

**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 234

Held at :

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

Friday, May 23 2008

Tenue à:

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

Vendredi, le 23 mai 2008

Appearances/Comparutions

Ms. Julie Gauthier	Registrar
M ^e Pierre R. Dumais	Commission Counsel
Ms. Mary Simms	
Ms. Karen Jones	
Mr. Peter Manderville	Cornwall Community Police
Ms. Reena Lalji	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
Mr. Stephen Scharbach	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. Frank T. Horn	Coalition for Action
Mr. Jeff Carroll	Mr. Jeff Carroll

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1 --- Upon commencing at 9:34 a.m. /

2 L'audience débute à 9h34

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

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

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Good morning all.

10 **MR. CHISHOLM:** Good morning, sir.

11 **THE COMMISSIONER:** Good morning.

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

13 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.
14 CHISHOLM:

15 **MR. CHISHOLM:** Good morning, Sergeant.

16 **MR. CARROLL:** Good morning, sir.

17 **MR. CHISHOLM:** You know who I am, I act for
18 the CAS.

19 **MR. CARROLL:** Yes, sir, I do.

20 **MR. CHISHOLM:** A couple of areas I would
21 like to cover with you if I could. The first deals with
22 the Project Phoenix Song.

23 Yesterday, you spoke about school
24 presentations that you conducted in conjunction with the
25 CAS. Do you recall that?

1 MR. CARROLL: Yes, sir, I do.

2 MR. CHISHOLM: And was Bill Carriere their
3 CAS representative at those school presentations?

4 MR. CARROLL: Yes, he was.

5 MR. CHISHOLM: And would you agree with me
6 that the school presentations involving the CAS were
7 restricted to schools within the Catholic District School
8 Board of Eastern Ontario?

9 MR. CARROLL: For the most part, yes, they
10 were.

11 MR. CHISHOLM: For the most part; were there
12 any schools that Mr. Carriere would have attended at in the
13 Public Board or any other board?

14 MR. CARROLL: I can't speak for Mr. Carriere
15 myself, but I -- off the top of my head, I don't think that
16 we attended any of the Public Board schools.

17 MR. CHISHOLM: And you are familiar with the
18 duty to report one's suspicion that a child is in need of
19 protection that's set out in the *Child and Family Services*
20 *Act*?

21 MR. CARROLL: Yes, I am.

22 MR. CHISHOLM: And would you agree that that
23 duty to report requires that one report their suspicions to
24 a Children's Aid Society?

25 MR. CARROLL: Yes, I do.

1 **MR. CHISHOLM:** And would you agree with me
2 that Mr. Carriere, during his presentations to the School
3 Board personnel, indicated that the duty to report required
4 that people report their suspicions to the CAS?

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

6 **MR. CHISHOLM:** Would you agree with me that,
7 given the mandate of the CAS, Mr. Carriere did not tell the
8 School Board personnel that they could report criminal
9 matters involving young persons to the CAS unless there was
10 a child protection component involved?

11 **MR. CARROLL:** The message that the both of
12 us worked very hard at trying to convey is the -- the key
13 issue here is the reporting that, to get it reported.

14 Quite often, we were both aware and we both
15 see, and I still see everyday, that people struggle with
16 whether they're dealing with a criminal matter or whether
17 they're dealing with a child protection matter. Although
18 the duty is to report to a Children's Aid Society, some
19 people find themselves wondering whether they have got the
20 right contact to be made.

21 The message that we try to convey is just
22 report. If something came to the CAS that should probably
23 be directed towards the police, the CAS would go on the
24 initiative to make sure it got to the right place, as would
25 the police do the same thing to ensure that the people got

1 the message to the right place.

2 MR. CHISHOLM: Would you agree with me that
3 Bill Carriere's message would have been report your
4 suspicions of a child being in need of protection to the
5 CAS?

6 MR. CARROLL: Yes, I would.

7 MR. CHISHOLM: Okay. And with respect to
8 the different mandates that the police would have and the
9 CAS would have, would you agree with me that it would make
10 no sense for the CAS to be receiving complaints with
11 respect to criminal matters involving youth, and that call
12 should go to the police?

13 MR. CARROLL: No, it wouldn't, but we both
14 agreed that from time to time people, through no fault of
15 their own, make the call to the wrong agency. If that were
16 to happen, we provided a unified agreement that we will
17 recognize that -- both agencies will recognize that and we
18 will redirect them to the agency that it should be directed
19 to.

20 We conveyed that message together. It was
21 something that was done at the same time, so that
22 irregardless of whatever error or lack of understanding
23 that the complainant had, we would go on the initiative to
24 make sure that it got directed to the right authorities.

25 MR. CHISHOLM: And you do that by telling

1 them, when someone would call, you'd say "you've got the
2 wrong agency, call the police" or "call the CAS"?

3 **MR. CARROLL:** It would be more than "you've
4 the wrong number, call the right people." We would assist
5 and say, "Okay, this should be going to the CAS" and either
6 agency -- either us calling the CAS or the CAS calling us
7 would confirm that you're going to get a call from so and
8 so about such and such. And just so that you're forewarned
9 of it; just more so to give each agency the head's up that
10 something is coming in.

11 **MR. CHISHOLM:** Okay, but the message -- just
12 focusing on the presentations made to the Separate School
13 Board, the message from the CAS was it has to be reported
14 to the CAS, your suspicions of a child in need of
15 protection?

16 **MR. CARROLL:** Yes, it was. We made sure the
17 information in the legislation was put out, but we also put
18 out at the same time if perchance you contact the wrong
19 agency, we will assist in making sure that it gets directed
20 to where it should be.

21 **MR. CHISHOLM:** So there was some cooperation
22 between the two agencies?

23 **MR. CARROLL:** There was a lot of cooperation
24 there, and we met at the beginning of these presentations
25 and our priority was to make sure that the right

1 information got out and, from time to time, there was an
2 agreement that we would have to assist each other in making
3 sure that matters got reported to the right people.

4 MR. CHISHOLM: And the school presentation
5 legislation was put to the people that were present?

6 MR. CARROLL: Yes, it was. The protocols
7 were put to the people at the same time too, and we went
8 quite a ways forward in explaining just exactly what the
9 protocols were and how the school authorities could best
10 ensure that they were complying with those protocols.

11 MR. CHISHOLM: If I could take you to my
12 last area, the Gilf Greggain investigation.

13 Yesterday, you told Mr. Lee that it was your
14 belief that had you asked the CAS for information
15 concerning Gilf Greggain, the CAS would not have answered
16 your question. Do you recall that evidence?

17 MR. CARROLL: I -- yes, I do.

18 MR. CHISHOLM: Did you follow or read the
19 evidence of Staff Sergeant Derochie when he talked about
20 the CAS sharing information and its files, when he stated
21 that he was free to go to the CAS and review the CAS files?

22 MR. CARROLL: Yes, I did, and I think I
23 heard that evidence myself.

24 MR. CHISHOLM: You heard it from Staff
25 Sergeant Derochie?

1 **MR. CARROLL:** I heard it just part and
2 parcel of this Inquiry.

3 **MR. CHISHOLM:** Yes, okay. And with respect
4 to the evidence of Staff Sergeant Brian Snyder, when he
5 talked about his attendance at the CAS for the purpose of
6 reviewing the records relating to a person that we've
7 assigned a moniker to, C-51, did you hear Staff Sergeant
8 Snyder's evidence?

9 **MR. CARROLL:** I'm not sure if I heard his
10 actual evidence.

11 **MR. CHISHOLM:** Or read the transcript?

12 **MR. CARROLL:** I'm not sure if I've read his
13 transcript.

14 **MR. CHISHOLM:** Did you ever speak to either
15 of those officers in the past with respect to their
16 interactions with the CAS and the cooperation that they've
17 had with ---

18 **MR. CARROLL:** I don't think I've spoken with
19 them specifically.

20 **MR. CHISHOLM:** No?

21 **MR. CARROLL:** My experience is that in
22 matters of joint investigation between the police and the
23 CAS, there's a complete, 100 percent sharing of information
24 between the two agencies.

25 **MR. CHISHOLM:** Correct.

1 **MR. CARROLL:** In cases where it is not a
2 joint investigation, there may be some areas that can be
3 cleared up exactly what can and cannot be shared.

4 **MR. CHISHOLM:** Are you speaking from
5 experience when you say in cases that are not joint
6 investigations or are you hypothesising?

7 **MR. CARROLL:** No, I'm speaking from
8 experience. In matters where it's not a joint
9 investigation, there is some -- often some looking at
10 whether or not the CAS can provide that information to us.

11 **MR. CHISHOLM:** I'm sorry, tell me that last
12 part again.

13 **MR. CARROLL:** In cases where it is not a
14 joint investigation ---

15 **MR. CHISHOLM:** Correct.

16 **MR. CARROLL:** --- there has been some
17 question by the CAS whether or not they can provide
18 information to us.

19 **MR. CHISHOLM:** And can you give me examples
20 of what type of -- I take it these are investigations other
21 than child protection matters? Is that fair to say?

22 **MR. CARROLL:** I've been involved with cases
23 where I might be looking for information and the first
24 question that I'm asked is, is this a joint police/CAS
25 matter?

1 **MR. CHISHOLM:** But you're looking for
2 information in cases, in a police investigation that does
3 not raise child protection concerns; is that fair to say?

4 **MR. CARROLL:** The child protection concern
5 that was being raised, it may have been historic but I
6 believed it was a child protection issue, and there was an
7 examination by both agencies whether any element of this
8 case was joint at any given time.

9 **MR. CHISHOLM:** And can you give us some
10 specifics with respect to this case you're speaking of?

11 **MR. CARROLL:** I'd have to be -- well, I'm
12 going to have to start giving you names of actual ongoing
13 investigations.

14 **MR. CHISHOLM:** These are ongoing
15 investigations?

16 **MR. CARROLL:** They're ongoing
17 investigations. They're currently before the courts in
18 different levels of proceedings and I don't know if I
19 should be doing that right now.

20 **MR. CHISHOLM:** Do you have any examples that
21 you can draw from prior to April of 2005?

22 **MR. CARROLL:** I don't know if I do, just off
23 the top of my head. The case that I'm speaking of is
24 current and it's ongoing within the last couple of years.

25 **MR. CHISHOLM:** Okay. Now, so your belief is

1 formed based upon a case that was current or going on in
2 the past couple of years with respect to the Gilf Greggain
3 matter that took place in, was it, 2000?

4 **MR. CARROLL:** It's not the Gilf Greggain
5 matter that I'm talking about.

6 **MR. CHISHOLM:** No, but do you have any
7 experience prior to 2000 to draw upon to form the belief
8 that you have that it was not a joint investigation?

9 **MR. CARROLL:** This current case that I'm
10 talking about began prior to the Gilf Greggain matter and
11 the material that I'm referring to, I believe, was joint at
12 that time as well as it's joint at the present time right
13 now.

14 It is a case where police and CAS were
15 involved with this particular case and the matter has
16 progressed through several different phases of court
17 proceedings and it is now at present subject of a dangerous
18 offender application.

19 **MR. CHISHOLM:** Okay. Now, you said it
20 commenced before -- the case you're speaking of started
21 before the Gilf Greggain matter. Am I correct that your
22 involvement in this case was prior to your involvement in
23 the Gilf Greggain investigation or was it after?

24 **MR. CARROLL:** I think we're talking about
25 involvement with a particular individual and this goes back

1 to the late 1990's.

2 MR. CHISHOLM: Okay. But with respect to --
3 and let me put it to you this way -- the case you're
4 speaking of, your interaction with the CAS in that case,
5 did it take place before your involvement in the Gilf
6 Greggain investigation or after?

7 MR. CARROLL: It took place before.

8 MR. CHISHOLM: It took place before?

9 MR. CARROLL: Yes.

10 MR. CHISHOLM: And based upon that
11 interaction with the CAS, that is the belief that you've
12 told us about?

13 MR. CARROLL: That's correct.

14 MR. CHISHOLM: And can you tell us --
15 without telling us the name of the case, can you tell us
16 what workers from the CAS were involved in that case?

17 MR. CARROLL: I don't believe I can think
18 back and come up with actual workers. The workers have
19 changed throughout the years. I don't think I can tell you
20 the workers that may have been involved back in the late
21 1990's.

22 MR. CHISHOLM: So the timeframe you're
23 speaking of, the case you're speaking of, commenced in the
24 late 1990's?

25 MR. CARROLL: Yes, it did.

1 **MR. CHISHOLM:** And apart from that case, are
2 there any other cases that you draw upon to form the belief
3 that you've told us about?

4 **MR. CARROLL:** No, I can't.

5 **MR. CHISHOLM:** Thank you, sir.

6 **MR. CARROLL:** But what I can tell you, Mr.
7 Chisholm, is that we regularly meet with the CAS at the
8 supervisory and at the investigative level and we look at
9 protocol issues continually, and we sit down and we look
10 for ways to iron out any differences in how each agency
11 looks at how we abide by the protocol.

12 **MR. CHISHOLM:** Yes.

13 **MR. CARROLL:** And we actively go looking for
14 areas that we think can either be tightened up or addressed
15 in a more efficient way.

16 Those meetings are extremely successful and
17 we find ways that we can expand on both agencies' ability
18 to work within the protocol and any differences that may
19 come up from time-to-time are solved in those meetings.
20 And they're extremely productive and they look at improving
21 any existing protocol that we have, almost continually.

22 **MR. CHISHOLM:** Are you happy with the
23 cooperation that you receive from the CAS?

24 **MR. CARROLL:** Very.

25 **MR. CHISHOLM:** Thank you, Sergeant, those

1 are my questions.

2 **THE COMMISSIONER:** Thank you.

3 Maître Rouleau, you indicated no questions?

4 **MR. ROULEAU:** That's right.

5 **THE COMMISSIONER:** Thank you.

6 Mr. Scharbach?

7 **MR. SCHARBACH:** Good morning, Mr.

8 Commissioner.

9 **THE COMMISSIONER:** Good morning, sir.

10 **MR. SCHARBACH:** Yesterday, I said that I had
11 about 10 minutes worth of questions. In the meantime, Mr.
12 Neville covered the areas that I was going to touch on. So
13 I have no questions this morning.

14 **THE COMMISSIONER:** Thank you.

15 Ms. Lahaie, you said no questions. That
16 stands?

17 **MS. LAHAIE:** No, thank you.

18 **THE COMMISSIONER:** Mr. Carroll?

19 **MR. CARROLL:** No, thank you.

20 **THE COMMISSIONER:** Thank you.

21 So Mr. Manderville?

22 **MR. MANDERVILLE:** Thank you, Mr.

23 Commissioner. Good morning.

24 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

25 **MANDERVILLE:**

1 **MR. MANDERVILLE:** Let's start by observing
2 that Mr. Chisholm appears to be known to police.

3 **(LAUGHTER/RIRES)**

4 **THE COMMISSIONER:** I would say well known to
5 police.

6 **MR. MANDERVILLE:** Sergeant Carroll, you know
7 me as well.

8 **THE COMMISSIONER:** Ah, ah.

9 **MR. MANDERVILLE:** Just a few different areas
10 I wish to canvass with you, starting with the Hickerson
11 matter. You testified in-chief that you recovered some 85
12 videotapes; correct?

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

14 **MR. MANDERVILLE:** And I believe you also
15 testified in-chief you reviewed or you and other officers
16 reviewed all of them?

17 **MR. CARROLL:** Yes, sir.

18 **MR. MANDERVILLE:** From start to finish?

19 **MR. CARROLL:** They were on fast forward for
20 a good part of that time just because of the amount of time
21 it would take to view up to 85, hour-and-a-half to two-hour
22 long tapes, but yes, we reviewed them.

23 **MR. MANDERVILLE:** And why is it you would
24 look at them from start to finish?

25 **MR. CARROLL:** Well, one of the things that

1 we have learned in the course of child pornography
2 investigations over the years is people who create, store
3 and collect child pornography often do their best to try
4 and hide it. It is not unheard of that illegal child
5 pornography is copied and hidden somewhere in commercially
6 made videotapes and I know it's difficult to copy onto a
7 commercially made tape but it's not impossible and we were
8 concerned that, you know, this material would be hidden
9 within commercial tapes.

10 So we went far enough to make -- we went as
11 far as we could to view those materials just to make sure
12 there was no inserts in them.

13 **MR. MANDERVILLE:** And you satisfied
14 yourselves that there were no inserts?

15 **MR. CARROLL:** There were no inserts.

16 **MR. MANDERVILLE:** Turning to the
17 Latour/Greggain matter, I'd ask that Sergeant Carroll be
18 provided with Exhibit 365.

19 Do you have that in front of you, Sergeant
20 Carroll?

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

22 **MR. MANDERVILLE:** Could you turn to Bates
23 page that ends 218?

24 **MR. CARROLL:** Okay.

25 **MR. MANDERVILLE:** And that's the page that

1 has your notes concerning your interview with Mr. Delorme;
2 correct?

