation; is that correct?

15 MR. CARROLL: Well I found that out in and
16 around the time I was looking into this complaint.

17 MR. DUMAIS: All right. But did you not
18 find that out when you were attempting to locate Mr.
19 Greggain to interview him?

20 MR. CARROLL: I don't really recall exactly
21 when I found that out. But I did not feel that Mr.
22 Latour's observation as seeing Mr. Greggain out on the
23 street, just walking, in and around a group of kids whom he
24 felt were challenged in some way with some women was
25 sufficient for me to report this to the Children's Aid

1 Society so they could begin their own parallel
2 investigation.

3 **MR. DUMAIS:** All right. And that's fine,
4 Sergeant, I think that's a separate issue. The follow-up
5 question was your comment that you knew at that time that
6 Mr. Greggain was retired, and I guess the follow-up
7 question to that is did you check with St. Peter's School
8 at any point in time whether or not Mr. Greggain was still
9 in their employ?

10 **MR. CARROLL:** I don't believe I did.

11 **MR. DUMAIS:** All right. Now, shortly
12 afterwards, Sergeant, you do indicate to Mr. Latour that it
13 is your intention to attempt to meet with Mr. Greggain; it
14 is your intention to attempt to meet with Jules Tyo and
15 then Mr. Latour does bring something to your attention; in
16 that he advises that Jules Tyo is not aware that Marc
17 Latour is a victim of sexual abuse; in that he never told
18 Mr. Tyo. Is that correct?

19 **MR. CARROLL:** Yes.

20 **MR. DUMAIS:** All right. And he does
21 indicate to you or he does ask you when you intend to meet
22 up with Jules Tyo that you not bring up his name; is that
23 correct?

24 **MR. CARROLL:** That's correct.

25 **MR. DUMAIS:** And you did give him that

1 assurance, Sergeant?

2 MR. CARROLL: Yes, I did my best to assure
3 him that I would respect that.

4 MR. DUMAIS: All right. And we will get
5 into the statement that you took from Mr. Tyo but certainly
6 while speaking with him you did advise him that Marc Latour
7 had made an allegation against Mr. Greggain; is that
8 correct?

9 MR. CARROLL: Yes. I -- that's something
10 that I let out of the bag and I believe I eventually
11 apologized to Mr. Latour in the subsequent meeting with him
12 of that.

13 MR. DUMAIS: All right.

14 MR. CARROLL: I had to tiptoe around asking
15 Mr. Tyo questions about something that had gone on in a
16 vacuum, without letting him know what I was looking for and
17 that was not an intentional breach of the confidence that I
18 was trying to develop with Mr. Latour.

19 MR. DUMAIS: All right. So I understand
20 that your position that you didn't intentionally break the
21 confidence but certainly speaking with Mr. Tyo that was a
22 completely separate incident from the one involving Mr.
23 Latour; correct?

24 MR. DUMAIS: I don't understand.

25 MR. DUMAIS: Well, Mr. Latour indicated that

1 he -- or his allegation was that he was sexually abused
2 while in grade 3 at St. Peter's School.

3 MR. CARROLL: Yes.

4 MR. DUMAIS: Mr. Tyo's statement was that
5 while working as a janitor in another school where Mr. Greggain
6 was working he observed him molesting children.

7 MR. CARROLL: He observed him touching
8 children in a way that he didn't think was appropriate. I
9 wouldn't quite go so far as molestation. But yes, that's my
10 recollection of Mr. Tyo's information.

11 MR. DUMAIS: Fair enough. The only point is
12 that they're two separate incidents; one ---

13 MR. CARROLL: Two separate schools, two
14 separate incidents.

15 MR. DUMAIS: All right.

16 MR. CARROLL: And probably a considerable
17 time span between them.

18 THE COMMISSIONER: Can I just go back now?
19 This isn't really attributed to Mr. Tyo, this is what Mr.
20 Latour is telling this officer that Mr. Tyo will say if asked;
21 is that fair?

22 MR. DUMAIS: Say that again, Commissioner.

23 THE COMMISSIONER: All right.

24 (LAUGHTER/RIRES)

25 THE COMMISSIONER: All right. You're

1 questioning -- you know we have to put things back in context,
2 is that Mr. Latour is telling this officer, you go and see Mr.
3 Tyo, he's got information about this and he's going to tell you
4 that at another school the teacher, Greggain, was touching
5 people?

6 **MR. DUMAIS:** Correct.

7 **THE COMMISSIONER:** All right, so it's coming
8 from Latour's mouth, all of this so far?

9 **MR. DUMAIS:** Correct.

10 **THE COMMISSIONER:** If I -- sir, if my memory
11 serves me correctly, there will have been some follow-up and
12 that's not exactly what Mr. Tyo will have said?

13 **MR. DUMAIS:** Well, we'll get to that shortly
14 but I think certainly in this statement what Mr. -- certainly -
15 --

16 Pardon me?

17 **THE COMMISSIONER:** When am I not?

18 **MR. DUMAIS:** Well I'm not so sure,
19 Commissioner.

20 **THE COMMISSIONER:** Okay, okay, but in any
21 event ---

22 **MR. DUMAIS:** Mr. Manderville is siding with
23 you ---

24 **THE COMMISSIONER:** Oh boy. No, but what I
25 want -- what I want to make sure is that the public -- when

1 you're asking the questions, the public doesn't mix up, because
2 if someone was just tuning in they would say "Ah, Mr. Tyo has
3 said that this happened" and that's not correct at this time.
4 At this time we have Mr. Latour telling this officer ---

5 **MR. DUMAIS:** That's correct.

6 **THE COMMISSIONER:** --- you go see Tyo and
7 this is what he's going to tell you.

8 **MR. DUMAIS:** That's correct, Mr.
9 Commissioner.

10 **THE COMMISSIONER:** All right.

11 **MR. DUMAIS:** We're still looking at Marc
12 Latour's statement in June of 2000.

13 **THE COMMISSIONER:** Right. Okay. Good.

14 **MR. DUMAIS:** And I guess the only point I
15 wanted to make was that these were, as Mr. Latour recounts
16 them, are two separate incidents.

17 **THE COMMISSIONER:** Fine.

18 **MR. DUMAIS:** They're not related one to
19 another. Mr. Latour just happens to be there when Mr. Tyo
20 makes the statement aloud; correct?

21 **MR. CARROLL:** That's correct.

22 **MR. DUMAIS:** All right. All right, so I'm
23 just looking then towards the end of the statement, page 22,
24 Sergeant. So the middle paragraph there you're speaking. I'm
25 just looking at the last line and you're saying: "I've got to

1 be honest, I very much believe that something happened to you."
2 And then Mr. Latour would tell you "I'm telling the truth" and
3 you're saying "I believe you."

4 Do you see that exchange, Sergeant?

5 **MR. CARROLL:** Yes, I see that.