3 MR. CARROLL: Yes, sir.

4 MR. MANDERVILLE: And could you read into
5 the record your notes concerning that interview, what
6 you've recorded there, immediately below the address and
7 the phone number? We don't need to hear that.

8 MR. CARROLL: "At 11:30 in the morning on
9 the 15th of April, I contacted Mr.
10 Delorme at his residence and he
11 recalled Mr. Tyo was a janitor that he
12 worked with. He cannot recall anything
13 like..."

14 THE COMMISSIONER: What -- "...like what
15 Tyo..."

16 MR. CARROLL: At 11:30 in the morning, I
17 reached him.

18 MR. MANDERVILLE: No. Officer Carroll, the
19 Commissioner was assisting you with the note.

20 THE COMMISSIONER: I was helping you read
21 it.

22 MR. CARROLL: Oh.

23 MR. MANDERVILLE: Not what time. It's the
24 words you've written there.

25 MR. CARROLL: "He cannot recall anything

1 like what Tyo described about
2 inappropriate touching of children. He
3 feels he would have sought..."

4 Sorry.

5 "He feels if he would have saw anything
6 like that at all, he would have
7 recalled it. If he would have been..."

8 **THE COMMISSIONER:** "If he did, he would
9 have..."

10 **MR. CARROLL:** Sorry.

11 "If he would have, he would have been
12 the first to report this. He had very
13 little good to say about Mr. Tyo's
14 credibility. Mr. Tyo would create all
15 kinds of trouble with other teachers
16 and custodians for no real reason.
17 Delorme was the President of the Union
18 and Tyo always was in..."

19 **THE COMMISSIONER:** "...was always in
20 trouble."

21 **MR. CARROLL:** "...trouble. Stated he'd
22 often instigate confrontations with
23 teachers and other custodians for no
24 reason. Cited that Tyo was dismissed
25 for the taking of school materials and

1 that he would eventually resign
2 instead."

3 And at 12:05, I completed my call.

4 **MR. MANDERVILLE:** And Mr. Lee asked you
5 yesterday, and I take it you did not speak with Mr. Tyo
6 again after you interviewed Mr. Delorme?

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

8 **MR. MANDERVILLE:** Did you make any comments
9 about Mr. Tyo's credibility to Mr. Delorme?

10 **MR. CARROLL:** No, I didn't offer any
11 information prior to contacting -- or prior to discussing
12 this with Mr. Delorme.

13 **MR. MANDERVILLE:** I take it you would have
14 had no reason to question Mr. Tyo's truthfulness until
15 after you had interviewed Mr. Delorme.

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

17 **MR. MANDERVILLE:** So, you were taken to the
18 Latour transcript where it was suggested by Mr. Latour that
19 Mr. Tyo advised Mr. Latour that you had suggested that Mr.
20 Tyo was a liar. Do you recall being asked about that in
21 your evidence in-chief here?

22 **MR. CARROLL:** Sorry, could you back that up
23 to the first part of your question?

24 **MR. MANDERVILLE:** You were taken to the
25 transcript of Mr. Latour's evidence here at this Inquiry.

1 Now, at one point in his evidence, he recounted a
2 conversation he had with Mr. Tyo wherein Mr. Tyo suggested
3 that you had felt Mr. Tyo was a liar. Do you recall being
4 taken to that during your examination in-chief?

5 MR. CARROLL: Yes, I do.

6 MR. MANDERVILLE: Do you have any idea where
7 Mr. Tyo would have gotten that idea?

8 MR. CARROLL: I don't know.

9 MR. MANDERVILLE: Did you ever suggest that
10 to Mr. Tyo?

11 MR. CARROLL: I don't believe I did.

12 MR. MANDERVILLE: Now, you met with Mr.
13 Latour on several occasions throughout the course of your
14 investigation?

15 MR. CARROLL: Yes, I did.

16 MR. MANDERVILLE: You also spoke with him on
17 the phone on numerous occasions?

18 MR. CARROLL: When I could reach him, I did.

19 MR. MANDERVILLE: Did he not have an
20 answering machine?

21 MR. CARROLL: He didn't have an answering
22 machine at the time, anyways.

23 MR. MANDERVILLE: Did you have any other
24 chance meetings with him during your investigation?

25 MR. CARROLL: There were time to time. Mr.

1 Latour doesn't live far from the police station. I believe
2 that, on occasion, he would go to the bank that was right
3 across from the police station. It wouldn't be unlike him
4 to stop in and check in with me.

5 I would offer to meet him outside primarily
6 to get out and get some fresh air for myself and would take
7 some time to sit and chat with him or to stand outside and
8 chat with him. And just let him know some of the things
9 that I was working on, some of the things that I was
10 intending to do with respect to his case.

11 And I do recall on these occasions
12 expressing to him that I was tied up on matters that I
13 couldn't free myself from and that I had no choice but to
14 put matters on hold from time to time.

15 **MR. MANDERVILLE:** Now was he, in your mind,
16 regularly kept abreast of the status of your investigation?

17 **MR. CARROLL:** As far as I'm concerned, he
18 was.

19 **MR. MANDERVILLE:** Would you have necessarily
20 made notes of those chance meetings with him?

21 **MR. CARROLL:** Not necessarily. These were
22 occasions for me to step out and get some fresh air and to
23 just spend some time talking with him. I didn't take my
24 notebook with me and record our conversations or what we
25 talked about.

1 **MR. MANDERVILLE:** As far as you're
2 concerned, did he understand or was he made aware of the
3 difficulty you were having in obtaining corroboration?

4 **MR. CARROLL:** He was aware of that.

5 **MR. MANDERVILLE:** And he knew you were
6 seeking a Crown opinion?

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

8 **MR. MANDERVILLE:** And, in your mind, he knew
9 what the Crown opinion ultimately was?

10 **MR. CARROLL:** Yes, he was.

11 **MR. MANDERVILLE:** I want to talk very
12 briefly about the Shelley Price matter. I take it, Officer
13 Carroll, you are familiar with the statements you did
14 receive from Shelley Price?

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

16 **MR. MANDERVILLE:** You had an opportunity to
17 review them back when you received them?

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

19 **MR. MANDERVILLE:** And would I be correct in
20 characterizing the allegations of the statements as
21 something that kept expanding as more statements were
22 obtained?

23 **MR. CARROLL:** Yes, they were.

24 **MR. MANDERVILLE:** They involved allegations
25 of satanic rituals concerning the clergy and the fire

1 department?

2 MR. CARROLL: Yes, sir.

3 MR. MANDERVILLE: And subsequently, seemed
4 to feature a retired Cornwall police officer and indeed
5 Officer Pat Hall of the OPP?

6 MR. CARROLL: That's correct.

7 MR. MANDERVILLE: And a variety of circus
8 performers?

9 MR. CARROLL: Yes, sir.

10 MR. MANDERVILLE: And she claims several of
11 her sisters could corroborate her story; correct?

12 MR. CARROLL: That's correct.

13 MR. MANDERVILLE: And I take it, given the
14 varied nature of the statements, it became quite important
15 to speak with her directly?

16 MR. CARROLL: Yes, sir.

17 MR. MANDERVILLE: And the Cornwall police
18 never succeeded in doing so?

19 MR. CARROLL: She would never agree to meet
20 with us.

21 MR. MANDERVILLE: And she did have a meeting
22 with the local RCMP detachment out in her location in
23 British Columbia?

24 MR. CARROLL: Yes, sir.

25 MR. MANDERVILLE: And refused to meet with

1 them again as well?

2 **MR. CARROLL:** I'm not aware of that but --
3 yeah, I'm not aware of what her wishes were with respect to
4 meeting with the RCMP again.

5 **MR. MANDERVILLE:** Are you aware as to
6 whether or not she ever met with the RCMP again after 2000?

7 **MR. CARROLL:** No, I'm not.

8 **MR. MANDERVILLE:** Can I ask that Officer
9 Carroll be shown Exhibit 1343 which is your investigation
10 chronology?

11 **MR. CARROLL:** All right.

12 **MR. MANDERVILLE:** And can you turn to --
13 it's page 15 of the investigation chronology, it would end
14 in Bates page 317.

15 **MR. CARROLL:** All right, I'm there.

16 **MR. MANDERVILLE:** Do you see the second
17 entry on that page, sir?

18 **MR. CARROLL:** Is that the one that told Dave
19 had an interview with Shelley?

20 **MR. MANDERVILLE:** Correct. Could you read
21 that out please?

22 **MR. CARROLL:** "...was essential to this
23 investigation and he pointed out that
24 she would not be able to talk if she
25 was being recorded."

1 **MR. MANDERVILLE:** So he's indicated to you
2 that recording an interview with her was not on?

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

4 **MR. MANDERVILLE:** That would pose an
5 additional obstacle to an investigation; wouldn't it?

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

7 **MR. MANDERVILLE:** Particularly given the
8 nature of her allegations?

9 **MR. CARROLL:** Yes, sir.

10 **MR. MANDERVILLE:** Turning now to the Albert
11 Lalonde investigation; and I don't propose to rehash either
12 of what Mr. Neville or Mr. Lee covered with you.

13 Would it be fair of me to suggest that to
14 you, Officer Carroll, in your mind, you kept Albert Lalonde
15 abreast of your investigation throughout its course?

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

17 **MR. MANDERVILLE:** He knew each step you were
18 taking?

19 **MR. CARROLL:** Yes, sir.

20 **MR. MANDERVILLE:** Changing gears slightly, I
21 want to talk to you about training. You've taken a number
22 of training courses over the years in relation to sexual
23 assault matters?

24 **MR. CARROLL:** Yes, sir.

25 **MR. MANDERVILLE:** And in fact, you were to

1 have been on a course this week; weren't you?

2 MR. CARROLL: Yes, sir.

3 MR. MANDERVILLE: What was that?

4 MR. CARROLL: It was having to do with
5 internet child luring. And actual -- it included an actual
6 demonstration of an undercover officer accessing internet
7 chat lines and showing how quickly a predator would target
8 him with respect to thinking he was a 13 year-old girl.

9 MR. MANDERVILLE: And it is the case that,
10 in this province, in your mind at least, there is an
11 increased number of sexual assaults and sexual assault
12 related courses available?

13 MR. CARROLL: Yes, there are.

14 MR. MANDERVILLE: And as part of your
15 training, I know in 2003 you took the Sexual Offender
16 Registry training?

17 MR. CARROLL: I've taken a number of
18 training sessions on the Sex Offender Registry.

19 MR. MANDERVILLE: And you're responsible for
20 maintaining the Sex Offender Registry at the Cornwall
21 police?

22 MR. CARROLL: Yes, sir, I am.

23 MR. MANDERVILLE: What is involved in that?

24 MR. CARROLL: That is the administration of
25 *Christopher's Law*. Every designated sex offender or

1 convicted sex offender has to comply with *Christopher's Law*
2 by reporting to a police service annually providing, number
3 one, a photograph; number two, his current address and a
4 detailed description of him.

5 Following that, I assign a uniform officer,
6 sometimes several times throughout the year, at least every
7 six months to attend the address reported by that offender
8 and confirm that the person is actually living there. And
9 that confirmation is made either by way of on a piece of
10 identification with the address on it or a piece of mail
11 addressed to the person at that location. The contents of
12 that mail, we're not concerned with at all, we just want
13 the address.

14 On top of that, I maintain all of the data
15 that goes into each offender's profile on the Registry.
16 And that includes a detailed case description and narrative
17 of the offence for which the offender was convicted. That
18 narrative includes behavioural descriptors of the offender
19 and of the offence that was committed, to the point where I
20 can take an unknown offender sex offence and type in a -- a
21 detail of that offence and get a listing of offenders who
22 have displayed the same type of offences in the crimes that
23 they've committed.

24 I use an example of that that occurred
25 within this jurisdiction of an offender that brought a

1 particular prop to a sexual assault involving a child. I
2 can query exactly what that prop was and get a list of
3 offenders province-wide that have exhibited the same type
4 of behaviour when they've committed an offence.

5 That's of a tremendous investigative value
6 in the case of an unknown offender offence, simply because
7 you can get a description of offenders who've engaged in
8 the same type of behaviour and try and assess whether from
9 that suspect pool you -- you have identified the particular
10 offender that you're interested in.

11 Sometimes in unknown offender cases, it is
12 important to identify who didn't do the crime as who did do
13 the crime, so that you can direct your investigative
14 efforts in areas that are the most efficient.

15 **MR. MANDERVILLE:** Does it operate
16 inter-provincially?

17 **MR. CARROLL:** Yes, it is, it's all across
18 the Province of Ontario. There are no registries that
19 operate like the Ontario Registry that I know of anywhere
20 else in the country.

21 We do have the National Sex Offender
22 Registry that is -- is somewhat similar. In some areas it
23 -- it offers a little bit more than the Ontario model does,
24 but it has a slightly different set of criteria.

25 **MR. MANDERVILLE:** How frequently is it

1 maintained?

2 MR. CARROLL: The Registry?

3 MR. MANDERVILLE: Yes.

4 MR. CARROLL: My involvement with the
5 Registry was as recent as 8:00 this morning. It's
6 something that's checked and maintained every single day.

7 We, from time-to-time, have cases of
8 non-compliance, in that somebody has missed their annual
9 reporting date and there's an immediate priority to
10 determine why they've missed their annual reporting date;
11 did they simply just forget, which is often the case.

12 I maintain the Registry locally in such a
13 way that I can even pick up the phone and call an offender
14 at work or at his home or send somebody around, and very
15 often I find that somebody has simply forgotten about their
16 reporting date, although that that's a case of non-
17 compliance. In cases of somebody forgetting by a day, I
18 find it's more important that -- to fix that non-compliance
19 right off the bat and maintain the Registry as being up-to-
20 date.

21 MR. MANDERVILLE: Thank you very much,
22 Sergeant Carroll.

23 MR. CARROLL: Thank you.

24 THE COMMISSIONER: Thank you.

25 Maître Dumais.

1 (SHORT PAUSE/COURTE PAUSE)

2 ---RE-EXAMINATION BY/RÉ-INTERROGATOIRE PAR MR. DUMAIS:

3 MR. DUMAIS: Just a few areas I want to look
4 at with you, Sergeant Carroll, before we're done.

5 You were asked yesterday to look at a number
6 of exhibits that have been filed in-chief. One of those
7 was the statement, dated April 25th, 1995, that Detective
8 Constable Hurtubise would have taken from Albert Lalonde,
9 so the initial statement. Do you recall that?

10 MR. CARROLL: Yes, sir.

11 MR. DUMAIS: And you were asked to look at
12 the statement, and it was pointed out to you and you
13 agreed, that there had been no reference to the Avonmore
14 allegation in this statement. Is that correct?

15 MR. CARROLL: Yes, sir, I believe so.

16 MR. DUMAIS: As well, you were asked to
17 review or look at the May 12th, 1995 statement which had
18 been taken by Detective Constable Fagan and Detective
19 Constable Zebruck, and you were asked to note that there
20 had been no reference to the Avonmore incident in this
21 statement. Is that correct?

22 MR. CARROLL: That's correct.

23 MR. DUMAIS: And following that, you were
24 asked to review the December 16th, 1996 statement given by
25 Albert Lalonde to Detective Constable Genier, and it was

1 noted that the statement referred to an incident on
2 Avonmore but did not identify anyone. Is that correct?

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

4 **MR. DUMAIS:** Now, initially when we started
5 looking at the Albert Lalonde statement, you indicated to
6 us that he had made three separate allegations. Is that
7 correct?

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

9 **MR. DUMAIS:** And initially when you first
10 started the investigation, you were looking at all three
11 incidents. Is that correct?

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

13 **MR. DUMAIS:** But shortly afterwards, you
14 would have received a piece of correspondence from Mr. Pat
15 -- or Detective Pat Hall indicating that they were taking
16 on the Avonmore matter. Is that correct?

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

18 **MR. DUMAIS:** And from that point on, and I
19 believe you indicated to us that it was made quite clear to
20 you by your superiors or a supervisor, that you were no
21 longer looking at this incident. Is that correct?

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

23 **MR. DUMAIS:** All right. So from then on, am
24 I correct that the extent of your investigation into the
25 Albert Lalonde matter dealt solely with the first and third

1 allegation in that statement?

2 MR. CARROLL: That's right.

3 MR. DUMAIS: All right.

4 And when you're preparing a brief, the Crown
5 brief, to be reviewed by Mr. McConnery, your -- your Brief
6 relates to these two incidents only. Is that correct?

7 MR. CARROLL: Yes, sir.

8 MR. DUMAIS: And when you are receiving the
9 Crown's position, you believe that you're receiving advice
10 on your investigation, which would be the first and third
11 allegations. Is that correct?

12 MR. CARROLL: That's right.

13 MR. DUMAIS: Because you know for a fact
14 that the OPP is conducting their own investigation into the
15 Avonmore matter. Is that correct?