6 **MR. DUMAIS:** All right. And is that true,
7 Sergeant, at this point in time, do you believe what Mr. Latour
8 is telling you?

9 **MR. CARROLL:** I believe that Mr. Latour is
10 very sincere in his feeling that he was a victim of Mr.
11 Greggain. I'm mindful of the fact that although I believe in
12 his sincerity, I've got a ways to go to establish a reasonable
13 belief myself, subjectively, that he was the victim of a
14 criminal offence. The two are different. Although I believe
15 that Mr. Latour sincerely is telling me that Mr. Greggain did
16 something to him, whether that amounts to a criminal offence at
17 that time is a different thing.

18 **MR. DUMAIS:** All right.

19 And my understanding is that at the end of
20 the interview there is some sort of discussion between you
21 and Mr. Latour to continue this conversation. Is that
22 correct?

23 **MR. CARROLL:** That's correct.

24 **MR. DUMAIS:** And arrangements are made at
25 one point in time to meet with him on July 5th, 2000. Is

1 that correct?

2 **MR. CARROLL:** That's correct.

3 **MR. DUMAIS:** And I understand that you do
4 meet with Mr. Latour who shows up at your office. And what
5 is your intent at that time? Why do you have him come
6 back?

7 **MR. CARROLL:** Well, on the basis of that
8 first interview I felt -- and that's a subjective thing --
9 that there was parts of the story that Mr. Latour wasn't
10 per chance comfortable with talking to me about on that
11 particular day. That's something that I see on a not
12 infrequent basis; a sexual assault victim may take more
13 than one interview to be comfortable enough to discuss an
14 incident in 100 percent graphic detail.

15 **MR. DUMAIS:** Yes.

16 **MR. CARROLL:** I was mindful of that and I
17 asked Marc to come back at a later date.

18 **MR. DUMAIS:** So I understand you did meet
19 with him on July 5th, 2000 and -- sorry, perhaps -- sorry,
20 Sergeant, just before we go to the next statement I just
21 want you to have a look at one of the entries, and that's
22 Exhibit 359, and that would be at Bates pages 191 of your
23 notes, Sergeant.

24 **THE COMMISSIONER:** Are you there, sir?

25 **MR. CARROLL:** Yes, I'm here.

1 **MR. DUMAIS:** So just the two last bullets:
2 "Interview completed, advise a follow-
3 up sworn interview will be taken."

4 Is that correct?

5 **MR. CARROLL:** That's correct.

6 **MR. DUMAIS:** "As well as a school record
7 check to..."

8 **THE COMMISSIONER:** "Place a year."

9 **MR. DUMAIS:** "...place a year to this and
10 him in contact..."

11 **MR. CARROLL:** "...with the suspect which
12 will be Mr. Greggain."

13 **MR. DUMAIS:** And perhaps I'll ask you to
14 finish reading?

15 **MR. CARROLL:**

16 "And advised I might be in touch with
17 him."

18 **MR. DUMAIS:** All right.

19 And then the last entry?

20 **MR. CARROLL:** I made a notation of a marked
21 physical appearance at the time:

22 "...a blotchy red face, glazed and
23 glassy eyes. His pupils were large and
24 somewhat bloodshot. There was no odour
25 present but it appears as if he had

1 been..."

2 **THE COMMISSIONER:** "As if recent."

3 **MR. CARROLL:**

4 "...heavy consumption."

5 **THE COMMISSIONER:** You have to read exactly
6 what's there.

7 **MR. CARROLL:** I'm sorry, Mr. Commissioner,
8 but:

9 "...appears as if recent heavy
10 consumption."

11 **THE COMMISSIONER:** All right.

12 **MR. DUMAIS:** So he was not intoxicated when
13 he gave you the statement?

14 **MR. CARROLL:** No, he wasn't. I was just
15 making a notation of his physical appearance.

16 **MR. DUMAIS:** All right.

17 And again, did that concern you at all?

18 **MR. CARROLL:** On first appearance it did but
19 closer examination or closer observation of him, there was
20 no odour of an alcoholic beverage present. Why I was
21 seeing those things I don't know but I jotted them down
22 just so I would have a record of them.

23 **MR. DUMAIS:** Now, there's also an
24 indication -- just a moment, please, Commissioner.

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

1 (SHORT PAUSE/COURTE PAUSE)

2 MR. DUMAIS: There's also an indication,
3 Sergeant, that you are presently involved in a homicide
4 investigation. Is that correct?

5 MR. CARROLL: I was involved at the same
6 time with several matters. There were a couple of homicide
7 cases on the go. There was a missing person case on the go
8 that was found to be a motorcycle gang-related homicide.
9 There was a couple of other very serious matters and I was
10 involved in all of those investigations as the draftperson
11 for all search warrants and production orders and documents
12 like that.

13 MR. DUMAIS: All right.

14 But certainly despite all of your other
15 investigations you were able to meet with Mr. Latour for
16 the second interview in a relatively short period of time;
17 is that correct?

18 MR. CARROLL: That's correct.

19 MR. DUMAIS: So then if we can have a look
20 at this second interview, the one dated July 5th, 2000?

21 Now, this interview is a little different in
22 that it's taken under oath; is that correct?

23 MR. CARROLL: That's correct.

24 MR. DUMAIS: And sorry, Sergeant, do you
25 have that? It's the same -- same exhibit. It starts at

1 pages 906.

2 THE COMMISSIONER: I'm sorry? So it's
3 Exhibit 359.

4 MR. DUMAIS: I believe 358(d).

5 THE COMMISSIONER: Sorry, sorry.

6 MR. CARROLL: Three-five-eight (358).

7 THE COMMISSIONER: Yeah, okay, (d), right.

8 This is the second page, all right. And what page of the -
9 --

10 MR. DUMAIS: Nine-zero-six (906) and I
11 believe that was explained when Mr. Latour gave his
12 evidence but when the transcript was prepared it was on the
13 same audiocassette.

14 THE COMMISSIONER: Right.

15 MR. DUMAIS: They just kept typing.

16 THE COMMISSIONER: Right. So it's on page -
17 - oh, right.

18 Do you have it, sir, 906, the last three
19 numbers on the top left-hand side?

20 (SHORT PAUSE/COURTE PAUSE)

21 MR. CARROLL: Now I do.

22 THE COMMISSIONER: Yes, you do. All right.

23 MR. DUMAIS: All right.

24 So the distinction between the first and the
25 second interview is the second one is taken under oath. Is

1 that correct?

2 **MR. CARROLL:** That's correct.

3 **MR. DUMAIS:** All right.

4 So perhaps you can explain to us why the
5 first interview is not taken under oath and a second one
6 is, Sergeant.

7 **MR. CARROLL:** The first interview I intended
8 to be completely a session where Mr. Latour and I could
9 develop some sort of rapport. There were a couple of
10 issues that came up in the first interview that I remained
11 alive to for some period of time. One of them being that
12 right off the bat Mr. Latour was expressing a bit of a
13 mistrust of the Cornwall Police Service and that might be
14 something that I was going to have to wrestle with as this
15 investigation continued.

16 The second element in that that caused me
17 some concern was the discussion that he had with Dick
18 Nadeau concerning a solicitation by Nadeau about joining a
19 lawsuit, that did nothing other than give me something that
20 I might want to be mindful of in the future. And the last
21 element of that was a feeling after that first interview
22 that perhaps Marc wasn't totally comfortable discussing
23 this whole thing with me, to start with anyways. It was
24 because of those variables that whatever statement that I
25 did get from Mr. Nadeau I was hoping -- sorry, from Mr.

1 Latour, I was hoping to solidify by having it under oath
2 should things become more difficult as the investigation
3 proceeded with him deciding he didn't want to proceed or
4 whatever. The taking this under oath was a little bit of
5 going overboard with caution on my behalf.

6 **MR. DUMAIS:** I'm not sure if I understand
7 your explanation, Sergeant, so why would you take a
8 statement under oath? What's the difference?

9 **MR. CARROLL:** Should Mr. Latour decide he
10 didn't want to proceed any further at any given time, at
11 least I had a statement under oath. I was doing this just
12 in preparation for the worst, I guess, in the
13 investigation.

14 **MR. DUMAIS:** All right. So are you thinking
15 at that time that, all right, I've got a statement under
16 oath. If he's not willing to testify, then I meet the
17 necessity test, and it's under oath, so it's reliable?

18 **MR. CARROLL:** At least I would have that if
19 things went awry on ---

20 **MR. DUMAIS:** But clearly, Sergeant, you're
21 not thinking of proceeding with this charge if Marc doesn't
22 want to proceed and testify?

23 **MR. CARROLL:** I wouldn't have known that at
24 the time. I was trying to be very cautious here and make
25 sure that I had something that, depending on whatever, if

1 it happened, at least I had a statement under oath that, if
2 need be, it could still be used.

3 **MR. DUMAIS:** And I guess the dual purpose
4 that I see at least, Sergeant, is that if you, at any point
5 in time, find out that he's been lying and denies
6 afterwards being a victim of sexual abuse at the hands of
7 Mr. Greggain, he can be charged with perjury, is that
8 correct?

9 **MR. CARROLL:** That's always a possibility.
10 I don't think I was thinking in that way specifically. I
11 was trying to be very cautious and get something that no
12 matter what happened, I could still use. If anything, I
13 was probably going a little bit overboard by taking this
14 second statement under oath, but in no way could it have
15 hurt the statement and how it would be used no matter which
16 way the investigation went.

17 **MR. DUMAIS:** No, and I guess what you are
18 saying is it doesn't make it more or less truthful because
19 it's under oath.

20 **MR. CARROLL:** Not necessarily, no.

21 **MR. DUMAIS:** Yeah. Now, I understand that
22 the interview, initially at least, starts in about the same
23 fashion as the other one in that your Mr. Latour is asked
24 an open question and then recounts the allegation. Is that
25 correct?

1 MR. CARROLL: That's correct.

2 MR. DUMAIS: I'm just looking ---

3 MR. CARROLL: Yes, that's correct.

4 MR. DUMAIS: I'm essentially looking at page
5 4.

6 So then I'm looking at page 8 of the
7 statement, and that's the part of the statement where he's
8 saying that Mr. Greggain would be spanking him. So I'm
9 just looking at the middle of the page, and your questions
10 is:

11 "Okay, on top of the clothing?"

12 Then he indicates:

13 "No, always with my pants off and my
14 underwear down."

15 And your question:

16 "Okay. Anything said while these
17 things were going on?"

18 Then Marc Latour says:

19 "Yeah, he used to say that my mum
20 couldn't discipline me and she gave him
21 permission to discipline me, and I
22 remember I had the devil in me. He was
23 going to take the devil out of me. I
24 would never become anybody. I would
25 spend the rest of my days in prison."

1 Was that one of Marc's belief that his
2 mother had sanctioned this form of discipline? Do you
3 recall him saying that?

4 **MR. CARROLL:** As far as I understood, yes.

5 **MR. DUMAIS:** All right. And again you do
6 and we see it in this part of the statement, but he says it
7 again, and that's at Bates pages 915 about three-quarters
8 down the page, and that's following your question:

9 "And you just knew it was going to
10 happen at that point. He had the same
11 routine all the time, he's going to
12 beat the devil out of me."

13 So again he uses the same expression,
14 correct?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** Now, in that same page, so page
17 10, Marc recounts that these incidents -- so initially the
18 spanking, which eventually led to some sexual abuse, would
19 occur after school. Is that correct?

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

21 **MR. DUMAIS:** All right. So -- and he would
22 often, or Mr. Latour would often -- or according to Mr.
23 Latour, he would on a regular basis be asked to stay after
24 school by Mr. Greggain. Is that correct?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** All right. So did you at any
2 point in time in your subsequent investigation attempt to
3 speak to anyone who would have been in Mr. Latour's class?

4 **MR. CARROLL:** I never was able to find out a
5 list of classmates of Mr. Latour. Mr. Latour consented for
6 me to access from the school board his particular school
7 register for those years which put him in Mr. Greggain's
8 class. That consent didn't allow me to get the rest of the
9 school records for people who would have been in Mr.
10 Latour's class. I only knew of Mr. Latour.

11 **MR. DUMAIS:** Is that why, Sergeant, at
12 different points in time you make reference to obtaining a
13 search warrant to get to these records?

14 **MR. CARROLL:** I made reference to getting a
15 consent form to the school board to access those records.
16 The school board staff that I was speaking to, in their
17 mind, was thinking of a search warrant. I wasn't because
18 to swear out a search warrant, I need reasonable grounds to
19 believe a criminal offence had taken place. I was not at
20 that point where I could have obtained a search warrant for
21 the entire class list of names.

22 **MR. DUMAIS:** All right. And what period of
23 time are we that you don't have reasonable grounds to
24 believe that an offence has occurred? Is that after the
25 first statement, after the second statement?

1 MR. CARROLL: We never ---

2 MR. DUMAIS: Was that later on?

3 MR. CARROLL: We never reached reasonable
4 grounds to believe an offence had been committed.

5 MR. DUMAIS: All right.

6 MR. CARROLL: I had absolutely nothing to
7 corroborate anything that Mr. Latour told me.

8 MR. DUMAIS: All right.

9 MR. CARROLL: At no point in time was I
10 satisfied that I had reasonable grounds to believe an
11 offence was committed.