16 MR. CARROLL: Yes, sir.

17 MR. DUMAIS: And you're aware, as well, that
18 they are submitting their own documents to the Crown?

19 MR. CARROLL: Yeah, that's right, sir.

20 MR. DUMAIS: And you're aware that they're
21 receiving their own opinion on this incident. Is that
22 correct?

23 MR. CARROLL: Yes, sir.

24 MR. DUMAIS: All right.

25 (SHORT PAUSE/COURTE PAUSE)

1 **MR. DUMAIS:** And as well Sergeant, Exhibit
2 692 was put to you, which is the statement that is dated --
3 well, there's two dates. On the first page, the date is
4 April 9th, 2002. The last page has the April 26th, 2002, and
5 that's the Albert Lalonde statement which is witnessed by
6 Carson Chisholm?

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

8 **MR. DUMAIS:** And, again, the statement was
9 put to you, and it was noted on pages -- Bates pages 504
10 and 505, so on pages 504, last paragraph, which is a
11 description of the Avonmore incident.

12 And on the following page, paragraphs 1 and
13 3, again, two descriptions of the Avonmore incident but,
14 then again, you weren't investigating this incident. Is
15 that correct?

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

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

18 Now, this statement, Exhibit 697, which is
19 witnessed by Carson Chisholm, is that -- was that the only
20 involvement that you're aware of that Mr. Chisholm would
21 have had in your investigation?

22 **MR. CARROLL:** I think so.

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

24 And there was some discussion yesterday as
25 well about Mr. Nadeau's involvement, and early on you had

1 taken a statement from him and your principal concern was
2 that he not publish any information with respect to Albert
3 Lalonde. Is that correct?

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

5 **MR. DUMAIS:** As far as you know, he complied
6 with that?

7 **MR. CARROLL:** As far as I know that he did.

8 **MR. DUMAIS:** All right. And otherwise his
9 only involvement in your investigation was, from
10 time-to-time, he would contact you and ask for updates. Is
11 that correct?

12 **MR. CARROLL:** It seemed to be he called me
13 every single time I called Albert Lalonde.

14 **MR. DUMAIS:** All right. And you would
15 provide him little information. Is that correct?

16 **MR. CARROLL:** Well, I told him that I
17 couldn't discuss an ongoing investigation with him, and
18 that was as far as the conversation between him and I went.

19 **MR. DUMAIS:** If we could just put Exhibit
20 1702 to Sergeant Carroll for a moment?

21 **THE COMMISSIONER:** One-seven?

22 **MR. DUMAIS:** One-seven-zero-two (1702).

23 **THE COMMISSIONER:** Okay.

24 **MR. DUMAIS:** Mr. Commissioner, I am hoping
25 that's the July 24th, 2002 letter.

1 **THE COMMISSIONER:** Yes, it is.

2 **MR. DUMAIS:** So, Detective Sergeant, this is
3 the letter that you would have sent to Mr. Lorne McConnery
4 which lists the documents that had been -- that were
5 forwarded to him to review your investigation. Is that
6 correct?

7 **MR. CARROLL:** Yes, sir, it is.

8 **MR. DUMAIS:** And it became unclear to me
9 yesterday as to exactly what was submitted for him to
10 review. And I believe you do list all of the documents or
11 all of the enclosures that accompanied this letter. So you
12 would have submitted the statement which you took of Albert
13 Lalonde. Is that correct?

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

15 **MR. DUMAIS:** You would have disclosed the
16 statement or the summary of the statement that you prepared
17 in interviewing Dr. Clement. Is that correct?

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

19 **MR. DUMAIS:** And you would have submitted
20 the two case notes, if I can call them case notes, of Dr.
21 Richter. Is that correct?

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

23 All the material that I had, I forwarded
24 along realising that probably it would be duplicated by the
25 OPP sending their package along, but I wasn't sure exactly

1 which Crown Attorney they were going to be dealing with, so
2 I sent everything that I had.

3 **MR. DUMAIS:** All right. But I guess you are
4 specifically listing these documents. Do you think there
5 were other documents, other than those that are
6 specifically listed here?

7 **MR. CARROLL:** I'm not sure if I sent my
8 investigation chronology along with that. I'm pretty sure
9 I did, but I think that everything that I put down here is
10 what I submitted.

11 **MR. DUMAIS:** All right. Like for example,
12 you are not listing your investigative notes here.

13 **MR. CARROLL:** I don't think I sent my notes
14 along. I probably sent the chronology instead which
15 virtually mirrored my notes.

16 **MR. DUMAIS:** And none of the other
17 statements which you would have had in your possession are
18 noted in this correspondence either?

19 **MR. CARROLL:** I don't -- I can't recall that
20 for sure.

21 **MR. DUMAIS:** You can't recall whether or not
22 you would have sent them?

23 **MR. CARROLL:** Which other statements are you
24 referring to?

25 **MR. DUMAIS:** The 1995 statement, the 1996

1 statement, the statement taken by Mr. Chisholm.

2 MR. CARROLL: I think if I had those
3 articles, I would have sent them. I can't be a 100 percent
4 sure right now.

5 MR. DUMAIS: Now, if I can just take you to
6 Exhibit 1695 for a moment, and you were taken to your notes
7 yesterday as well, Sergeant, at Bates pages 8162817.

8 MR. CARROLL: Is this in the 1695 Exhibit?

9 MR. DUMAIS: Yes.

10 MR. CARROLL: The Bates pages that I have in
11 that Exhibit are 840 to 842.

12 THE COMMISSIONER: So Exhibit 1695?

13 MR. CARROLL: That's in 1695.

14 THE COMMISSIONER: Yes; no, I understand. I
15 agree with you.

16 MR. DUMAIS: I'm looking at Document Number
17 735654, Commissioner.

18 THE COMMISSIONER: No, that's not the one.

19 MR. DUMAIS: I'm advised it could be 1693.

20 THE COMMISSIONER: That it is; 654, yes. So
21 Exhibit 1693. What page?

22 MR. DUMAIS: Eight-one-six (816) and 817.

23 THE COMMISSIONER: Okay.

24 MR. DUMAIS: Sergeant, these -- the bottom
25 or the last bullet on page 816 and the first three bullets

1 on page 817, deal with notes that you would have taken
2 while conducting the Dr. Clement interview. Is that
3 correct?

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

5 **MR. DUMAIS:** And more specifically in these
6 two or three bullets, you're referring to -- or Dr. Clement
7 is referring to what Dr. Nadler and Dr. Ahmed would have
8 told you with respect to any information regarding an
9 allegation of abuse by Father MacDonald. Is that correct?

10 **MR. CARROLL:** He's passing on to me what
11 he's learned from Dr. Nadler and Dr. Ahmed. I didn't speak
12 to either one of those two practitioners myself, but this
13 information is coming from Dr. Clement.

14 **MR. DUMAIS:** Right. And at the bottom of
15 page 816, it is noted that there had been no ID -- I'll
16 just read the last two lines:

17 "St. Jean, in references by Albert that
18 sometimes he sees the man that abuses
19 him..."

20 And then it's noted, "No ID".

21 Is that correct?

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

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

24 And on the following page, the third bullet:

25 "1992-1993 - All above discussed is as

1 a kid and nothing but St. Jean is
2 disclosed."

3 Is that correct?

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

5 **MR. DUMAIS:** So these are -- this is
6 information that Dr. Clement would have noted while
7 presumably speaking to Dr. Nadler and Dr. Ahmed. Is that
8 correct?

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

10 **MR. DUMAIS:** But all of these notations were
11 taken in 19 -- or reference a time period between 1992 and
12 1993. Is that correct?

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

14 **MR. DUMAIS:** And you know from taking a
15 statement from Mr. Lalonde that he would have recovered his
16 memory only in 1995. Is that correct?

17 **MR. CARROLL:** That's the impression that I
18 got, that the memory was recovered. Exactly when it was
19 recovered and how and by what means and what precipitated
20 or instigated that, I can't be exactly sure.

21 **MR. DUMAIS:** All right, fair enough.

22 Those are my questions, Commissioner. Thank
23 you, Sergeant.

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

25 **MR. CARROLL:** Thank you, Your Honour.

1 **THE COMMISSIONER:** During your days here, I
2 appreciate your testimony.

3 **MR. CARROLL:** Thank you.

4 **THE COMMISSIONER:** Thank you very much.
5 Why don't we take a 10-minute break to
6 change over and then we'll continue.

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

9 This hearing will resume at 10:35 a.m.

10 --- Upon recessing at 10:22 a.m./

11 L'audience est suspendue à 10h22

12 --- Upon resuming at 10:35 a.m./

13 L'audience est reprise à 10h35

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

16 This hearing is now resumed. Please be
17 seated. Veuillez vous asseoir.

18 **THE COMMISSIONER:** Good morning.

19 **MS. SIMMS:** Good morning, Mr. Commissioner.
20 We are calling our next witness, who is Constable René
21 Desrosiers.

22 **THE COMMISSIONER:** Thank you.

23 **MS. SIMMS:** And if he could be sworn in.

24 **RENÉ DESROSIERS:** Sworn/Assermenté

25 **THE COMMISSIONER:** Thank you. Good morning,

1 sir.

2 MR. DESROSIERS: Good morning, Mr.
3 Commissioner.

4 THE COMMISSIONER: Just to get you familiar
5 with things, you have fresh water and glasses there. The
6 small box is a speaker, so if you wish to increase or
7 decrease the volume. There's a computer screen that will
8 show you documents, but we'll also show them to you in hard
9 copy.

10 The microphone should be put down like that.

11 MR. DESROSIERS: Okay.

12 THE COMMISSIONER: Thank you.

13 And answer in the best way you can. If you
14 feel uncomfortable at some time, just let me know and we'll
15 take care of that. And if ever you need a break, just let
16 me know.

17 MR. DESROSIERS: Thank you, sir.

18 THE COMMISSIONER: All right. Thank you.

19 Ms. Simms?

20 --- EXAMINATION IN-CHIEF/INTERROGATOIRE EN-CHEF PAR MS.

21 SIMMS:

22 MS. SIMMS: Good morning, Constable
23 Desrosiers.

24 MR. DESROSIERS: Good morning, Ms. Simms.

25 MS. SIMMS: I am going to ask you today some

1 questions about your background with the CPS, the Cornwall
2 Police Service, and then ask you some questions about two
3 specific investigations. Okay?

4 **MR. DESROSIERS:** Yes.

5 **MS. SIMMS:** So let's start with some
6 background. You're born and raised in Cornwall?

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

8 **MS. SIMMS:** And I understand that you joined
9 the Cornwall Police Service in October of 1980?

10 **MR. DESROSIERS:** Yes.

11 **MS. SIMMS:** And you remain on the force
12 today?

13 **MR. DESROSIERS:** Yes, I do.

14 **MS. SIMMS:** And what's your current rank?

15 **MR. DESROSIERS:** Right now I'm Constable,
16 Detective Constable with Cornwall Community Police Service
17 in the Civil Investigation Division.

18 **MS. SIMMS:** And I'm going to ask you to
19 refer to a document, Document Number 200197, which is a
20 career profile sheet.

21 **THE COMMISSIONER:** Thank you. Exhibit 1713
22 is Rank and Position within the Cornwall Police Service
23 document for Detective Constable René Desrosiers.

24 **--- EXHIBIT NO./PIÈCE No. P-1713:**

25 (200197) René Desrosiers career profile

1 **MS. SIMMS:** So you'll notice that the first
2 page is entitled "Rank and Position with the Cornwall
3 Police Service."

4 **MR. DESROSIERS:** Yes.

5 **MS. SIMMS:** And the second and third pages
6 are training courses?

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

8 **MS. SIMMS:** And this is a document, sir,
9 that was prepared by your counsel summarizing your career
10 at the Cornwall Police Service?

11 **MR. DESROSIERS:** Yes.

12 **MS. SIMMS:** You've seen it before?

13 **MR. DESROSIERS:** Yes, I have.

14 **MS. SIMMS:** Okay. I'm just going to take
15 you through a few things. It shows your start, like you
16 mentioned, on October 7th, 1980.

17 **MR. DESROSIERS:** Yes.

18 **MS. SIMMS:** And you rose through the ranks
19 to a first class constable?

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

21 **MS. SIMMS:** And that was while you were in
22 Uniform Service? Correct?

23 **MR. DESROSIERS:** Yes.

24 **MS. SIMMS:** And I note you had a position as
25 a -- in crime prevention and community policing in August

1 1988.

2 MR. DESROSIERS: That's correct.

3 MS. SIMMS: Was that a new position within
4 the force?

5 MR. DESROSIERS: It was not a new position
6 within the Service. There was an opening and I was
7 laterally transferred to that position.

8 MS. SIMMS: Just very briefly, can you give
9 us an idea of what your responsibilities were in that role?

10 MR. DESROSIERS: My responsibilities were to
11 be involved with the public sector of the community in
12 relation to giving lectures, talks. I was also involved in
13 the continuing, say in September, of grade school children.
14 We had a street light prop that we would use and go into
15 kindergarten to show them what the red light, yellow light
16 and green lights were.

17 We also did what they call Values,
18 Influences in relation to Peers Program which was a spin-
19 off from the American CARE Program -- or DARE Program, and
20 also I was involved on several committees, started several
21 programs; also involved with Neighbourhood Watch Program
22 which was already in existence, Block Parent programs, that
23 kind of -- and I had to put together Police Week activities
24 whenever Police Week would arrive in the late spring, early
25 summer.

1 **MS. SIMMS:** Okay. And following that
2 position, you returned to Uniform?

3 **MR. DESROSIERS:** Yes, I did.

4 **MS. SIMMS:** And that's -- the chart shows
5 you returned to Uniform on July 16th, 1991.

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

7 **MS. SIMMS:** And I understand that during
8 that time period you were also transferred to the Sexual
9 Assault Unit for a period of time?

10 **MR. DESROSIERS:** Yes, I was.

11 **MS. SIMMS:** And that would have been in
12 1995?

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

14 **MS. SIMMS:** And for how long were you
15 working there?

16 **MR. DESROSIERS:** I was there with another
17 officer for approximately a four-month period to relieve
18 case load, to help them out with the -- which would have
19 been the Sexual Assault and Child Abuse Unit.

20 **MS. SIMMS:** And the other officer was
21 Constable Hanton?

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

23 **MS. SIMMS:** And I understand in that time
24 period he had some involvement with a complaint against
25 Earl Landry, Jr. Were you aware of that at the time or

1 involved in any way?

2 **MR. DESROSIERS:** I was not aware of it
3 initially but being in the office, I was aware that he did
4 work on that file, but I had no dealings with the file
5 myself.

6 **MS. SIMMS:** Okay. And then you were
7 transferred into the Criminal Investigation Bureau in
8 October of 1996.

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

10 **MS. SIMMS:** And were you transferred
11 directly into the Sexual Assault and Child Abuse Unit?

12 **MR. DESROSIERS:** Yes, I was.

13 **MS. SIMMS:** Okay. And you remained in that
14 unit until May 24th, 2004?

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

16 **MS. SIMMS:** And you're currently again in
17 the Criminal Investigation Bureau; you just mentioned that.

18 **MR. DESROSIERS:** Yes.

19 **MS. SIMMS:** Could you tell us what your
20 position and role is today?

21 **MR. DESROSIERS:** I do some general
22 investigative assignments, investigations. I still do
23 historical sexual assault investigations. I do arsons.
24 I'm also in charge of Power Case within ---

25 **THE COMMISSIONER:** Of what?

1 **MR. DESROSIERS:** Power Case, which is the
2 major case management software.

3 **THE COMMISSIONER:** Okay, okay, yes.

4 **MS. SIMMS:** And I'm going to ask you to look
5 briefly at the training courses that are listed on pages 2
6 and 3, and there are quite a number of them.

7 So I notice that if you look in the --
8 they're in reverse chronological order. So I see at the
9 beginning of your career you were doing a lot of training
10 in traffic and those kind of courses, which I assume is
11 related to the your Uniform duties at the time?

12 **MR. DESROSIERS:** Yes.

13 **MS. SIMMS:** And I note on April 22nd, 1997,
14 you took a course on interviewing techniques.

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

16 **MS. SIMMS:** And July 1st, 1997 on sexual
17 assault investigative course.

18 **MR. DESROSIERS:** Yes.

19 **MS. SIMMS:** Was that a course you were
20 required to take as a member of the Sexual Assault Unit?

21 **MR. DESROSIERS:** Yes, it was.

22 **MS. SIMMS:** Okay. And that was taken -- you
23 joined in October of '96; so some nine months or so after?

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

25 **MS. SIMMS:** Was that common that you'd

1 receive that training after -- some time period after
2 joining SACA?

3 **MR. DESROSIERS:** I believe it's due to
4 availability of seats at the college. I know today it's a
5 little quicker today but still again it's based on the
6 availability of the number of seats that are open.

7 **MS. SIMMS:** And just to point out, there's
8 two other courses that relate to sexual offences; one on
9 January 18th, '99?

10 **MR. DESROSIERS:** That's correct.

11 **MS. SIMMS:** And that was investigation of
12 sexual offences against children?

13 **MR. DESROSIERS:** Yes.