12 MR. DUMAIS: All right. You say "we",
13 Sergeant, you mean "I", right?

14 MR. CARROLL: I, that's correct.

15 MR. DUMAIS: Because ---

16 MR. CARROLL: This was a one-man show.

17 MR. DUMAIS: All right.

18 (SHORT PAUSE/COURTE PAUSE)

19 MR. DUMAIS: I apologize, Mr. Commissioner.
20 I was just looking for something.

21 THE COMMISSIONER: Okay.

22 MR. DUMAIS: I'll find it later.

23 THE COMMISSIONER: M'hm.

24 MR. DUMAIS: And did you ask Marc whether or
25 not he is able to identify anyone from his class? I just

1 don't see the question put to him in either of his
2 statements here.

3 **MR. CARROLL:** I don't believe I did. I
4 didn't ask Mr. Latour for a list of names so that I could
5 go out and attempt to solicit disclosures from people.

6 **MR. DUMAIS:** Now, at one point in time and I
7 believe that starts at page 11 of the July 5th interview,
8 you're pushing him for details, is that correct?

9 **MR. CARROLL:** Yes, that would be fair.

10 **MR. DUMAIS:** And was it your feeling, at
11 that time, that Marc was not telling you everything?

12 **MR. CARROLL:** I believe I had a feeling that
13 there were parts to this story that Marc perhaps wasn't
14 quite comfortable in discussing with me and in no way is
15 that a belief on my part that he's being deceptive. It's a
16 belief that I get often when you're discussing a sexual
17 assault with somebody, that they're just not quite ready to
18 surrender everything to you about the event that happened
19 to them.

20 **MR. DUMAIS:** All right. And perhaps just to
21 refresh your memory I'll read out your statement to him on
22 this issue, and that's at page 13. So you'll see there's
23 three large paragraphs, it's the middle paragraph, towards
24 the middle:

25 "I got this sense from you the first

1 time, and I'm getting the sense from
2 you even stronger today, that there are
3 things here that are hard to say, there
4 are things here that I think you don't
5 want to say and there are things here
6 that you might not even be ready to
7 say, and you don't have to say anything
8 right now."

9 So is that -- is that ---

10 **MR. CARROLL:** That sounds familiar.

11 **MR. DUMAIS:** All right. And then on a
12 number of occasion when you're pushing him for some details
13 he essentially tells you that he doesn't want to go there.
14 Do you recall that?

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** And you see that response from
17 him at pages 15 and then again at mid-page 16:

18 "Again, I'm not ready to go there; I
19 don't want to go there. I didn't go
20 there with other people either."

21 And then finally at page 17, about mid-page
22 he indicates, "I need a little bit more time."

23 So do you take the position then that this
24 essentially ends this interview? Mr. Latour is not
25 prepared to give you any more details that you feel you

1 need and you're essentially adjourning?

2 MR. CARROLL: Well, it wasn't quite like
3 that. If Mr. Latour is telling me that we've reached a
4 point in the interview where he's discussing something
5 that's very traumatic ---

6 MR. DUMAIS: Yes.

7 MR. CARROLL: --- and he himself feels that
8 he's not quite ready to go there, I'm not going to force it
9 and cause any damage to the relationship that I need with
10 Mr. Latour to continue on this. If a victim -- any victim,
11 Mr. Latour included, at this stage tells me that they're
12 not ready to go ahead that's fine, we'll stop right there
13 and I'll leave the door open so that when they're ready we
14 can come in and we can go forward from that point.

15 MR. DUMAIS: And I agree with you, Sergeant.
16 I thought I put it to you that way but that's fine for
17 clarifying that for us.

18 So just towards the end of the interview
19 then, Sergeant, there's some discussion about counselling,
20 do you recall?

21 MR. CARROLL: Yes.

22 MR. DUMAIS: And you were asking whether or
23 not Mr. Latour was involved in counselling. I believe he
24 would have told you at one point in time that he may have
25 been but was no longer involved and you're trying to

1 convince him that perhaps that was a good idea, that he
2 should speak to a counsellor?

3 **MR. CARROLL:** That's correct. As far as I
4 knew at that time Mr. Latour was or had been in contact
5 with a counsellor. Normally I would make a referral to a
6 counselling group at this stage but if he already is
7 involved with a counsellor and he has somebody that he's
8 comfortable with, I'm not going to suggest that he go and
9 see somebody else but I am going to suggest that he
10 continue with that.

11 **MR. DUMAIS:** All right. So your
12 understanding then during this interview was that Marc was
13 involved with a counsellor, is that correct?

14 **MR. CARROLL:** That's correct.

15 **MR. DUMAIS:** All right. Perhaps if I can
16 just take you to the top of page 19, Sergeant, where you
17 begin this discussion on counselling and this is you
18 speaking, at the top of the page:

19 "You didn't do anything wrong here.
20 You didn't do anything wrong. You've
21 got nothing to be ashamed of. You were
22 a little kid; you knew nothing about
23 this."

24 And the answer from Marc.

25 "That is what I'm trying to put head."

1 And your question:

2 "Are you seeing anybody to help you
3 with that?"

4 And then he's saying:

5 "No."

6 And then you're saying:

7 "Locally here?"

8 And then he answers:

9 "I -- just like I said, I had one
10 counselling meeting, I had one
11 counselling meeting, a family
12 counsellor and this all came up through
13 reform school but never gave her the
14 chance either, I don't think, to help
15 me."

16 Then you're saying:

17 "They're good people."

18 From that exchange it appears, Sergeant,
19 that he would not had been in counselling.

20 **MR. CARROLL:** As we went along, further on,
21 I believe he left me with the impression that he had been
22 in contact with somebody.

23 **MR. DUMAIS:** All right. So then you do
24 indicate at one point in time:

25 "I'm not going to deal with Greggain

1 right now because I don't have the
2 whole story. I'm going to discuss that
3 with my boss."

4 Do you recall if that ever happened or
5 occurred or did you just say that, or do you have any
6 recollection?

7 **MR. CARROLL:** I'm not sure if I recall going
8 any further with my supervisors on this. Mr. Latour was
9 telling me that he wasn't ready to proceed. That's
10 something that I have heard from victims in the past and
11 when they're not ready to proceed I'm not going to proceed
12 without them unless they're onboard.

13 **MR. DUMAIS:** So my understanding, Sergeant,
14 was that then this ended the interview. You certainly left
15 it open for Mr. Latour to come back and speak with you if
16 ever he had a change of mind. Is that correct?

17 **MR. CARROLL:** That's correct.

18 **MR. DUMAIS:** And my understanding, Sergeant,
19 is that as a result thereof or following your meeting on
20 July 5th, you did prepare a supplement to your occurrence
21 report and that's Document Number 735734.

22 **THE COMMISSIONER:** Thank you.

23 Exhibit 1680 is a Supplementary Occurrence
24 Report filed by Sergeant Carroll, report time, the 14th of
25 July 2000, the year 2000.

1 --- EXHIBIT NO./PIÈCE No. P-1680:

2 (735734) - Supplementary Occurrence Report
3 dated 14 July 00

4 **MR. DUMAIS:** So essentially, Sergeant, you
5 confirm your meeting on July 5th, 2000 you indicate that
6 there were parts of this that Mr. Latour was not yet
7 comfortable disclosing and you advise:

8 "Latour advised that he would discuss
9 this with a counsellor and let writer
10 know when he was able to provide a
11 statement."

12 You indicated that you:

13 "...will maintain contact with Mr.
14 Latour. No further action at this
15 time."

16 **MR. CARROLL:** That's correct.

17 **MR. DUMAIS:** All right.

18 And that was filed on the 14th day of July,
19 2000 shortly after that interview, correct?

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

21 **MR. DUMAIS:** All right.

22 So I understand you have -- shortly
23 afterwards you did have a third interview with Mr. Latour
24 and that is Exhibit 363(b).

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** Now, my understanding is that
2 Mr. Latour would have attended your office and spoken to
3 you on August 2nd, 2000. He initially wanted to speak to
4 you off the record, is that correct?

5 **MR. CARROLL:** Yes, sir.

6 **MR. DUMAIS:** And he did -- what did he tell
7 you at that time?

8 **MR. CARROLL:** Well, I explained to Mr.
9 Latour that I wasn't quite comfortable discussing any of
10 this off the record, and for the purposes of maintaining
11 some integrity to this investigation no matter which way it
12 goes we should do this on the record. He agreed and,
13 again, this interview was recorded or this meeting was
14 recorded. Mr. Latour told me at this time that he just
15 simply didn't want to go any further. He wanted to drop
16 the complaint and I told him that that was fine; I was sort
17 of at his mercy. However, that I would be placing this
18 matter in abeyance and if at any time he changed his mind
19 and wanted to come back, he could.

20 **MR. DUMAIS:** All right.

21 And so what does that mean for you when you
22 place a file in abeyance?

23 **MR. CARROLL:** It's not closed. It's there,
24 it's stopped. It's not going to proceed any further until
25 the victim decides that he wants to go ahead.

1 **MR. DUMAIS:** All right.

2 And is there a certain period of time where
3 the file remains open or is that your decision and it
4 changes from ---

5 **MR. CARROLL:** No, it's not. As time goes by
6 you would make sure that you didn't simply forget about
7 this person or forget about this case. There is no clear-
8 cut time guidelines as to how long that it would stay that
9 way. It's just, "Marc, when you're ready to proceed you
10 let me know and we'll go forward from that point."

11 **MR. DUMAIS:** All right.

12 Now, my understanding is that you had a
13 fourth interview later that year and that was in September
14 but that was unrelated to this matter.

15 **MR. CARROLL:** That's correct.

16 **MR. DUMAIS:** All right.

17 So the next statement that you did take from
18 Marc Latour occurred on March 19th, 2001?

19 **MR. CARROLL:** That's correct.

20 **MR. DUMAIS:** Perhaps, Commissioner, can we
21 take a 10-minute break at this time?

22 **THE COMMISSIONER:** Okay, a very good idea.

23 Thank you.

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

1 The hearing will resume at 4:25.

2 --- Upon recessing at 4:12 p.m. /

3 L'audience est suspendue à 16h12

4 --- Upon resuming at 4:30 p.m. /

5 L'audience est reprise à 16h30

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

8 This hearing is now resumed. Please be
9 seated. Veuillez vous asseoir.

10 **JEFF CARROLL, Resumed/Sous le même serment:**

11 --- **EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.**
12 **DUMAIS, (cont'd/suite):**

13 **MR. DUMAIS:** I understand, Sergeant, that
14 Mr. Latour would have come back at your office on March 19,
15 2001 and given you a further statement, is that correct?

16 **MR. CARROLL:** That's correct.

17 **MR. DUMAIS:** And if I can just take you to -
18 - I think I had given you the exhibit number that's 360(b).

19 **MR. CARROLL:** Three-sixty (360) or 368?

20 **MR. DUMAIS:** Three-sixty (360) -- (b), I
21 believe.

22 **THE COMMISSIONER:** Three-six-oh (360).

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

24 **MR. CARROLL:** Okay.

25 **MR. DUMAIS:** So my understanding is that

1 Marc would have walked into -- well, let me ask you that.
2 How did he contact you in March of 2001?

3 MR. CARROLL: I believe Marc initially
4 called me and left a phone message and I called him and we
5 played phone tag for a couple of days and that led up to a
6 meeting between Marc and I on March 19th.

7 MR. DUMAIS: All right.

8 And I understand he comes in and again
9 you're taking a video statement?

10 MR. CARROLL: That's correct.

11 MR. DUMAIS: And he is asking you to reopen
12 this case, is that correct?

13 MR. CARROLL: That's correct.

14 MR. DUMAIS: And my understanding is then
15 that you take a further statement from him.

16 MR. CARROLL: That's correct. We just
17 continued talking about this matter.

18 MR. DUMAIS: And he's essentially telling
19 you at this point in time that he's -- he is prepared to
20 give you the full story, is that correct?

21 MR. CARROLL: That's correct.

22 MR. DUMAIS: And this statement is not taken
23 under oath, is that correct?

24 MR. CARROLL: No, it's not.

25 MR. DUMAIS: And is there a reason for that,

1 Sergeant?

2 MR. CARROLL: I don't know. The fact that
3 he called me telling me that he was willing to go ahead; I
4 brought him in and just let him talk.

5 MR. DUMAIS: All right.

6 So did you make a conscious decision not to
7 administer the oath?

8 MR. CARROLL: I don't believe I did. I
9 wasn't really worried about inconsistencies between the
10 different statements. He was comfortable enough to call me
11 and want to come back and if there did turn out to be any
12 inconsistencies at least the video record of the statement
13 would allow me to go back, take a look at it and explore
14 those inconsistencies if they happened and try and figure
15 out the reasons why.

16 MR. DUMAIS: All right.

17 So then -- so once again he recounts the
18 allegations and again he indicates to you how he would pull
19 down his pants and spank him, and once again he makes
20 reference to -- and I'm just looking at the bottom of page
21 2. No need to find it, Sergeant, I'll just read it out for
22 you:

23 "One time as he was beating me he said
24 he was going to beat the devil out of
25 me."

1 So again he's using the same expression and
2 again he recounts his father's involvement in confronting
3 Mr. Greggain. So where it differs is -- it starts at page
4 4 and it is there that he admits to you that he was
5 actually sodomized by Mr. Greggain, is that correct?

6 **MR. CARROLL:** Yes, it is correct. I don't
7 see where you're pointing to in the statement.

8 **MR. DUMAIS:** I'm just looking at page 4,
9 fifth entry from the bottom.

10 **MR. CARROLL:** Okay, that's right. Thank
11 you.

12 **MR. DUMAIS:** So:

13 "He sodomized me. That's the night I
14 couldn't walk and I'm not crying
15 anymore because my crying is done."

16 **MR. CARROLL:** Okay, I see the passage.