14 **MS. SIMMS:** And that was a police course.
15 It wasn't a joint training exercise?

16 **MR. DESROSIERS:** It was a joint training
17 exercise with the Children's Aid Society.

18 **MS. SIMMS:** Okay.

19 **MR. DESROSIERS:** Whereas half of the class
20 was police officers, the other half were CAS workers
21 involved in child protection.

22 **MS. SIMMS:** And there's a further course on
23 January 1st, 2003 regarding the Sex Offenders Registry.

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

25 **MS. SIMMS:** Okay. And I see the other

1 courses around this time period are about major case
2 management. I guess that's related to your position with
3 respect to Power Case?

4 **MR. DESROSIERS:** Power Case, as well as
5 being in the Criminal Investigation Division. You had to
6 have the major case management course.

7 **MS. SIMMS:** All right. So I'm just going to
8 ask you some -- you spent quite a long time at SACA.

9 **MR. DESROSIERS:** Yes, I did.

10 **MS. SIMMS:** And which often people spend a
11 shorter amount of time in that unit; right?

12 **MR. DESROSIERS:** It varied.

13 **MS. SIMMS:** Okay. So when you were first
14 assigned in October of '96, who was the other officer in
15 the SACA Unit?

16 **MR. DESROSIERS:** There was Sergeant Dave
17 Bough who was a constable at that time and got promoted.
18 There was Constable Heidi Sebalj in the Unit.

19 **MS. SIMMS:** And at that time, you were being
20 supervised by the supervisors of CIB generally?

21 **MR. DESROSIERS:** Yes.

22 **MS. SIMMS:** And those were?

23 **MR. DESROSIERS:** Sergeant Snyder was my
24 immediate supervisor and I had Staff Sergeant Brunet.

25 **MS. SIMMS:** And I understand during your

1 tenure at SACA there was some changes made to the Unit,
2 particularly around the time of Project Phoenix Song in
3 2000.

4 **MR. DESROSIERS:** Yes, there was.

5 **MS. SIMMS:** And I think that's been
6 discussed in some detail. So I'm not going to go into it
7 in detail with you but were you involved in some training
8 projects with respect to Project Phoenix Song?

9 **MR. DESROSIERS:** I was involved in giving
10 some input to Sergeant Carroll who had been assigned
11 through the Chief, Repa, to advise our unit to see what
12 recommendations we may be able to make in relation to
13 Project Phoenix Song. And we did make recommendations in
14 relation to our interview room, possibly making it a softer
15 room in relation to decoration, seating.

16 We also did, as per recommendations of
17 possibly a different camera system which would be less
18 intrusive, as we had a fair size camera that stuck out from
19 the wall for the video room. And eventually things did get
20 changed to a more non-inclusive type of camera system.

21 **MS. SIMMS:** So your recommendations were
22 accepted?

23 **MR. DESROSIERS:** Yes.

24 **MS. SIMMS:** Eventually.

25 **MR. DESROSIERS:** Eventually, yes.

1 **MS. SIMMS:** And you mentioned that during
2 your time there, you investigated -- well, you currently
3 investigate some historical sexual abuse cases?

4 **MR. DESROSIERS:** Yes.

5 **MS. SIMMS:** And I take it at your time in
6 SACA you spent some time investigating historical sexual
7 abuse cases?

8 **MR. DESROSIERS:** Yes, from the beginning,
9 yes.

10 **MS. SIMMS:** From the beginning?

11 **MR. DESROSIERS:** Yes.

12 **MS. SIMMS:** Can you give us any idea how
13 many such cases you would have been involved in?

14 **MR. DESROSIERS:** I could only say on an
15 average probably five or six per year would be maybe an
16 average.

17 **MS. SIMMS:** And when I put to you historical
18 sexual assault, what would you define as a historical
19 assault?

20 **MR. DESROSIERS:** Anything reported after a
21 year of the incident.

22 **MS. SIMMS:** Was there -- while you were at
23 SACA, was there a -- were historical sexual assault cases
24 tracked separately or for statistical purposes or were they
25 differentiated in any way?

1 **MR. DESROSIERS:** To my knowledge, they were
2 all given an occurrence number which was the normal
3 occurrence number to follow from demand calls on the road.
4 And whenever the general occurrence would be inputted, it
5 would receive a number.

6 In relation to your second part of the
7 question which is?

8 **MS. SIMMS:** Well, let me just -- I know you
9 track clearance rates, right, for criminal offences? You
10 keep some statistics or some statistics are kept by the
11 force?

12 **MR. DESROSIERS:** Yes, they are. To my
13 knowledge, I'm not aware if they do keep historical
14 statistics.

15 **MS. SIMMS:** Okay.

16 **MR. DESROSIERS:** I was never asked to submit
17 on any I do.

18 **MS. SIMMS:** Okay.

19 So you join SACA in October of 1996 and
20 continue to 2004. This is during the period of time that
21 Project Truth commences?

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

23 **MS. SIMMS:** Did you have an sense that there
24 was an increase in historical or sexual assault cases due
25 to Project Truth?

1 **THE COMMISSIONER:** The reporting of you
2 mean.

3 **MS. SIMMS:** The reporting of them to the
4 Cornwall Police?

5 **MR. DESROSIERS:** The reporting, there were a
6 few that were reported directly to me; that I was assigned
7 possibly three, two or three.

8 **MS. SIMMS:** What was your understanding with
9 the commencement of Project Truth about how cases that
10 would come in to you directly, whether or not they'd be
11 referred to Project Truth?

12 Did you receive instructions on if an
13 historical sexual assault is reported, you have to report
14 it to one of the OPP officers or do you recall anything
15 like that?

16 **MR. DESROSIERS:** I don't recall anything of
17 that nature. I recall that they would report to us or to a
18 ranking officer within the Service, our supervisors, if
19 there was any individual that did not form part of their
20 mandate; who would be turned over to us to look into.

21 **MS. SIMMS:** Were you, as an investigator,
22 advised of what the mandate of Project Truth was?

23 **MR. DESROSIERS:** I had in my head that it
24 was about possibly prominent people in the community and
25 other people. Did I see a list? I never was shown a list

1 myself.

2 **MS. SIMMS:** M'hm.

3 **MR. DESROSIERS:** But being living here,
4 seeing things happening, being in the office, I was aware
5 that it was to be looked into in relation to prominent
6 people in the community, you know, business people.

7 **MS. SIMMS:** Did you ever receive a complaint
8 that was related to a sexual assault and perhaps a
9 prominent person that you noted and flagged and brought to
10 your supervisor or to Project Truth?

11 **MR. DESROSIERS:** No.

12 **MS. SIMMS:** Okay.

13 Constable Desrosiers, I'm going to move on
14 to an investigation.

15 **MR. DESROSIERS:** Yes.

16 **MS. SIMMS:** And I just wanted to remind you
17 that there are individuals that have been granted
18 confidentiality measures at the Inquiry.

19 **MR. DESROSIERS:** Okay.

20 **MS. SIMMS:** And I will try and flag that for
21 you as it comes up.

22 **MR. DESROSIERS:** All right.

23 **MS. SIMMS:** So just be careful not to use
24 any names of victims until I ---

25 **MR. DESROSIERS:** Okay.

1 **MS. SIMMS:** --- have done so.

2 So I'm going to ask you about an
3 investigation into allegations against Marcel Lalonde, who
4 was a school teacher in Cornwall.

5 **MR. DESROSIERS:** Okay.

6 **MS. SIMMS:** Okay. And I understand that
7 your first involvement in this was in October of 1996?

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

9 **MS. SIMMS:** I'm going to ask you to refer to
10 your notes; they are Document Number 117084.

11 And these are notes of Constable Desrosiers
12 beginning on October 30th, 1996 and they should be marked
13 "Subject to a Publication Ban".

14 **THE COMMISSIONER:** Thank you.

15 **MS. SIMMS:** So while we're getting the
16 exhibit, I can tell you that the individual named, the
17 victim named, has been granted a moniker.

18 **MR. DESROSIERS:** Okay.

19 **MS. SIMMS:** And that moniker is C-68.

20 **MR. DESROSIERS:** All right.

21 **THE COMMISSIONER:** Madam Clerk, could you
22 give the witness the name, just to be sure?

23 **MS. SIMMS:** So, we're in October of --
24 October 30th, 1996, that's shortly after you've joined SACA?

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

1 **MS. SIMMS:** Good. So could you tell us how
2 this information came to your attention?

3 **MR. DESROSIERS:** It came through my
4 supervisor, Sergeant Snyder.

5 **MS. SIMMS:** And what were you advised?

6 **MR. DESROSIERS:** I was advised to follow-up
7 information from Sue Larivière, who was a probation
8 officer, who had spoken to C-68 in relation to certain
9 disclosures that were made to her while he was in custody.

10 **MS. SIMMS:** Sorry, Commissioner, was there
11 an exhibit number given to this?

12 **THE COMMISSIONER:** No, there wasn't. Very
13 good. Thank you.

14 Exhibit 1714 is notes of Constable
15 Desrosiers, with the first date being October 30th, 1996.

16 **---EXHIBIT NO./PIÈCE NO. P-1714:**

17 (117084) Notes of René Desrosiers - October
18 30, 1996

19 **MS. SIMMS:** Thank you. Sorry, Constable
20 Desrosiers.

21 So you received information to follow-up
22 with Sue Larivière?

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

24 **MS. SIMMS:** And you attended at Probations
25 to speak to her?

1 **MR. DESROSIERS:** Yes, I did, to get
2 background.

3 **MS. SIMMS:** And what did she advise you?

4 **MR. DESROSIERS:** She advised me that she had
5 spoken with C-68 on the 25th of October, 1996 ---

6 **MS. SIMMS:** M'hm.

7 **MR. DESROSIERS:** --- in Cornwall and that
8 while she was preparing a report, he had made some
9 disclosure of abuse, sexual abuse, to her while he was
10 about 12 years of age, being in Grade 7 at Bishop Macdonell
11 School.

12 He had been frequently abused by his teacher
13 that was named Marcel Lalonde and that the nature of these
14 occurrences was touching of a sexual nature.

15 **MS. SIMMS:** So what did you do from there --
16 from the Probations Office?

17 **MR. DESROSIERS:** I left the Probation Office
18 and went down to the Cornwall Jail, at that time, and met
19 with C-68 in private.

20 **MS. SIMMS:** And you had an interview with
21 him at that time?

22 **MR. DESROSIERS:** I had an informal interview
23 with him, like I had no statement -- I had my notebook.

24 **MS. SIMMS:** So you didn't take a statement?

25 **MR. DESROSIERS:** I did not take a statement

1 at that time. It was to find out from him exactly what he
2 had said to Mrs. Larivière and to see what we could do in
3 relation to that information.

4 **MS. SIMMS:** And as I understand it, he
5 disclosed to you that he had been abuse by Marcel Lalonde
6 and he disclosed several occasions on camping trips?

7 **MR. DESROSIERS:** That's correct. These
8 camping trips were found by the park he had named. And
9 being living here in this area for my life -- whole life, I
10 knew the area he was talking about, that it was outside the
11 Cornwall Police Service jurisdiction and was in the
12 jurisdiction of the Ontario Provincial Police.

13 He did provide some disclosure about these
14 things that happened to him while camping.

15 I asked him also if anything had happened to
16 him in the City of Cornwall, to which he had provided some
17 information of one incident where he was asked by his
18 teacher to lower his underwear, but then his brother was --
19 had been by and nothing else happened. His brother and him
20 stayed overnight from what his information was.

21 And there was no disclosure as to an actual
22 criminal offence having occurred at that time.

23 **MS. SIMMS:** So it was your view that the
24 information he gave you didn't amount to a criminal
25 offence?

1 **MR. DESROSIERS:** Not within the City of
2 Cornwall.

3 **MS. SIMMS:** Right.

4 **MR. DESROSIERS:** However, I advised him that
5 I would be forwarding -- I had to forward this information
6 to the Ontario Provincial Police who would then follow-up
7 with this information.

8 **MS. SIMMS:** Okay. And I see from your notes
9 that you did so, Bates page that ends with 146 ---

10 **MR. DESROSIERS:** Yes.

11 **MS. SIMMS:** --- which is page 4 of your
12 notes, shows you contact the Lancaster OPP?

13 **MR. DESROSIERS:** That's correct. I had
14 spoken to a Sergeant Dennis at that detachment.

15 **MS. SIMMS:** M'hm.

16 **MR. DESROSIERS:** And he passed me on to
17 Constable Joe Dupuis who was in at the time, at the
18 detachment.

19 **MS. SIMMS:** And following that there's a
20 note from, I think, 11:10 where you contact Kevin Liden of
21 the SDG Catholic School Board.

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

23 **MS. SIMMS:** Can you tell us why you did
24 that?

25 **MR. DESROSIERS:** I did that for the fact

1 that Sue Larivière had advised me that she had contacted
2 the School Board and spoken to Mr. Liden and I wanted to
3 advise Mr. Liden of the fact that this was followed up but
4 that the Cornwall Police Service were not going to be
5 contacting Mr. Lalonde at this point, due to the fact that
6 the incidents had occurred in the Ontario Provincial Police
7 jurisdiction that we had forwarded -- we were forwarding
8 this information to them for their follow-up.

9 **MS. SIMMS:** So there isn't anything in your
10 notes of your conversation with Sue Larivière about the
11 School Board contact.

12 **MR. DESROSIERS:** That's correct. But I
13 recall that she -- I knew to call Mr. Liden.

14 **MS. SIMMS:** Okay. Can you recall if she
15 told you she had already contacted the School Board?

16 **MR. DESROSIERS:** Yes, she had which is why I
17 went ahead to contact the School Board myself.

18 **MS. SIMMS:** And this was following being --
19 sorry, you had previously briefed Sergeant Snyder, your
20 supervisor on the investigation?

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

22 **MS. SIMMS:** And was that discussed with him
23 at all, contacting the School Board?

24 **MR. DESROSIERS:** Not necessarily the contact
25 to the School Board, mostly what was disclosed by C-68 to

1 me about an incident happening in our jurisdiction that I
2 felt was not of a criminal offence at that point and that
3 any further follow-up would probably result from the OPP;
4 if there was anything more that would have come out of
5 their investigation, we would have been contacted.

6 **MS. SIMMS:** At the time of this information,
7 October of 1996, did you do any background checks on Marcel
8 Lalonde?

9 **MR. DESROSIERS:** No, I did not.

10 **MS. SIMMS:** So you didn't run a CPIC search?

11 **MR. DESROSIERS:** No I did not because it was
12 no longer an investigation with the Cornwall Police
13 Service.

14 **MS. SIMMS:** And you didn't do any checks of
15 CPS's -- the Cornwall Police Service's system, in terms of
16 whether there'd been previous contacts?

17 **MR. DESROSIERS:** No, I did not.

18 **MS. SIMMS:** So once this matter has been
19 referred and once you've spoken to the School Board did you
20 have any involvement in the fall -- continuing involvement
21 in the fall of 1996?

22 **MR. DESROSIERS:** Not at that time. No, not
23 in '96.

24 **MS. SIMMS:** Were you aware that the OPP did
25 lay charges with respect to C-68's allegations in January

1 of '97?

2 **MR. DESROSIERS:** Only upon receiving a phone
3 call.

4 **MS. SIMMS:** Would that have been around the
5 same time?

6 **MR. DESROSIERS:** No. It would have been in
7 the New Year, '97, later -- after that date.

8 **MS. SIMMS:** Later. And you received a phone
9 call from Constable Dupuis?

10 **MR. DESROSIERS:** No. It -- I recall being -
11 - hearing from Detective Constable Genier.

12 **MS. SIMMS:** All right, so I'd like to move
13 to January of 1997, and this is when you become involved
14 again with respect to allegations against Marcel Lalonde.

15 **MR. DESROSIERS:** Correct.

16 **MS. SIMMS:** And I'm going to refer you to
17 your notes which are Exhibit Number -- or sorry, Document
18 Number 740720 which are in the new package.

19 You don't have them?

20 **THE COMMISSIONER:** While we're waiting for
21 that, Officer, you said that you didn't do any background
22 check on the accused or the suspect because it was going to
23 be handled by OPP. My question is, I mean for the effort
24 that it would take, would it not be wise to check to see if
25 there was any prior involvement so that you can advise the

1 OPP, you know, if there was something?

2 MR. DESROSIERS: They have the same system
3 of computer that we had. At that time I was turning it
4 over to them ---

5 THE COMMISSIONER: Good.

6 MR. DESROSIERS: --- to do whatever they
7 would do with the information that we were going to
8 provide.

9 THE COMMISSIONER: Okay, so I guess I'm
10 going back too far because at one point I thought that the
11 CPS -- and I guess that was under the card, there were
12 cards you would fill in so that you'd have a memory -- a
13 corporate memory of some incident or whatever. You're
14 saying that would all be in the same computer now?

15 MR. DESROSIERS: Any contacts, yes, that we
16 would have had. I cannot say if it was prior to OMPPAC.

17 THE COMMISSIONER: No, no. No, I understand
18 that.

19 MR. DESROSIERS: But ---

20 THE COMMISSIONER: But right now.

21 MR. DESROSIERS: --- whatever was coming
22 into OMPPAC ---

23 THE COMMISSIONER: Yes.

24 MR. DESROSIERS: --- it would be there.

25 THE COMMISSIONER: Okay, well ---

1 **MR. DESROSIERS:** Because his name was
2 entered in it, into OMPPAC, Mr. Lalonde's name had been
3 entered into OMPPAC under my occurrence number.

4 **THE COMMISSIONER:** Right. What I'm saying
5 though is would there be other -- if there were other
6 interactions with Mr. Lalonde before that, that would be of
7 interest to the police as background, would that have been
8 entered into this new computer system or is that something
9 that would be still put in manually in cards?

10 **MR. DESROSIERS:** Prior to it would have been
11 -- anything prior to would have been on cards.

12 **THE COMMISSIONER:** Prior to OMPPAC?

13 **MR. DESROSIERS:** Yes.

14 **THE COMMISSIONER:** Okay, but -- so that same
15 information now, instead of being put in cards is put -- is
16 put into OMPPAC and its successor ---

17 **MR. DESROSIERS:** I don't -- I don't believe
18 it was put in success of a card after that, as well.

19 I don't know if I'm getting what you're
20 saying.

21 **THE COMMISSIONER:** No, no. I just want to
22 make sure that you didn't -- the Cornwall Police might have
23 -- because this guy lived in Cornwall, you might have some
24 information the OPP doesn't.

25 **MR. DESROSIERS:** That was previous to the

1 OMPPAC case.

2 **THE COMMISSIONER:** Okay, so what you're
3 telling is the computer would take care of all of that?

4 **MR. DESROSIERS:** Not necessarily the contact
5 cards prior, no, they would not.

6 **THE COMMISSIONER:** No, no. No, okay. Thank
7 you.

8 **MR. MANDERVILLE:** Ideally I can make things
9 as clear as mud.

10 To use an example, if there was a contact in
11 '85 -- so we know OMPPAC came in in July of '89.

12 **THE COMMISSIONER:** Right.

13 **MR. MANDERVILLE:** If there was a contact in
14 '85 that didn't lead to charges and a conviction and then a
15 new event came in in '93, the '85 contact would not be in
16 the computer; it would involve a manual search.

17 **THE COMMISSIONER:** Right. Okay.

18 Okay, so then my question remains then that
19 -- when were these allegations said to have occurred when
20 he was in Grade 7?

21 **MS. SIMMS:** Yes.

22 **THE COMMISSIONER:** What year would that have
23 been, do we know?

24 **MR. DESROSIERS:** That would have been around
25 1966. Sorry, I'm looking at the wrong date of birth, sir.

1 Sixty-eight ('68), '69, '70, in that area.

2 **THE COMMISSIONER:** Okay. And would you
3 still have cards, back in 1996?

4 **MR. DESROSIERS:** We would have cards but
5 maybe not necessarily going back to that timeframe.

6 **THE COMMISSIONER:** Okay, thank you.

7 **MS. SIMMS:** Maybe if I can ---

8 **THE COMMISSIONER:** Go ahead.

9 **MS. SIMMS:** --- be of some assistance? I
10 understand in October of 1997 -- or October of 1996,
11 January of 1997 you are not aware of any previous
12 investigations by the Cornwall Police Service into Marcel
13 Lalonde; is that correct?

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

15 **MS. SIMMS:** Okay and at some point later,
16 which we will get to, you become aware that there was an
17 investigation in 1988 or 1989?

18 **MR. DESROSIERS:** Yes, later on.

19 **MS. SIMMS:** Later on, and we'll come to
20 that.

21 **MR. DESROSIERS:** Right.

22 **MS. SIMMS:** And at that time you do go to
23 the Records Department and ask them to review the contact
24 cards?

25 **MR. DESROSIERS:** I went with the Records

1 Manager.

2 **MS. SIMMS:** Right.

3 **MR. DESROSIERS:** Yes.

4 **MS. SIMMS:** And they locate contact cards
5 relating to Marcel Lalonde?

6 **MR. DESROSIERS:** That's right. Previously
7 to, when we get to '97, I had checked myself and did not
8 find anything, when I got re-involved in this matter. But
9 later on I go back with the Records Manager and she's able
10 to find a card.

11 **MS. SIMMS:** We are locating those notes.

12 **THE COMMISSIONER:** All right, we have them
13 on the screen.

14 **MS. SIMMS:** We have them on the screen, so -
15 --

16 **THE COMMISSIONER:** So why don't we call that
17 Exhibit 715, which are Officer Desrosiers notes which start
18 on Friday, January 31st, 1997.

19 When we get the hard copy we'll put them in.
20 And we need to have it stamped?

21 **MS. SIMMS:** Yes, please.

22 **THE COMMISSIONER:** Stamped. Thank you.

23 **--- EXHIBIT NO./PIÈCE No. P-1715:**

24 (740720) Notes of Rene Desrosiers - 31 Jan
25 97 to 06 Apr 00

1 **MS. SIMMS:** So, what we have before you on
2 the screen are your notes; correct?

3 **MR. DESROSIERS:** Right.

4 **MS. SIMMS:** From January 31st, 1997?

5 **MR. DESROSIERS:** Yes.

6 **MS. SIMMS:** And is this the first -- is this
7 the next involvement that you have with respect to Marcel
8 Lalonde?

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

10 **MS. SIMMS:** Okay. And how do you -- how do
11 you receive further information with respect to Marcel
12 Lalonde?

13 **MR. DESROSIERS:** On that date I had received
14 a phone call and ---

15 **MS. SIMMS:** Just before you go on ---

16 **MR. DESROSIERS:** --- I believe there's ---

17 **MS. SIMMS:** Just before you go on, the first
18 person named has a moniker and it's C-45.

19 **MR. DESROSIERS:** Okay.

20 **MS. SIMMS:** Okay?

21 **MR. DESROSIERS:** Right.

22 I received a call from C-45 who resided
23 outside the City of Cornwall, from the Ottawa area.

24 **MS. SIMMS:** M'hm.

25 **MR. DESROSIERS:** He wanted to contact me in

1 relation to disclosure of being sexually assaulted.

2 MS. SIMMS: And that disclosure was with
3 respect to himself and another individual?

4 MR. DESROSIERS: That's correct.

5 MS. SIMMS: The other individual ---

6 MR. DESROSIERS: Being a sibling.

7 MS. SIMMS: --- has waived his
8 confidentiality, so we can refer to him by name. No?

9 THE COMMISSIONER: Not anymore. Not
10 anymore, well.

11 MS. SIMMS: Okay, well, let's not refer to
12 him by name then. So we have C-45.

13 MR. DESROSIERS: And a sibling.

14 MS. SIMMS: And a sibling. Okay.

15 THE COMMISSIONER: Hence why.

16 MS. SIMMS: Pardon me?

17 THE COMMISSIONER: He's identified the
18 sibling; he has a sibling.

19 MS. SIMMS: I was hoping we could avoid
20 identifying him as sibling.

21 MR. DESROSIERS: I apologize.

22 THE COMMISSIONER: Well, the cat is out of
23 the bag.

24 MS. SIMMS: But now we have. So that's
25 fine.

1 **MR. DESROSIERS:** I apologize.

2 **THE COMMISSIONER:** No, no, it's okay. Go
3 ahead.

4 **MS. SIMMS:** Okay. So we'll refer to him as
5 the sibling, I suppose.

6 So you receive a call from C-45, and he
7 discloses some allegations of sexual assault by Marcel
8 Lalonde against himself and his sibling?

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

10 **MS. SIMMS:** Okay. And your notes state that
11 and a point that was made to interview both individuals?

12 **MR. DESROSIERS:** That's correct.

13 **MS. SIMMS:** Did you do anything else at this
14 time, after having received this call? Did you make --
15 brief anyone?

16 **MR. DESROSIERS:** No. I would have created
17 an Occurrence Report for it, and it would have been
18 provided a number. I would have put the occurrence in and
19 the names of the persons that I had at that time, which was
20 C-45.

21 **MS. SIMMS:** Did you -- so you didn't
22 specifically brief your supervisor on the call?

23 **MR. DESROSIERS:** I don't recall briefing
24 him, but the report was submitted.

25 **MS. SIMMS:** And did you advise OPP of the

1 call?

2 **MR. DESROSIERS:** At that time, no.

3 **MS. SIMMS:** Were you aware, in this initial
4 conversation, that C-45 had previously contacted the OPP
5 and been referred?

6 **MR. DESROSIERS:** No, I didn't have that
7 knowledge.

8 **MS. SIMMS:** Okay.

9 **MR. DESROSIERS:** He had read this in the
10 newspaper, was what he had told me.

11 **MS. SIMMS:** And at this time, did you do any
12 background checks with respect to Marcel Lalonde?

13 **MR. DESROSIERS:** Initially, at this time,
14 this date, no; eventually, yes.

15 **MS. SIMMS:** So I understand, and if you look
16 on the next page, which ends BP-714, you do meet with the
17 two individuals on February 3rd?

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

19 **MS. SIMMS:** Okay. And they came in
20 together?

21 **MR. DESROSIERS:** Yes, they did.

22 **MS. SIMMS:** Did you discuss the matter with
23 them together at the beginning?

24 **MR. DESROSIERS:** No, all I asked of them is
25 who wanted to be interviewed first.

1 **MS. SIMMS:** And so it was the brother who
2 was interviewed first?

3 **MR. DESROSIERS:** That's correct.

4 **MS. SIMMS:** Okay. And were you the only
5 officer involved in this interview or was there someone
6 else present?

7 **MR. DESROSIERS:** I was the only officer.

8 **MS. SIMMS:** I think you're getting your hard
9 copy notes now, just in time for me to refer you to a
10 different document.

11 So just keep those notes in front of you,
12 Constable Desrosiers, because we will keep going back to
13 them.

14 **THE COMMISSIONER:** And it gives new meaning
15 to "hot off the press." You can feel the warmth of the
16 photocopy. Okay.

17 So now you want to go to another document?

18 **MS. SIMMS:** Yes. It's Exhibit 494.

19 **THE COMMISSIONER:** Exhibit 494. Oh, I have
20 it.

21 **MS. SIMMS:** Okay, Constable, so this is a
22 statement of the brother?

23 **MR. DESROSIERS:** Yes.

24 **MS. SIMMS:** Okay, and is this the statement
25 that you took on that day?

1 **MR. DESROSIERS:** Yes, it is.

2 **MS. SIMMS:** I don't want to go into it in
3 detail, but he made allegations with respect to Marcel
4 Lalonde in the interview?

5 **MR. DESROSIERS:** Yes, he did.

6 **MS. SIMMS:** And I would also just like to
7 direct you to Bates page 488.

8 **MR. DESROSIERS:** Yes.

9 **MS. SIMMS:** And on that page, you can see
10 you ask if he can describe Marcel, close to the top, five
11 lines down.

12 **MR. DESROSIERS:** Yes.

13 **MS. SIMMS:** And he's a little hesitant in
14 his answer. He says he thinks he'd be able to identify him
15 today.

16 **MR. DESROSIERS:** Right.

17 **MS. SIMMS:** Okay. I'm just asking you
18 because I know that leads to further steps that you take
19 under those ---

20 **MR. DESROSIERS:** Correct, yes.

21 **MS. SIMMS:** And then if I can refer you to
22 Bates page 492.

23 **MR. DESROSIERS:** Yes.

24 **MS. SIMMS:** At that time, he also discloses
25 to you that there were pictures taken of him?

1 **MR. DESROSIERS:** Correct.

2 **MS. SIMMS:** And he describes there being a
3 box of pictures at Marcel Lalonde's residence?

4 **MR. DESROSIERS:** Correct.

5 **MS. SIMMS:** Now, I understand on this day,
6 the brother made another allegation with respect to a
7 different individual, not Marcel Lalonde but Father
8 MacDonald. Is that right?

9 **MR. DESROSIERS:** Yes.

10 **MS. SIMMS:** Do you recall -- there's nothing
11 about it in this statement that we have; do you recall when
12 he would have advised you of that?

13 **MR. DESROSIERS:** My recollection of that is
14 that on our way from the reception area at the Service to
15 the back of the building where the interview room was that
16 we were using at that time on the first floor, and he had -
17 - we were talking on the way and he had made comments that
18 -- I said we were going to be talking about Marcel Lalonde.
19 And he says, "Yeah, and Father Charles."

20 I said, "Well, fine, but today with me right
21 here in this interview room, we are going to speak today to
22 the concerns about Marcel Lalonde" and that later, after
23 the fact, myself, some other officer or another police
24 agency would be looking into that matter for him.

25 **MS. SIMMS:** Is this the first you'd heard of

1 that allegation?

2 **MR. DESROSIERS:** Yes.

3 **MS. SIMMS:** Okay. And I know you're
4 recalling that it happened on the way to the interview. I
5 believe C-45's brother thought it happened after the
6 interview. Do you have a specific recollection?

7 **MR. DESROSIERS:** My recollection is on our
8 way to the interview, which is the reason why it's not
9 mentioned in the interview I did, because I wanted to make
10 sure we discussed on this audio what he was here for number
11 one, was for Marcel Lalonde, that I was going to look into.

12 **MS. SIMMS:** So was that your practice that
13 one statement would only refer to one ---

14 **MR. DESROSIERS:** That was my practice of my
15 own -- for my short time already in the Sexual Assault
16 Child Abuse Unit. I liked to have the disclosure on a
17 separate one, if we're going to do a disclosure about
18 somebody else.

19 **THE COMMISSIONER:** So can you explain your
20 reasoning as to why you would not have said, okay, we'll do
21 Lalonde first and right after we'll just slip into a
22 statement regarding Father Charles?

23 **MR. DESROSIERS:** My reasons for that, Mr.
24 Commissioner, were that through the office there had been
25 mention that OPP were going to be looking into

1 investigations again involving Father Charles MacDonald.

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

3 **MR. DESROSIERS:** And at that time, that's
4 why I told him either myself, another police officer or
5 another agency will be looking into this for you.

6 **THE COMMISSIONER:** Okay.

7 **MR. DESROSIERS:** Because I had been hearing
8 this information at the office, that they were going to
9 prepare to conduct a further investigation.

10 **MS. SIMMS:** I think at that point in time,
11 Father MacDonald had been charged with respect to three
12 complainants that previous year. Were you aware of that
13 specifically?

14 **MR. DESROSIERS:** I don't have a recall -- I
15 probably was aware through the media.

16 **MS. SIMMS:** And also I believe the
17 Preliminary Inquiry with respect to those charges was
18 coming up in February of 1997, at the end of the month.

19 **MR. DESROSIERS:** I'm not -- I wasn't aware.

20 **MS. SIMMS:** You weren't aware of that?

21 **MR. DESROSIERS:** No. No.

22 **MS. SIMMS:** Okay. And so you've advised him
23 that either the CPS or another police organization will
24 look into those allegations?

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

1 **MS. SIMMS:** Okay. And did you get any
2 details on those allegations?

3 **MR. DESROSIERS:** None, no. Not on -- not at
4 all that day.

5 **MS. SIMMS:** So was that -- what did you do
6 with that information following taking these statements?

7 **MR. DESROSIERS:** My memory is that I
8 eventually, later, as we'll probably find out, there was
9 information through my supervisor that he was working also
10 on an investigation involving Mr. Lalonde and that I would
11 have been briefing him that I have an individual here that
12 has information about Father Charles MacDonald.

13 **MS. SIMMS:** So you believe you briefed him -
14 --

15 **MR. DESROSIERS:** Well, I ---

16 **MS. SIMMS:** You're speaking of Sergeant
17 Snyder?

18 **MR. DESROSIERS:** I'm not saying for sure it
19 would have been Sergeant Snyder but I would have briefed --
20 I would have told somebody about it. Like I would not have
21 kept that information to myself at that time.

22 **MS. SIMMS:** Constable Desrosiers, at the
23 time, you and Snyder -- Sergeant Snyder are both working on
24 the Marcel Lalonde investigation.

25 **MR. DESROSIERS:** I only find that out in

1 early part of February that he was.

2 MS. SIMMS: Well, we're at February 3rd right
3 now.

4 MR. DESROSIERS: Right.

5 MS. SIMMS: Right? So you find out shortly
6 after this that Sergeant Snyder is also working on an
7 investigation?

8 MR. DESROSIERS: Around that timeframe, yes,
9 we would have talked. We had talked about it because he
10 came up to me and saw the information I had already
11 inputted in relation to C-45 and his brother, and he says
12 to me -- he probably read my report. As my supervisor, he
13 would approve my reports and then came forward to me and
14 said I am working on this file as well and you're going to
15 be helping me; like he's the lead.