17 **MR. DUMAIS:** All right.

18 And so then -- and in his previous
19 statement, did you think that he had been sodomized? Did
20 you think he was not, that's what he was holding back from
21 you?

22 **MR. CARROLL:** I was confident that he was
23 holding something back from me and I was confident that
24 that was not as a result of deception on his part or any
25 type. There was something that he wasn't comfortable in

1 telling me. I hadn't made up my mind or I hadn't
2 speculated as to exactly what that was going to be. I
3 wasn't surprised when he came back and he had more to say.
4 I never once figured it would be that or surmised that what
5 was coming was going to be that.

6 **MR. DUMAIS:** All right. So -- and the other
7 thing that he does add which is new information and I'm
8 just looking at page 11, he -- so Marc does confirm that
9 Mr. Greggain was his grade 6 teacher as well.

10 **MR. CARROLL:** That's correct.

11 **MR. DUMAIS:** And he does indicate as well
12 that he believes that the principal knew that -- of the
13 physical abuse. I'm just looking at the bottom of page 11.

14 **MR. CARROLL:** Yes, I see that.

15 **MR. DUMAIS:** So then did you ever speak to
16 this principal?

17 **MR. CARROLL:** No, I didn't.

18 **MR. DUMAIS:** All right. Did you -- I
19 understand at one point in time you found out what the name
20 of the principal was?

21 **MR. CARROLL:** I think in one of the
22 statements we did get a name of the principal. I can't
23 recall exactly what his status is, either he was in a long-
24 term care facility or he had passed away, but he wasn't
25 available to contact to confirm this with.

1 **MR. DUMAIS:** All right, so you did make
2 attempts to contact him?

3 **MR. CARROLL:** I looked into who he was and
4 where he might be. As far as making an actual contact; if
5 he was either in a home or deceased, there was no contact
6 ever made at that point, and I can't recall right now which
7 one it was.

8 **MR. DUMAIS:** And he does as well tell you of
9 a story when he was in grade 6 where Mr. Greggain would
10 have taken him to a -- to a hockey game, along with other
11 schoolmates, is that correct?

12 **MR. CARROLL:** Yes.

13 **MR. DUMAIS:** And -- and then again he
14 recounts the incident with Jules Tyo and then there's a
15 part of the statement that deals with Dennis Rochon, that's
16 at the top of page 17 of the statement, and I'm looking at
17 Bates pages 539, I'm looking at Marc's answer to your
18 question:

19 "Yes, I do. Well my best friend Dennis
20 Rochon -- it was Dennis' brother-in-law
21 at the time."

22 Speaking of Mr. Tyo:

23 "I've never ever talked to Jules about
24 this, about what he had said but I've
25 always remembered it. Now, whether

1 it's true or not, I have no clue."

2 "But you know this Dennis Rochon well
3 enough?"

4 "I know Dennis, but Dennis didn't know
5 nothing about this."

6 "But Dennis knows Jules."

7 "Yeah, that's his ex-brother-in-law.

8 The reason I mention Dennis is because
9 that's how I met Jules, he was married
10 to Dennis' sister."

11 So when you met with Jules, Sergeant, did
12 you -- and I mean certainly it appears that he could have
13 some knowledge of Dennis' whereabouts, did you ask him
14 whether or not he knew where Dennis was?

15 **MR. CARROLL:** I don't believe I did.

16 **MR. DUMAIS:** All right. And my
17 understanding then is that Marc did -- does provide you
18 some information with respect to where Jules Tyo lives?

19 And that's at the bottom of that page 17; he
20 indicates that he lives in Glen Water:

21 "I can tell you the address, it's a
22 little blue house, kind of down near
23 the river -- down the river, I did some
24 work for him five or six years ago,
25 maybe a little longer."

1 But certainly he gives you an indication of
2 where Mr. Tyo can be located; is that correct?

3 **MR. CARROLL:** That's correct.

4 **MR. DUMAIS:** All right. Now, you do
5 indicate to Marc at one point in time that you had received
6 a telephone call from Mr. Dick Nadeau two months
7 previously; do you recall that?

8 It's at the bottom of page 18, Sergeant.

9 **MR. CARROLL:** Yes, I remember that.

10 **MR. DUMAIS:** All right. So do you recall
11 that conversation; what Mr. Nadeau would have told you?

12 **MR. CARROLL:** Yes, I do.

13 **MR. DUMAIS:** And what did Mr. Nadeau want?

14 **MR. CARROLL:** Mr. Nadeau wanted an update on
15 how things were going and I told Mr. Nadeau that I wasn't
16 in any position to discuss this or any investigation with
17 him, given that he wasn't part of the case.

18 **MR. DUMAIS:** And was Mr. Latour surprised
19 that Mr. Nadeau had contacted you?

20 **MR. CARROLL:** I'm not really sure if he was
21 or not. I think I was probably more surprised that Dick
22 Nadeau was calling me to see how things were going than
23 anything else and I politely told Mr. Nadeau that I wasn't
24 going to be sharing any information with him.

25 **MR. DUMAIS:** All right. So maybe I can just

1 point you out to Marc's remarks on this and that's at page
2 19, the second paragraph. So he would have answered:

3 "Don't get me wrong, Jeff, this is my
4 freewill, Dick is my cousin. I don't
5 believe what he's doing is fair to
6 anybody. Okay, I don't. Let the
7 justice system take its course. Okay,
8 I agree. He does know, I never told
9 him whatever happened to me; all I told
10 him was about Greggain; I was abused
11 when I was three. He doesn't know
12 nothing; he hasn't pressured me. He
13 says I think one time, 'How is the case
14 going against Greggain?' I said, 'I
15 shelved it.' I don't believe I gave
16 him a reason for it. The only reason
17 he knew about my abuse is, okay, is he
18 called my sister Joan. Now, I don't
19 know when he called; that's when I got
20 a call from him a couple years back.
21 My sister must have filled him out on
22 some details. I can't speak for her.
23 As crazy as this might seem, my sister
24 Joan tells me -- I only heard this
25 after I talked to my sister -- that

1 Gilf Greggain tried to hurt her too."

2 So did you not get the impression that Marc
3 did not appear to know that Dick Nadeau would have
4 contacted you?

5 **MR. CARROLL:** I think he might have been as
6 surprised as I was.

7 Again, I didn't do a lot of discussion with
8 Marc or anybody else about exactly what role that Dick
9 Nadeau had.

10 **MR. DUMAIS:** All right. And certainly in
11 that paragraph he does disclose that perhaps his sister may
12 have some relevant information as well, is that correct?

13 **MR. CARROLL:** That's correct.

14 **MR. DUMAIS:** All right. And certainly
15 following this statement you probably want to meet with
16 her, is that correct?

17 **MR. CARROLL:** I eventually did meet with
18 Marc's sister.