16 MS. SIMMS: Okay. But you don't recall
17 whether you advised him about the Father MacDonald
18 allegations?

19 MR. DESROSIERS: I cannot recall that to be
20 for sure, no.

21 MS. SIMMS: But you think you advised
22 someone?

23 MR. DESROSIERS: Yes, because of the name,
24 the name that was given to me.

25 MS. SIMMS: So who would you advise? When

1 you say someone, are you thinking of a supervisor?

2 **MR. DESROSIERS:** Yes. I'm thinking somebody
3 above my rank, yes.

4 **MS. SIMMS:** And do you recall when that
5 might have been, some kind of ballpark time?

6 **MR. DESROSIERS:** It would have been probably
7 around the time that I would have spoken to -- probably the
8 weekend -- like the following week.

9 **MS. SIMMS:** Okay. And your supervisors at
10 that time are Sergeant Snyder and Staff Sergeant Brunet.

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

12 **MS. SIMMS:** Okay.

13 **THE COMMISSIONER:** I'm sorry. I guess I am
14 on to the -- your system that you use, when you put in your
15 -- what is it called now?

16 **MR. DESROSIERS:** General Occurrence Report.

17 **THE COMMISSIONER:** Yes, yes, your General
18 Occurrence Report starting off the file; right?

19 **MR. DESROSIERS:** Yes.

20 **THE COMMISSIONER:** Or in 2007 when you're
21 updating it, when you type in your number of your file and
22 the word Lalonde, is there not anything in there that will
23 pop up and say "Oh, by the way, there's another
24 investigation going on, on the same guy"? Like I'm a
25 little surprised that you're doing an investigation and you

1 don't know that someone in your same Unit is doing another
2 investigation on the same suspect.

3 **MR. DESROSIERS:** It's because my information
4 came in prior.

5 **THE COMMISSIONER:** Right.

6 **MR. DESROSIERS:** And in February, early
7 February, there's contact I find out through Sergeant
8 Snyder from the OPP calling in further victims in relation
9 to Marcel Lalonde.

10 **THE COMMISSIONER:** Right.

11 **MR. DESROSIERS:** So I get a call out of the
12 blue from C-45 ---

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

14 **MR. DESROSIERS:** --- and I go ahead, do the
15 general, get the information.

16 **THE COMMISSIONER:** That's fine.

17 **MR. DESROSIERS:** I got the information; I'm
18 assuming I go ahead. I made the arrangements to start an
19 investigation for them.

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

21 **MR. DESROSIERS:** Unbeknownst to me that in
22 February the 3rd or the 4th, in that timeframe, the OPP have
23 contacted Staff Sergeant Brunet about further victims in
24 relation to the January charges, but which fell within our
25 jurisdiction.

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

2 **MR. DESROSIERS:** So eventually myself -- my
3 supervisor would have checked my Occurrence Report from
4 January 31st.

5 **THE COMMISSIONER:** Of '97?

6 **MR. DESROSIERS:** Of '97 and low and behold,
7 he would have been informed by Staff Sergeant Brunet to
8 lead an investigation involving Marcel Lalonde. And now he
9 sees that I'm working on Marcel Lalonde because he's
10 probably read my report and approved it. And now we're
11 working -- he's been made the lead and I'm assisting. So
12 we're doing a joint investigation, the two of us.

13 **THE COMMISSIONER:** Okay.

14 **MS. SIMMS:** And just one point of
15 clarification from the Commissioner's question. The
16 October 1996 matter, you entered a General Occurrence
17 Report; right?

18 **MR. DESROSIERS:** Yes.

19 **MS. SIMMS:** And I take it that file would
20 have been closed off when you referred the matter to the
21 OPP?

22 **MR. DESROSIERS:** Correct.

23 **MS. SIMMS:** So are you starting with this
24 investigation under a separate occurrence number?

25 **MR. DESROSIERS:** Yes, I am.

1 **MS. SIMMS:** Okay. So the name of Marcel
2 Lalonde would show up in both records?

3 **MR. DESROSIERS:** Yes. It would, yes.

4 **MS. SIMMS:** But this is not a continuation
5 of the ---

6 **MR. DESROSIERS:** That's correct. It's a new
7 -- it's involving a new victim or new people. So it would
8 be created with a different number.

9 **MS. SIMMS:** All right. So can we just get
10 back to you believe that you advised one of your
11 supervisors about the Father MacDonald allegation.

12 Did you ask for or get any follow-up on what
13 they were doing with that matter?

14 **MR. DESROSIERS:** To my recollection, no, I
15 don't.

16 **MS. SIMMS:** So this C-45's brother does give
17 a statement to the OPP much later and maybe I'll just take
18 that -- take you to that now. It's Exhibit 498.

19 **THE COMMISSIONER:** You should have that in
20 your book; 498.

21 **MR. DESROSIERS:** I have 496.

22 **THE COMMISSIONER:** Keep going. I've got --
23 it may be in a different -- can you check to see? I've got
24 it in one volume, 498. This gentleman might have it in a
25 different ---

1 **MR. DESROSIERS:** Ah, I'm sorry. Thank you.

2 **MS. SIMMS:** Okay. So this is a videotaped
3 interview report of C-45's brother and it's dated October
4 3rd, '97. Do you see that?

5 **MR. DESROSIERS:** Yes.

6 **MS. SIMMS:** That's some nine months later.

7 **MR. DESROSIERS:** Yes, it is.

8 **MS. SIMMS:** Okay. And have you seen this
9 before prior to your preparation here?

10 **MR. DESROSIERS:** Just during preparation.

11 **MS. SIMMS:** Just during preparation?

12 **MR. DESROSIERS:** Yes.

13 **MS. SIMMS:** Okay. So this is an interview
14 of the brother by Detective Constable Seguin and Detective
15 Constable Dupuis and if you'll just look at the -- well,
16 the bottom of the -- I'm sorry, the beginning of the second
17 page which is Bates page 389.

18 **MR. DESROSIERS:** Yes.

19 **MS. SIMMS:** They're just starting the
20 interview and they say, "We're conducting an
21 investigation." And they say:

22 "During our investigation, we've come
23 across your name and also it was this
24 week you contacted our office."

25 Do you see that?

1 **MR. DESROSIERS:** Yes.

2 **MS. SIMMS:** And C-45's brother says:

3 "I read an article in the paper
4 concerning the investigation which I
5 called and requested an interview."

6 So it appears from this that the contact the
7 brother had with the OPP was initiated by the brother
8 himself.

9 **MR. DESROSIERS:** It appears that way, yes.

10 **MS. SIMMS:** And you don't have any
11 information that -- information that this allegation was
12 referred by the CPS to the OPP?

13 **MR. DESROSIERS:** No, I don't.

14 **MS. SIMMS:** Okay. And were you aware of the
15 state of the proceedings against Father MacDonald at this
16 later date, October of '97?

17 **MR. DESROSIERS:** Not that I recall, other
18 than maybe through the media.

19 **MS. SIMMS:** Okay. Because I believe his
20 Preliminary Inquiry had been adjourned from February to
21 September and had been completed in September of that year.

22 **MR. DESROSIERS:** I have no knowledge, no.

23 **MS. SIMMS:** Okay. So you heard some
24 information about the Father MacDonald's matter through the
25 media?

1 **MR. DESROSIERS:** I believe that's how it
2 was, yes.

3 **MS. SIMMS:** So you weren't involved in the
4 investigation or the prosecution itself?

5 **MR. DESROSIERS:** None, no.

6 **MS. SIMMS:** You didn't attend at any ---

7 **MR. DESROSIERS:** I never ---

8 **MS. SIMMS:** --- proceedings?

9 **MR. DESROSIERS:** No, I did not.

10 **MS. SIMMS:** Okay. So were you aware that
11 charges were eventually laid against Father MacDonald with
12 respect to this individual?

13 **MR. DESROSIERS:** No, I was not.

14 **MS. SIMMS:** You never became aware of that?

15 **MR. DESROSIERS:** No, not at that -- not at
16 this time.

17 **MS. SIMMS:** No, the charges aren't laid;
18 sorry. Let me take you forward. The charges aren't laid
19 until later. They're laid in January of '98, okay, but
20 you're continuing to deal with C-45's brother with respect
21 to Marcel Lalonde throughout this time period; right?

22 **MR. DESROSIERS:** Yes

23 **MS. SIMMS:** You're going through the
24 criminal proceedings with respect to Marcel Lalonde.

25 **MR. DESROSIERS:** Right.

1 **MS. SIMMS:** You're meeting with C-45's
2 brother.

3 **MR. DESROSIERS:** Correct.

4 **MS. SIMMS:** Asking probably for some
5 disclosure, prepping him, that kind of thing?

6 **MR. DESROSIERS:** We're doing disclosure --
7 we're doing court prep with him, yeah.

8 **MS. SIMMS:** Okay. So do you become aware at
9 some point during those proceedings that there were charges
10 laid with respect to his complaint against Father
11 MacDonald?

12 **MR. DESROSIERS:** No, I was not. He did not
13 bring it up and I did not ask, no.

14 **MS. SIMMS:** Okay. And so there -- as we
15 pointed out, your statement doesn't include any reference
16 to the disclosure about Father MacDonald.

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

18 **MS. SIMMS:** And just to confirm, your notes
19 don't include any reference?

20 **MR. DESROSIERS:** No, they don't.

21 **MS. SIMMS:** So were you aware that that fact
22 came up in the proceedings with respect to Father
23 MacDonald?

24 **MR. DESROSIERS:** I'm sorry, I don't
25 understand.

1 **MS. SIMMS:** The absence of any notes of this
2 disclosure to you on February 3rd, were you aware that C-
3 45's brother was challenged with that information when he
4 was testifying at the Preliminary Inquiry?

5 **MR. DESROSIERS:** No, I was not, no.

6 **MS. SIMMS:** You never became aware of that?

7 **MR. DESROSIERS:** No.

8 **MS. SIMMS:** Is there a reason why this --
9 you've explained why the information is not in a statement.
10 Can you explain why the information is not in your notes?

11 **MR. DESROSIERS:** Due to the fact that
12 probably we were talking in conversation and I didn't make
13 any recording of it at that time or any time. I did not,
14 no.

15 **MS. SIMMS:** Would you consider that, a
16 disclosure of an allegation against another individual,
17 that's an important piece of information?

18 **MR. DESROSIERS:** Certainly, but we didn't
19 talk about disclosure.

20 **MS. SIMMS:** Well he made an allegation
21 against another individual.

22 **MR. DESROSIERS:** Well he said he wanted to
23 talk about Father Charles also.

24 **MS. SIMMS:** And you didn't make any note
25 about that?

1 **MR. DESROSIERS:** No.

2 **MS. SIMMS:** And you knew it was an
3 allegation because you talk about referring it to the OPP
4 or maybe handling it yourself?

5 **MR. DESROSIERS:** Yes, but he didn't get into
6 any detail about it at the time.

7 **MS. SIMMS:** Shouldn't that information have
8 been in your notes?

9 **MR. DESROSIERS:** Not necessarily but
10 possibly, yes, at the time.

11 **THE COMMISSIONER:** Well, let's look at --
12 let's look at the lay of the land in October of 1997, all
13 right? Mr. Dunlop has made some disclosures in 1993. I'm
14 sure the ripple of all of that is still well within the
15 realm of the Cornwall Police Service.

16 Father Charles MacDonald has been charged.
17 There's lot of controversy and lots of things going on. I
18 mean it must have raised an antenna and said, "Oh,
19 something's going to have to be done about that."

20 **MR. DESROSIERS:** Right. I understand that.

21 **THE COMMISSIONER:** So ---

22 **MR. DESROSIERS:** But I did not make a note
23 of the information.

24 **THE COMMISSIONER:** Okay. All right.

25 **MS. SIMMS:** And given the fact that there

1 are ongoing issues and you know there's ongoing issues with
2 respect to Father MacDonald; you said you don't know
3 exactly what but you'd heard, back in February of '97, that
4 there was something going on?

5 **MR. DESROSIERS:** Yes.

6 **MS. SIMMS:** Shouldn't that have been
7 reported to your supervisors right away?

8 **MR. DESROSIERS:** Like I say, I believe I did
9 do that, speak to somebody, I just don't recall who ---

10 **MS. SIMMS:** I think you said "sometime
11 later."

12 **MR. DESROSIERS:** Yeah, well later, after the
13 fact of speaking with C-45 and the sibling the week after.

14 **MS. SIMMS:** Okay. So let's go back to
15 February 3rd, 1997. So you've taken the statement from C-
16 45's brother.

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

18 **MS. SIMMS:** And then following that you take
19 a statement from C-45 himself?

20 **MR. DESROSIERS:** Yes.

21 **MS. SIMMS:** Okay. So I'll just refer you to
22 that statement. I don't believe -- so I don't believe this
23 is an exhibit yet, it's Document Number 734310 and this is
24 a witness statement of C-45 and it should be marked subject
25 to publication ban.

1 **THE COMMISSIONER:** Thank you.
2 Exhibit 1716 is a witness statement.
3 Statement taken 04/02/1997 and this would be ---

4 **MS. SIMMS:** C-45.

5 **THE COMMISSIONER:** C-45's brother.

6 **MS. SIMMS:** This is C-45.

7 **THE COMMISSIONER:** Oh yes it is. Sorry, yes
8 it is. Sorry.

9 **--- EXHIBIT NO./PIÈCE No. P-1716:**

10 PUBLICATION BAN (734310) Witness Statement
11 by C-45 - 04 Feb 97

12 **MR. DESROSIERS:** Yes.

13 **MS. SIMMS:** You have that document?

14 **MR. DESROSIERS:** Yes, I do.

15 **MS. SIMMS:** Okay, again, I don't want to go
16 through it in detail but just for clarity, right at the top
17 of the first page it has statement time as February 4th. I
18 take it that's just an error it should be February 3rd?

19 **MR. DESROSIERS:** Yes, this is probably the
20 time that the inputter -- data inputter at work would have
21 transcribed it into the system.

22 **MS. SIMMS:** But this was the statement that
23 you took on February 3rd?

24 **MR. DESROSIERS:** On January -- February 3rd
25 when I met them.

1 **MS. SIMMS:** Okay. And again, there's
2 allegations regarding Marcel Lalonde and I'd just like to
3 direct you to Bates page 948; page 7 of the statement.

4 **MR. DESROSIERS:** Yes.

5 **MS. SIMMS:** Okay. So right at the beginning
6 there you seem to be backing up the statement, you ask if
7 there's anything else.

8 **MR. DESROSIERS:** M'hm.

9 **MS. SIMMS:** And at that point he described
10 an incident that happened with respect to a probation
11 officer.

12 **MR. DESROSIERS:** Yes.

13 **MS. SIMMS:** And it's referred to in the
14 statement as Nelson Barr, as one of the probation officers?

15 **MR. DESROSIERS:** Yes. I assumed he meant
16 Nelson Barque.

17 **MS. SIMMS:** Barque, okay. And I think he
18 also -- he mentions another probation officer as well, Ken
19 Seguin?

20 **MR. DESROSIERS:** Correct.

21 **MS. SIMMS:** Okay. So I know it's your
22 practice not to have two separate incidents described in
23 the statement so can you tell us what happened here?

24 **MR. DESROSIERS:** The reason was is that we
25 were already in an audio interview ---

1 MS. SIMMS: M'hm.

2 MR. DESROSIERS: --- and this information
3 came up and I allowed him to continue what he said to say.

4 MS. SIMMS: So this -- you hadn't discussed
5 this incident prior to the interview starting?

6 MR. DESROSIERS: No.

7 MS. SIMMS: Okay. And you said before you
8 weren't aware that C-45 had previously contacted the OPP?

9 MR. DESROSIERS: That's correct.

10 MS. SIMMS: So -- and you still weren't
11 aware as of February 3rd?

12 MR. DESROSIERS: No.

13 MS. SIMMS: Okay. So what did you -- I
14 don't see any advice to him in this statement about what
15 might come of those allegations that he made.

16 MR. DESROSIERS: I recall advising him that
17 Mr. Seguin was deceased.

18 MS. SIMMS: M'hm.

19 MR. DESROSIERS: And that no further follow-
20 up would be anticipated and that Mr. Barque, who I was
21 aware of as being a probation officer, whose name had also
22 come up through the office, I advised him we'd be looking
23 into the matter or another agency as well.

24 MS. SIMMS: So similar to what you advised
25 his brother about the other allegations?

1 **MR. DESROSIERS:** Yes.

2 **MS. SIMMS:** So you were aware that there had
3 been some involvement by your office previously with
4 respect to Nelson Barque?

5 **MR. DESROSIERS:** I was made aware during my
6 prep, yes. I wasn't aware prior to.

7 **MS. SIMMS:** Okay.

8 **MR. DESROSIERS:** If I can recall.

9 **MS. SIMMS:** Sorry, during your preparation
10 for this Inquiry?

11 **MR. DESROSIERS:** Right.

12 **MS. SIMMS:** Okay. So at this time you
13 weren't aware that Nelson Barque had previously been
14 investigated and charged by the OPP?

15 **MR. DESROSIERS:** No, I wasn't.

16 **MS. SIMMS:** And I guess by this time he'd
17 also actually pled guilty to a different assault?