19 **MR. DUMAIS:** All right. Now, I'm just
20 looking at the top of page 21, the bottom part of the first
21 paragraph and perhaps I'll just start at the beginning of
22 the paragraph which is on the previous page.

23 So it says:

24 "Normally I would ask you at this point
25 to give me a release of information to

1 get into your school records. I don't
2 know if I'm going to proceed by way of
3 a release of information or a search
4 warrant; only because the release of
5 those records could be used as evidence
6 as Greggain, and it might be
7 appropriate for me to get those by way
8 of a search warrant. I'm going to look
9 into that with the Crown attorney. If
10 I can get that by way of a consent, I
11 will call you up and I'll get the
12 consent from you at that time. I've
13 just been looking at the consent forms
14 here and as I listen to you talk I'm
15 thinking that if I'm going to get
16 records from the school that I might
17 use in prosecuting Greggain, it might
18 be more appropriate for me to get those
19 by way of a search warrant rather than
20 getting you to consent to giving them
21 to me because some of those records
22 might be Greggain's records; okay?"

23 **MR. CARROLL:** That's right.

24 **MR. DUMAIS:** I'm assuming, Sergeant, you're
25 referring to Greggain's class list or Greggain's personnel

1 files or something to that effect, is that correct?

2 MR. CARROLL: That's correct.

3 MR. DUMAIS: All right. So definitely at
4 this point in time you are considering executing a search
5 warrant; is that correct?

6 MR. CARROLL: Well, at this point in time
7 I'm really considering that one of the first things I need
8 is corroboration on a whole bunch of different levels.

9 At the very outset, a class list or a class
10 assignment with dates on it pertaining to Mr. Latour being
11 in Mr. Greggain's class would be very important.

12 As I considered this further, I recognized
13 that I was a long way from having reasonable grounds to
14 believe an offence had been committed. So I discounted
15 proceeding by way of search warrant, and I obtained a
16 simple consent from Marc to get his school records
17 pertaining to him being in grade 3 in Mr. Greggain's class.

18 THE COMMISSIONER: Can you help me out a
19 little bit? You say that you were a long way from having
20 reasonable and probable grounds to believe an offence --
21 did you not believe him?

22 MR. CARROLL: I believed he was very sincere
23 in his complaint that he was making; that he felt that he
24 was victimized by Mr. Greggain.

25 Absent of any other corroboration to this, I

1 didn't feel that I had the grounds to articulate what I
2 needed to get a search warrant for the entire class list
3 with everybody else's names in it and/or Mr. Greggain's
4 personnel file.

5 **THE COMMISSIONER:** So you're telling me you
6 need a search warrant to go over to the school and get,
7 let's say, a class photo, if they had one of them?

8 **MR. CARROLL:** Yes. They won't give you
9 anything.

10 **MR. DUMAIS:** All right. Just so that we are
11 clear, Sergeant, I mean what you are telling us is you
12 believe what Marc is telling you. You just don't believe
13 that the offence occurred?

14 **MR. CARROLL:** I believe that Marc is sincere
15 in his feeling that he was a victim of Mr. Greggain. Marc,
16 I believe, you're very sincere. Whether what you tell me
17 gives me grounds to believe an offence has been committed
18 are two different things.

19 If I had any bit of corroboration at all, I
20 would have had no problem in articulating the fact that I
21 believe an offence had been committed. If I would have
22 been able to speak to Mrs. Gosling or to Marc's dad with
23 respect to the condition that he found him in, I would be
24 well on my way to having reasonable and/or reasonable and
25 probable grounds. Absent of those, I had Mr. Latour's word

1 against Mr. Greggain's word eventually, and at this point
2 in time, I was not in a position to have that or to go as
3 far as wanting to make an arrest.

4 **MR. DUMAIS:** All right. And you've told us
5 this a few times, Sergeant. So you believe that Marc feels
6 that he was victimized by Mr. Greggain, but you don't
7 believe that Mr. Greggain sexually abused him?

8 **MR. CARROLL:** I don't believe I have enough
9 at this point in time to lay a sexual assault charge or
10 swear an Information out that I believe, on reasonable
11 grounds, an offence has been committed.

12 **MR. DUMAIS:** But I mean my question to you
13 is not whether or not you've got enough to lay a charge.
14 My question is simply do you believe him or not?

15 **MR. CARROLL:** Well, just like I've told you,
16 I believe that he's very sincere in his feeling.

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

18 **MR. CARROLL:** Without any form of
19 corroboration at all, it's Mr. Latour's word against
20 eventually Mr. Greggain's word. I would not want to be in
21 a situation of making an arrest at this point in time on
22 just what Mr. Latour is telling me.

23 **MR. DUMAIS:** But, anyways, that's a separate
24 issue, that's fine. We'll move on, Sergeant, thank you.

25 Now -- and just following this discussion on

1 the search warrant -- so I'm on the same page -- then you
2 indicate to him:

3 "As I create or collect evidence to put
4 this case together, I'll take it to the
5 Crown attorney and then we'll be
6 looking at exactly what we have and
7 whether there's sufficient to go ahead
8 and arrest Greggain and lay a charge."

9 So is it your intent to take whatever
10 findings you have and go to the Crown's office with it?

11 **MR. CARROLL:** No. I told that to Mr. Latour
12 so that he would feel comfortable knowing that I was
13 prepared to go as far as I possibly could and if that
14 included a consultation with the Crown attorney to look at
15 the evidence as a whole, I was prepared to do that. I
16 would not, at any point in the investigation, go off to the
17 Crown and say, "I can't make up my mind here. What should
18 I do?"

19 I would only take that step if I felt that I
20 can't establish reasonable grounds here to lay a charge.
21 Can we review this and see if there's any reasonable
22 prospect of a conviction or from a legal standpoint, am I
23 missing something here? I would only do that as an
24 absolute last resort.

25 **MR. DUMAIS:** All right.

1 So now my understanding is that at this
2 point in time, you're looking for any type of evidence
3 which would corroborate this allegation. Is that correct?

4 **MR. CARROLL:** That's right.

5 **MR. DUMAIS:** And certainly at this time, you
6 know that you're not looking for an eyewitness or someone
7 who would have -- someone who Marc would have disclosed
8 this to? Is that correct?

9 **MR. CARROLL:** That's correct. Marc has
10 already told me that nobody else was present when these
11 things have happened.

12 **MR. DUMAIS:** All right. And we have had
13 some discussion on this and one of the first things you do
14 is that you attempt to get school records; correct?

15 **MR. CARROLL:** That's correct.

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **MR. DUMAIS:** I would just like to take you
18 to -- I hope I have the right exhibit; I believe it's
19 Exhibit 359.

20 **THE COMMISSIONER:** Three-five-nine (359),
21 are this officer's notes. Is that what you are looking
22 for?

23 **MR. DUMAIS:** That's correct, Commissioner.

24 **THE COMMISSIONER:** Okay.