18 **MR. DESROSIERS:** Right. I wasn't aware.

19 **MS. SIMMS:** You weren't aware of that.

20 And you weren't aware at this time that
21 Constable Sebalj, your colleague, had conducted a further
22 investigation with respect to other allegations about
23 Nelson Barque?

24 **MR. DESROSIERS:** No I wasn't. No.

25 **MS. SIMMS:** So you conclude this interview,

1 what happens with this information that you've now received
2 about Nelson Barque?

3 **MR. DESROSIERS:** Again, I would have advised
4 my boss, bosses. I told somebody about it because it was
5 another name, it's a probation officer and I was aware that
6 it was somebody that was known in the community and that --
7 -

8 **MS. SIMMS:** You don't know who you advised?

9 **MR. DESROSIERS:** I still don't know.

10 **MS. SIMMS:** So just to be clear, you don't
11 have a specific recollection?

12 **MR. DESROSIERS:** I don't have a specific
13 recollection but it would not have been something that I
14 just let go because it is very important.

15 **MS. SIMMS:** Okay. And did you have any
16 further discussions with C-45 about these allegations?

17 **MR. DESROSIERS:** No, I did not.

18 **MS. SIMMS:** So -- just so I understand, so
19 you believe you would have advised a supervisor?

20 **MR. DESROSIERS:** Yes.

21 **MS. SIMMS:** But you didn't do any follow-up
22 with might be happening with those allegations or whether
23 CPS would be handling it or whether OPP might get involved
24 or ---

25 **MR. DESROSIERS:** No. No, I did not. No.

1 **MS. SIMMS:** And did it come up again in all
2 of your dealings with C-45 throughout the criminal
3 prosecution of Marcel Lalonde?

4 **MR. DESROSIERS:** No, it did not.

5 **MS. SIMMS:** And I -- did you have any
6 involvement with the probation office at -- I understand --
7 I think Nelson Barque would have left by this time but did
8 you have any communications with the probation office on
9 this issue or ---

10 **MR. DESROSIERS:** No, I did not.

11 **MS. SIMMS:** So again, I'm going to take you
12 -- C-45 made a statement to the OPP the same date as his
13 brother, on October 3rd, so I'll take you to that document;
14 it's Exhibit 907.

15 **THE COMMISSIONER:** We'll have to get you
16 that, Mr. Desrosiers.

17 **MR. DESROSIERS:** Thank you.

18 **THE COMMISSIONER:** Okay.

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

20 **MS. SIMMS:** Do you have it there?

21 **THE COMMISSIONER:** Yes.

22 **MS. SIMMS:** Okay.

23 Okay?

24 **MR. DESROSIERS:** Yes.

25 **MS. SIMMS:** All right. And again, I'm not

1 going to take you through this in detail but if you look at
2 the second page, Bates page ending 906, and Detective
3 Constable Seguin asked C-45:

4 "You contacted us last week; can you
5 tell us what brought you to do this?"

6 Do you see that?

7 **MR. DESROSIERS:** Yes.

8 **MS. SIMMS:** So again, it's C-45 who appears
9 to have contacted the OPP himself?

10 **MR. DESROSIERS:** Yes.

11 **MS. SIMMS:** And C-45 answers that he read an
12 article in The Citizen about the OPP; he appears to be
13 referring to Project Truth?

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

15 **MS. SIMMS:** Okay. So there's no indication
16 that this interview is as a result of any referral from
17 your Force to the OPP?

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

19 (SHORT PAUSE/COURTE PAUSE)

20 **MS. SIMMS:** And were you aware that the OPP
21 did lay charges with respect to C-45's allegations against
22 Nelson Barque, down the road? It was in June of 1998.

23 **MR. DESROSIERS:** I may have been aware but I
24 don't recall any conversations with C-45 or ---

25 **MS. SIMMS:** Okay.

1 **MR. DESROSIERS:** --- another service.

2 **MS. SIMMS:** Can I just ask you to go back to
3 your notes, which are Exhibit 1715 and the second page of
4 those notes have Bates page ending 714. You have your
5 notes there of the -- just brief notes that statements were
6 taken?

7 **MR. DESROSIERS:** Correct.

8 **MS. SIMMS:** And then below that you have a
9 note regarding C-45's disclosure re Nelson Barque; ---

10 **MR. DESROSIERS:** Correct.

11 **MS. SIMMS:** --- do you see that? And Ken
12 Seguin.

13 Is there a reason that this was noted in
14 some detail and the other allegation was not, that C-45's
15 brother, allegation was not in your notes?

16 **MR. DESROSIERS:** Possibly because of the
17 detail that was given to me by C-45 in his interview.

18 **MS. SIMMS:** And just to be clear, I mean
19 perhaps he said this, but you said you believed you would
20 have reported it to a supervisor, so that would have been
21 Sergeant Snyder or Staff Sergeant Brunet?

22 **MR. DESROSIERS:** They were my supervisors at
23 the time, yes.

24 **MS. SIMMS:** Is that who you would reported
25 it to?

1 **MR. DESROSIERS:** Yes.

2 **MS. SIMMS:** Okay. So if you'll just stick
3 with your notes.

4 **MR. DESROSIERS:** M'hm.

5 **MS. SIMMS:** Your next note, the following
6 page, which ends 715.

7 **MR. DESROSIERS:** Right.

8 **MS. SIMMS:** This person has a moniker, as
9 well, Constable Desrosiers; it's C-8.

10 Maybe the Clerk will give you a little ---

11 **(SHORT PAUSE/COURTE PAUSE)**

12 **MS. SIMMS:** Maybe while we're getting that,
13 we'll just back up.

14 So you've taken these statements ---

15 **MR. DESROSIERS:** Thank you.

16 **MS. SIMMS:** Constable Desrosiers, you've
17 taken this statement on February 3rd?

18 Sorry?

19 **MR. DESROSIERS:** Yes.

20 **MS. SIMMS:** And you've -- and you've sent
21 them to someone to put onto OMPPAC?

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

23 **MS. SIMMS:** Right?

24 And so are you taking -- the next note is
25 dated February 21st, 1997.

1 **MR. DESROSIERS:** Correct.

2 **MS. SIMMS:** Did you take any further steps
3 between February 3rd and February 23rd?

4 **MR. DESROSIERS:** Not on this file, no.

5 **MS. SIMMS:** Not on this file? Okay.

6 So you mentioned before that at some point
7 you became aware that Sergeant Snyder was also
8 investigating allegations with respect to Marcel Lalonde?

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

10 **MS. SIMMS:** And this note of February 21st is
11 regarding you assisting Sergeant Snyder and taking a KGB
12 statement from C-8.

13 **MR. DESROSIERS:** It was to assist in getting
14 the video recording ---

15 **MS. SIMMS:** Okay.

16 **MR. DESROSIERS:** --- set up.

17 **MS. SIMMS:** So at this time obviously by now
18 you're aware that he is also investigating allegations
19 against Marcel Lalonde?

20 **MR. DESROSIERS:** Yes.

21 **MS. SIMMS:** And was there some discussion --
22 once this was discovered, was there some discussion about
23 how you would proceed in the investigation?

24 **MR. DESROSIERS:** Yes. Sergeant Snyder had
25 advised me to continue following up with my information

1 that I had received and that he was going to be the lead
2 and we would touch base with each other to find out where
3 we are and continue on, if there's other new information to
4 follow.

5 **MS. SIMMS:** So it was your understanding
6 that he had received allegations from certainly C-8 with
7 respect to Marcel Lalonde, right?

8 **MR. DESROSIERS:** Yes, through the OPP is
9 what I ---

10 **MS. SIMMS:** Okay. Were you aware of -- of
11 whether he had other alleged victims that he was
12 investigating ---

13 **MR. DESROSIERS:** At that time, no, I did
14 not.

15 **MS. SIMMS:** --- do you know?

16 **MR. DESROSIERS:** But he later turned over a
17 list of names to me, to follow up later on. Not that date
18 in particular.

19 **MS. SIMMS:** Okay. So it's when he turns
20 over that list of names that you're aware that there are
21 other names that he has?

22 **MR. DESROSIERS:** Yes, for ---

23 **MS. SIMMS:** Just to help me, Constable
24 Desrosiers, as I understand it, you were investigating the
25 allegations with respect to C-45, C-45's brother ---

1 MR. DESROSIERS: Yes.

2 MS. SIMMS: --- and then some -- I think
3 some other people come forward, as well? Or those are --
4 sorry, those are who you're investigating?

5 MR. DESROSIERS: Those are the ones I'm
6 investigating ---

7 MS. SIMMS: Okay.

8 MR. DESROSIERS: --- at that point,

9 MS. SIMMS: And Sergeant Snyder is
10 investigating allegations with respect to C-8?

11 MR. DESROSIERS: To -- yes.

12 MS. SIMMS: And there comes forward a number
13 of other alleged victims?

14 MR. DESROSIERS: Correct.

15 MS. SIMMS: And they go directly to him?

16 MR. DESROSIERS: They were provided to him,
17 yes.

18 MS. SIMMS: So you weren't necessarily aware
19 of which people had made disclosures to him?

20 MR. DESROSIERS: That's correct.

21 MS. SIMMS: Okay.

22 MR. DESROSIERS: Well, I wasn't aware of
23 people if they had made disclosures. I believe at the time
24 they were only the names of the people that he was provided
25 with through the OPP and that eventually he gave me four

1 names to follow up with -- four or five names later to
2 follow up to see if I can contact them.

3 MS. SIMMS: He gave you names to follow up
4 on?

5 MR. DESROSIERS: Yes.

6 MS. SIMMS: But he is conducting his own
7 investigation with respect to a number of victims?

8 MR. DESROSIERS: Yes, but the names he had
9 given me, he had not contacted, I believe.

10 MS. SIMMS: Right. So those are different
11 individuals?

12 MR. DESROSIERS: Yes.

13 MS. SIMMS: Okay. And at the same time, the
14 OPP area still handling the allegations that were made back
15 in October of 1996, right?

16 MR. DESROSIERS: Yes, he's already been
17 charged ---

18 MS. SIMMS: Yeah.

19 MR. DESROSIERS: --- by their investigation,
20 yes.

21 MS. SIMMS: So during this period of time,
22 February until when charges are laid in April ---

23 MR. DESROSIERS: Correct.

24 MS. SIMMS: --- you're investigating
25 allegations by two victims?

1 **MR. DESROSIERS:** Plus potential ---
2 **MS. SIMMS:** Plus the names you were given?
3 **MR. DESROSIERS:** Yes.
4 **MS. SIMMS:** And Sergeant Snyder is
5 investigating other victims' allegations?
6 **MR. DESROSIERS:** Correct.
7 **MS. SIMMS:** And the OPP are handling the
8 prosecution that they started.
9 **MR. DESROSIERS:** Exactly, yes.
10 **MS. SIMMS:** Is that right?
11 Okay.
12 So let's get back to February 21st, '97.
13 **MR. DESROSIERS:** Right.
14 **MS. SIMMS:** You're assisting Sergeant Snyder
15 in taking a KGB statement from C-8.
16 **MR. DESROSIERS:** If you mean by ---
17 **MS. SIMMS:** Just tell us ---
18 **MR. DESROSIERS:** Yeah ---
19 **MS. SIMMS:** Just tell us what your
20 involvement ---
21 **MR. DESROSIERS:** Yeah, my involvement was
22 preparing the video for him to do the interview and be
23 around in the event he needed something; I didn't monitor
24 the video of the interview.
25 **MS. SIMMS:** Okay. So you didn't sit in on

1 the interview?

2 MR. DESROSIERS: I did not, no.

3 MS. SIMMS: And did Sergeant Snyder just ask
4 for your help that morning?

5 MR. DESROSIERS: He may have asked
6 previously, because he had set up the interview date. He
7 may have asked me to assist him just that morning.

8 MS. SIMMS: But this is one of the
9 individuals that Sergeant Snyder is investigating, so you
10 didn't have any involvement with respect to C-8 at this
11 time, except for setting up the equipment?

12 MR. DESROSIERS: Exactly, yes.

13 MS. SIMMS: And did you have any idea why
14 the statement was being taken under oath, with respect to
15 C-8?

16 MR. DESROSIERS: No, I did not.

17 MS. SIMMS: That wasn't discussed with
18 Sergeant Snyder?

19 MR. DESROSIERS: No.

20 MS. SIMMS: And I understand there was a
21 problem with the equipment?

22 MR. DESROSIERS: Yes, the box that had been
23 changed recently. I had not used the interview room with
24 this new video, and I hit the wrong switch, I believe, or
25 forgot to hit a certain switch that would have to be

1 activated to pick up the volume in the room unbeknownst to
2 me.

3 I hadn't had any of the training. I wasn't
4 aware of that.

5 **MS. SIMMS:** Okay. So I don't want to go
6 into the -- you obviously go on and take a number of
7 investigative steps with respect to C-45 and his brother in
8 the spring of '97.

9 **MR. DESROSIERS:** Yes.

10 **MS. SIMMS:** I'm not going to go through them
11 in great detail, but I note that you conducted a photo
12 line-up with C-45's brother?

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

14 **MS. SIMMS:** And that was based on the
15 information you received at the statement time?

16 **MR. DESROSIERS:** Yes. I had some doubts. I
17 wanted to make sure that he was able to identify the
18 teacher that he had.

19 **MS. SIMMS:** So you arranged that and he did
20 identify the teacher?

21 **MR. DESROSIERS:** I arranged it on the day
22 that they came down to show me homes -- to show me the
23 homes that they had been in where they believed the
24 offences had occurred.

25 **MS. SIMMS:** Right. And so I was just going

1 to say that was another step you took. You took people on
2 tours, they identified the homes that ---

3 **MR. DESROSIERS:** That's correct. And I took
4 pictures inside the homes too with the permission of the
5 people that were now living there at that time.

6 **MS. SIMMS:** Okay, and you also took steps to
7 confirm that those were the residences of Marcel Lalonde.
8 You sought information from the City to confirm his place
9 of residence?

10 **MR. DESROSIERS:** Yes, I went to the public
11 library to get telephone books from that time, for those
12 residences.

13 I also went to see a gentleman at City Hall
14 to see who owned the home that he was presently living in.

15 I also went to the electoral lists for those
16 years, because they often have the name and the address
17 reported. And at the same time, I'm trying to build
18 grounds for a possible search warrant eventually for that,
19 for his home.

20 **MS. SIMMS:** And that's because of the
21 disclosure you received from C-45's brother regarding the
22 photographs?

23 **MR. DESROSIERS:** Initially, yes.

24 **MS. SIMMS:** Did you have any information
25 whether the other alleged victims that were being

1 investigated by Snyder or the -- sorry, C-58 whether they
2 had made any allegations about photographs?

3 MR. DESROSIERS: C-58, I'm not aware of
4 that.

5 MS. SIMMS: Do I have the wrong -- speaking
6 of the charges that were laid by the OPP.

7 MR. DESROSIERS: Oh, C-68?

8 MS. SIMMS: Sixty-eight (68), sorry.

9 MR. DESROSIERS: I'm trying to ---

10 MS. SIMMS: Do you recall ---

11 MR. DESROSIERS: Okay, yes.

12 MS. SIMMS: --- yeah, sorry.

13 MR. DESROSIERS: I now recall the name now,
14 yes.

15 MS. SIMMS: Yeah, do you recall receiving
16 any information from the OPP or from Sergeant Snyder during
17 this time about disclosures they'd received with respect to
18 photographs?

19 MR. DESROSIERS: I believe so. There was
20 mention in that statement, yes.

21 MS. SIMMS: Yes.

22 THE COMMISSIONER: I'm sorry? There was
23 mention?

24 MR. DESROSIERS: There was mention, in the
25 OPP -- of C-68 in his report.

1 **THE COMMISSIONER:** All right.

2 **MR. DESROSIERS:** I believe.

3 **MS. SIMMS:** And you mentioned you received
4 some names that were referred -- that the OPP referred to
5 Sergeant Snyder who referred to you?

6 **MR. DESROSIERS:** Yes.

7 **MS. SIMMS:** And you followed up with those
8 names as best you could?

9 **MR. DESROSIERS:** Yes, I did.

10 **MS. SIMMS:** And through the course of the
11 investigation leading up to the charge and afterwards, I
12 see in your notes that you're contacting a number of
13 individuals, looking for witnesses or other alleged
14 victims?

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

16 **MS. SIMMS:** And I'm not going to go into
17 that in detail, but I just -- you have some experience with
18 historical sexual assault cases. Is this often the case
19 that you contact a number of people looking for further
20 information?

21 **MR. DESROSIERS:** If it comes through my
22 investigation, the names do come up, yes, I will ---

23 **MS. SIMMS:** Try and contact them.

24 **MR. DESROSIERS:** --- follow up to try and
25 locate.

1 **MS. SIMMS:** And I take it you -- there's
2 people you can find. There's people you can't find; right?

3 **MR. DESROSIERS:** That's correct. There's
4 people I could identify in the pictures that were known to
5 me as well.