25 **MR. DUMAIS:** Bates pages 192.

1 **THE COMMISSIONER:** One-nine-two (192); yes.

2 **MR. DUMAIS:** That would be Document Number
3 735760.

4 Do you have your Bates page 192, Sergeant?

5 **MR. CARROLL:** Yes, I do.

6 **MR. DUMAIS:** Now, I'm just looking at the
7 last bullet entry on that page before the blackout there.
8 Can you just read that for us please?

9 **MR. CARROLL:** "I was attempting to get a
10 hold of the Records Manager for the
11 Catholic District School Board of
12 Eastern Ontario. That took a little
13 bit of tag back and forth, given that
14 we were into July by this time and
15 there wasn't a lot of people at the
16 School Board office."

17 **MR. DUMAIS:** Understandable. But did you
18 eventually get a hold of him?

19 **MR. CARROLL:** I eventually did get a hold of
20 -- her name is Carol Flaro. I eventually did get a consent
21 form faxed off to her for Mr. Latour's school records, and
22 I did eventually get those records allowing me to date his
23 grade 3 year at St. Peter's.

24 **MR. DUMAIS:** Okay. So this is in July of
25 2000?

1 **MR. CARROLL:** Yes.

2 **MR. DUMAIS:** So you are having this
3 conversation on July 4th, 2000. You think you sent the
4 consent shortly after that or is it later on, do you
5 recall?

6 **MR. CARROLL:** I'm not sure exactly what date
7 I sent that off, but I did get those records pertaining to
8 Marc's grade 3 year.

9 **MR. DUMAIS:** Okay. Is it possible that you
10 only got the consent signed after the March 2001 interview?

11 **MR. CARROLL:** Yes, that could be.

12 **MR. DUMAIS:** All right. And if I could just
13 take you to document -- I believe it's Document Number
14 735774.

15 **THE COMMISSIONER:** Thank you.

16 Exhibit Number 1681 is a letter addressed to
17 Sergeant Jeff Carroll, dated May 9th, 2001 and signed by
18 Greg McNally, Director of Education.

19 **--- EXHIBIT NO./PIÈCE No. P-1681:**

20 (725774) - Letter from Greg McNally to
21 Jeffrey Carroll dated 09 May 01

22 **MR. DUMAIS:** So is this the response you
23 would have received from the school board, Sergeant?

24 **MR. CARROLL:** Yes. Yes, it is.

25 **MR. DUMAIS:** All right. So that is a letter

1 from the Director of Education and certainly it appears to
2 corroborate some of the statement made by Marc, is that
3 correct?

4 MR. CARROLL: Yes, that's correct.

5 MR. DUMAIS: In that it does confirm that
6 Marc was correct with the school; is correct with the name
7 of the teacher, he was correct with the approximate year, I
8 believe he had said initially '67 or '68. So it does
9 corroborate some of the statement.

10 MR. CARROLL: The only thing it doesn't
11 corroborate for me is what happened between Marc and Mr.
12 Greggain.

13 MR. DUMAIS: Well I mean, certainly but
14 you're not going to get that from the records, correct?

15 MR. CARROLL: No. It places Marc and Mr.
16 Greggain in the same school together, which really isn't
17 something that I'm disputing. I'm looking for some
18 evidence of any act that took place between Marc and Mr.
19 Greggain. It doesn't help me anywhere on my road to
20 reasonable grounds to believe an offence has been
21 committed.

22 MR. DUMAIS: But I mean you know from the
23 start of this investigation that you're not going to get
24 any eyewitness to any of the acts; Mr. Latour has already
25 told you this, correct?

1 **MR. CARROLL:** Okay.

2 **MR. DUMAIS:** I mean, so as you -- in my mind
3 you're trying to get evidence that would corroborate Marc's
4 version of the events; correct?

5 **MR. CARROLL:** Yes.

6 **MR. DUMAIS:** I mean because you know you're
7 not going to get an eyewitness.

8 But I mean let's leave it at, you agree with
9 me that that does provide some corroborative evidence with
10 respect to some of the things that he mentioned in his
11 statement?

12 **MR. CARROLL:** Very, very little.

13 **MR. DUMAIS:** Pardon me?

14 **MR. CARROLL:** Very little.

15 **MR. DUMAIS:** Fair enough.

16 Now, I understand that -- and perhaps we can
17 just end with this, Mr. Commissioner, it's the last exhibit
18 and it's related -- that you did receive documents which --
19 I believe what accompanied this letter but I'm not sure.
20 So it's Document Number 200086.

21 **THE REGISTRAR:** Exhibit 369.

22 **MR. DUMAIS:** Thank you.

23 **THE COMMISSIONER:** So Exhibit 369? Oh yes.

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

25 **MR. DUMAIS:** All right, Sergeant, I'm just

1 looking at the second page which ends Bates pages 46A.

2 And again, certainly these are the records
3 that you obtained from the school board?

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

5 **MR. DUMAIS:** Do you recall, Sergeant,
6 whether or not they accompanied a letter or whether or not
7 you obtained them in some other fashion?

8 **MR. CARROLL:** I'm not sure if they
9 accompanied the original letter or not.

10 **MR. DUMAIS:** All right. But certainly it
11 does again confirm that in 1967, Marc Latour would have
12 been in Mr. Greggain's class in grade 3 and perhaps that's
13 where we got the information -- where you got the
14 information that the principal at the time was a P.
15 Beaudette, correct?

16 **MR. CARROLL:** That's correct.

17 **MR. DUMAIS:** And again, it confirms the fact
18 that Mr. Latour would have been in Mr. Greggain's class in
19 grade 6 as well, and I don't know whether or not this is a
20 typo but the principal is now C. Beaudette so ---

21 **MR. CARROLL:** I don't know either.

22 **MR. DUMAIS:** All right. But certainly it
23 does confirm that -- what Marc has told you about who was
24 teaching him in which grade?

25 **MR. CARROLL:** That's correct.

1 **MR. DUMAIS:** All right. And so the previous
2 principal and I believe the name is Boisvenue, and I think
3 the name comes up in Mr. Tyo's statement. You did not
4 contact that principal, Sergeant?

5 **MR. CARROLL:** No, I didn't.

6 **MR. DUMAIS:** All right.

7 And I believe on that note, Mr.
8 Commissioner, we should adjourn to tomorrow at 11.

9 **THE COMMISSIONER:** We'll see you tomorrow
10 morning at 11 o'clock, sir.

11 **MR. CARROLL:** Thank you, sir.

12 **THE COMMISSIONER:** Thank you.

13 **THE REGISTRAR:** Order, all rise. À l'ordre.
14 Veillez vous lever.

15 This hearing is adjourned until tomorrow
16 morning at 11 a.m.

17 --- Upon adjourning at 5:02 p.m./

18 L'audience est adjournée à 17h02

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C E R T I F I C A T I O N

I, Dale Waterman 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, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CVR-CM