6 **MS. SIMMS:** Well, we'll get to the pictures.

7 **MR. DESROSIERS:** Yeah, okay.

8 **MS. SIMMS:** Okay, but I'm just speaking
9 generally, it's not uncommon that you contact a large
10 number of individuals if that information comes to you
11 through your investigation?

12 **MR. DESROSIERS:** That's correct.

13 **MS. SIMMS:** Right. And some of them may
14 have no information to give you whatsoever?

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

16 **MS. SIMMS:** And some of them may have
17 information that's relevant in corroborating the other
18 allegations you've heard?

19 **MR. DESROSIERS:** Correct.

20 **MS. SIMMS:** And some individuals may have
21 allegations themselves?

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

23 **MS. SIMMS:** But you wouldn't expect -- you
24 would expect there to be a large number of people that you
25 contact just because they're mentioned somewhere ---

1 **MR. DESROSIERS:** Yes.

2 **MS. SIMMS:** --- who don't have any
3 information to give you?

4 **MR. DESROSIERS:** That's correct. There was
5 no new allegations that arised out of the people that I was
6 able to contact and reach in relation to that.

7 **MS. SIMMS:** And that's not uncommon with
8 respect to an investigation; right?

9 **MR. DESROSIERS:** My personal thought, I
10 thought somebody would have had more information, but from
11 the people -- the amount of people I did reach, I guess I
12 was surprised that we didn't have any other follow ups to
13 do in relation to ---

14 **MS. SIMMS:** Sure.

15 **MR. DESROSIERS:** --- further victims.

16 **MS. SIMMS:** Well, even -- you did look at a
17 number of people through the whole course of things.

18 **MR. DESROSIERS:** Yes, I did.

19 **MS. SIMMS:** You had allegations; right?

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

21 **MS. SIMMS:** And you located people or they
22 located you who had information about who Marcel Lalonde
23 spent time with and things like that? I think there was a
24 woman who contacted you and told you who -- when she was at
25 school, who he spent time with, things like that. So ---

1 **MR. DESROSIERS:** Yes, yes, there was.
2 That's right. There was a list of names that were provided
3 by her, yes.

4 **MS. SIMMS:** So all that information is
5 important.

6 **MR. DESROSIERS:** Yes.

7 **MS. SIMMS:** And just leading up to the time
8 of the arrest, and I understand one further step you took
9 was locating medical records from the Cornwall General
10 Hospital?

11 **MR. DESROSIERS:** That's correct. For one of
12 the complainants.

13 **MS. SIMMS:** C-68, yes. And that was to
14 corroborate ---

15 **MR. DESROSIERS:** That was to corroborate a
16 timeframe and an incident that he reported having happened
17 to Marcel Lalonde.

18 **MS. SIMMS:** So we are just getting to the
19 time of the arrest. It might be a good time to break, Mr.
20 Commissioner.

21 **THE COMMISSIONER:** Great, thank you.

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

24 This hearing will resume at 12:10 p.m.

25 --- Upon recessing at 11:53 a.m./

1 L'audience est suspendue à 11h53

2 --- Upon resuming at 12:15 p.m./

3 L'audience est reprise à 12h15

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

6 This hearing is now resumed. Please be
7 seated. Veuillez vous asseoir.

8 **THE COMMISSIONER:** Thank you.

9 Yes. You're much better than Maître Dumais
10 at giving breaks. Thank you.

11 **RENÉ DESROSIERS, Resumed/Sous le même serment:**

12 --- EXAMINATION IN-CHIEF/INTERROGATOIRE EN-CHEF PAR MS.

13 **SIMMS (Cont'd/Suite):**

14 **MS. SIMMS:** My pleasure.

15 So Constable Desrosiers, we were just moving
16 on to the arrest of Marcel Lalonde.

17 **MR. DESROSIERS:** Yes.

18 **MS. SIMMS:** And so you have your notes there
19 in front of you still?

20 **MR. DESROSIERS:** Yes, I do.

21 **MS. SIMMS:** That's Exhibit 1715. So I would
22 ask you to go to Bates page 747.

23 **MR. DESROSIERS:** Yes.

24 **MS. SIMMS:** And just quickly in the middle
25 of that page, there's a sentence that starts:

1 "Writer handed..."
2 Do you see that, "Writer handed original
3 statement"?
4 **MR. DESROSIERS:** Yes.
5 **MS. SIMMS:** Okay. So you write:
6 "Writer handed original statement of
7 Perry Dunlop by Sergeant B. Snyder."
8 **MR. DESROSIERS:** Right.
9 **MS. SIMMS:** Okay. And that's from your
10 notes of April 28th, 1997?
11 **MR. DESROSIERS:** This would have been the
12 day before, yes.
13 **MS. SIMMS:** Okay, and this -- is this the
14 first time you've seen this statement?
15 **MR. DESROSIERS:** So it would've been the
16 Will Say ---
17 **MS. SIMMS:** Yeah.
18 **MR. DESROSIERS:** --- that would be
19 eventually on OMPPAC.
20 **MS. SIMMS:** Okay. So this is when you first
21 received it from Sergeant Snyder?
22 **MR. DESROSIERS:** Yes.
23 **MS. SIMMS:** And you put it onto OMPPAC?
24 **MR. DESROSIERS:** Yes.
25 **MS. SIMMS:** Okay. I'm going to ask you some

1 further questions about that when we get to the whole issue
2 of disclosure.

3 MR. DESROSIERS: Yes.

4 MS. SIMMS: But I just want to take you now
5 to April 29th, and I understand that's the day that you
6 arrested Marcel Lalonde?

7 MR. DESROSIERS: That's correct.

8 MS. SIMMS: And on that same day, a search
9 warrant is executed of Lalonde's residence?

10 MR. DESROSIERS: Yes, it was.

11 MS. SIMMS: Was that -- who made the
12 arrangements for the search warrant?

13 MR. DESROSIERS: I built up the search
14 warrant during the investigation.

15 MS. SIMMS: So was that something you had
16 discussed with Sergeant Snyder?

17 MR. DESROSIERS: Possibly had, yes, but I
18 knew from the beginning there were photographs possibly
19 around, around that time. At that time, I knew, so I was
20 preparing the grounds to be able to get this information.

21 MS. SIMMS: And it was you, yourself, who
22 obtained the search warrant? It wasn't Sergeant Snyder;
23 right?

24 MR. DESROSIERS: It was myself.

25 MS. SIMMS: Okay. And you made those

1 arrangements prior to April 29th?

2 MR. DESROSIERS: Yes, I did.

3 MS. SIMMS: Okay. And was it on April 28th
4 that you obtained the search warrant? I'll just take -- if
5 you can go to -- back up to Bates page 736.

6 MR. DESROSIERS: Yes.

7 MS. SIMMS: And right at the bottom, there
8 is your note starting on April 28th, 1997?

9 MR. DESROSIERS: Correct.

10 MS. SIMMS: And your note, "Preparing search
11 warrant for search of new Polaroid photos".

12 MR. DESROSIERS: Yes.

13 MS. SIMMS: Okay. So are those -- is that
14 the first time you took steps to obtain a search warrant?

15 MR. DESROSIERS: No, I had been previously
16 writing up the warrant ---

17 MS. SIMMS: Okay.

18 MR. DESROSIERS: --- through information.
19 We had other people that may have been interviewed prior to
20 that that were possibly complainants and where there would
21 be more information coming in from that.

22 MS. SIMMS: Was it on April -- you have to
23 have grounds to seek a search warrant. Is that right?

24 MR. DESROSIERS: Yes.

25 MS. SIMMS: Was it on April 28th that you

1 felt you had grounds?

2 MR. DESROSIERS: It was probably a few days
3 before that and we had tried to assess a team to make sure
4 we had proper people to do the warrant. So we planned
5 prior to that to see if we had a forensics officer, a
6 search team would be available, who could be available.

7 MS. SIMMS: Okay. So you were ---

8 MR. DESROSIERS: We planned to arrest him on
9 the 29th, that day.

10 MS. SIMMS: I'm just trying to assess or to
11 understand from you when it was you felt you had grounds to
12 obtain a search warrant. Can you help with that? At what
13 point-in-time you felt satisfied you had grounds?

14 MR. DESROSIERS: Pretty well after all the
15 witnesses or complainants who we were ready to lay charges
16 on their behalf. Once all that information was together,
17 get the warrant, show up at the house because I felt we had
18 that element of he didn't know we were going to be coming.

19 MS. SIMMS: So ---

20 MR. DESROSIERS: And so we decided on that
21 date. We had the manpower to go do the warrant. And so I
22 went over to the Justice of the Peace's chambers on the 28th
23 with my information to obtain.

24 MS. SIMMS: So you'd received information on
25 February 3rd about Polaroid pictures from C-45's brother?

1 MR. DESROSIERS: Yes.

2 MS. SIMMS: Right.

3 MR. DESROSIERS: Correct.

4 MS. SIMMS: Okay. And did you feel at that
5 time that there were grounds for a search warrant?

6 MR. DESROSIERS: At that time, no.

7 MS. SIMMS: And you subsequently receive
8 information, you said, about C-68, the OPP complainant?

9 MR. DESROSIERS: Correct.

10 MS. SIMMS: And when you received that
11 information, did you feel you had grounds for a search
12 warrant?

13 MR. DESROSIERS: At that time, no.

14 THE COMMISSIONER: Why not?

15 MR. DESROSIERS: Because there were other
16 avenues that I wanted to proceed with before the warrant as
17 far as address, his address, to make sure where he was,
18 where he's living at that time. I did a survey of his home
19 and found him at the home. I did a background check of the
20 vehicles that were there ---

21 THE COMMISSIONER: M'hm.

22 MR. DESROSIERS: --- and so forth so.

23 I wanted to make sure we had everything, all
24 the ducks in line, and that my warrant would be successful
25 when I presented it to the Justice of the Peace.

1 **THE COMMISSIONER:** So what you're telling
2 me, if I have got it correctly, you had enough in the sense
3 that the complainant saying that there is a photo album.
4 That wasn't -- it was just the details around him, make
5 sure it's the right residence, make sure he is there; that
6 kind of thing?

7 **MR. DESROSIERS:** Yes, and that they were
8 Polaroid pictures ---

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

10 **MR. DESROSIERS:** --- only Polaroid pictures,
11 that there wouldn't be any evidence from somebody else
12 saying they're videos ---

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

14 **MR. DESROSIERS:** --- anything.

15 And then we had planned the 29th because of
16 the manpower we would have available. We pre-planned so
17 that we would show up at his home early in the morning and
18 execute that search warrant at the same time.

19 **MS. SIMMS:** So it was part of your strategy
20 that the search warrant be executed at the time of the
21 arrest?

22 **MR. DESROSIERS:** That's right.

23 **MS. SIMMS:** So you didn't consider executing
24 the search warrant at any time previous to that?

25 **MR. DESROSIERS:** No.

1 **MS. SIMMS:** So it's on April 29th and you
2 have -- I'm taking you away from your notes of that date,
3 but your notes on April 29th start on Bates page number 747.

4 **MR. DESROSIERS:** Yes.

5 **MS. SIMMS:** Okay. So it's on that date that
6 you go to arrest Marcel Lalonde?

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

8 **MS. SIMMS:** And as I understand it, you have
9 team with you to execute the search warrant?

10 **MR. DESROSIERS:** Yes.

11 **MS. SIMMS:** And who's on your team?

12 **MR. DESROSIERS:** For the arrest, it was
13 myself and Sergeant Snyder.

14 **MS. SIMMS:** Okay.

15 **MR. DESROSIERS:** And we had with us a
16 Forensic Identification Officer, Sergeant Lalonde, and I
17 had Detective Constable Tyo who was now working in CID as
18 well, and we had a uniform officer, Constable Gilles
19 Campeau.

20 **MS. SIMMS:** Okay. So you are there to
21 execute the arrest. Is that right?

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

23 **MS. SIMMS:** And you arrest Marcel Lalonde
24 and transport him to the station?

25 **MR. DESROSIERS:** Yes, and I introduced the

1 search team to him.

2 MS. SIMMS: Okay.

3 MR. DESROSIERS: There was a second
4 individual in the home.

5 MS. SIMMS: M'hm.

6 MR. DESROSIERS: And reason to have the
7 uniform officer would be if there is anybody else in the
8 home, he'd be able to make sure that the person did not
9 obstruct with the search warrant; that kind of thing.

10 MS. SIMMS: And at some point, you return to
11 the residence, is that right, after you've taken Marcel
12 Lalonde to the station?

13 MR. DESROSIERS: That's correct. I was
14 advised by Sergeant Snyder to return to assist with the
15 continuation of the search at that time, after I had
16 interviewed Marcel Lalonde.

17 MS. SIMMS: And did Marcel Lalonde give a
18 statement at the time you interviewed him?

19 MR. DESROSIERS: He provided an exculpatory
20 statement.

21 MS. SIMMS: Okay. So your notes of
22 returning to the residence start on Bates page ending 750.

23 MR. DESROSIERS: Yes.

24 MS. SIMMS: And what did you locate during
25 the search?

1 **MR. DESROSIERS:** I first entered one bedroom
2 on the north side and didn't find anything.

3 I entered a second bedroom next door to it
4 where I located three brown photo albums of young persons
5 drinking beer, other beverages. They were Polaroid-type
6 pictures from an instant Polaroid camera. And also
7 Constable Tyo had located two other albums as well within
8 that room.

9 **MS. SIMMS:** And you seized -- so there was
10 five albums you seized from the residence?

11 **MR. DESROSIERS:** Yes.

12 **MS. SIMMS:** Did you find photographs of nude
13 young people?

14 **MR. DESROSIERS:** There were not many. There
15 were -- I can't recall the exact number -- four, five of
16 male -- three which were of the same male in a pose on a
17 couch, naked.

18 He appeared, at first, from -- at the
19 beginning, I didn't pay a lot of attention to it there at
20 the scene, but we did seize them so that I could return
21 them back to the station later and take a good look at
22 them.

23 And there were two others -- photos that
24 were found as well. There was a lot of people. I would
25 say young teenagers, 16, 15, 17. They were fully clothed.

1 They were in the kitchen of a home. They were in the
2 living room of a home. There were females there as well;
3 young people; 17 year-old girls. There was nothing other
4 than the posed pictures and two others I believe that were
5 nude ---

6 MS. SIMMS: Okay.

7 MR. DESROSIERS: --- to my recollection.

8 MS. SIMMS: So you had five photographs in
9 total?

10 MR. DESROSIERS: My recollection is five.

11 MS. SIMMS: Okay. And did you identify the
12 individual in those photos with the individuals as young
13 people?

14 MR. DESROSIERS: I took a good look at them
15 and based on my experiences and looking at the pictures and
16 their faces, this was an adult person over 18 at least --
17 at least, he was over 18 in my estimate.

18 MS. SIMMS: Was there some question in your
19 mind? Was that a ---

20 MR. DESROSIERS: No, there was no question,
21 this person was an adult.

22 MS. SIMMS: So you didn't take any steps to
23 identify that ---

24 MR. DESROSIERS: We weren't able to identify
25 that person.

1 **MS. SIMMS:** And we're just talking the of,
2 so I know there's -- we'll go through all the steps that
3 you take down the road, but did you find any photographs
4 that were of the complainants in this matter?

5 **MR. DESROSIERS:** Yes, there were. C-45, C-
6 68 ---

7 **MS. SIMMS:** M'hm.

8 **MR. DESROSIERS:** --- there's also another
9 one, I don't have a moniker, I don't know if he has one.

10 **MS. SIMMS:** Well, let me -- maybe we could -
11 --

12 **THE COMMISSIONER:** Just write it down, maybe
13 we can give the witness a piece of paper. Write down the
14 name so that you can have a peek at it?

15 **MR. DESROSIERS:** Thank you.

16 **(SHORT PAUSE/COURTE PAUSE)**

17 **THE COMMISSIONER:** Maybe you can pass it on
18 to Ms. Simms.

19 **MS. SIMMS:** Okay.

20 **THE COMMISSIONER:** It's not in there.

21 **MS. SIMMS:** Okay. Let's come back to that
22 but you mentioned three individuals that were known to you
23 through your investigation ---

24 **MR. DESROSIERS:** Yes.

25 **MS. SIMMS:** --- that there were photographs

1 of. I'll sort that out on the record.

2 **THE COMMISSIONER:** Yes, thank you.

3 **MS. SIMMS:** And just so we're clear, so
4 there were five photographs you identified that involved
5 nudity and the rest were young people pictured at Marcel
6 Lalonde's residence and they were clothed.

7 **MR. DESROSIERS:** Right.

8 **MS. SIMMS:** And they were in various places
9 in his residence. Some of them were drinking alcohol. Is
10 that a fair description?

11 **MR. DESROSIERS:** Yes, they were holding what
12 appeared to be a package of beer.

13 **MS. SIMMS:** Okay. And this is five albums
14 of photographs; so quite a few photographs; right?

15 **MR. DESROSIERS:** Yes. Not all the albums
16 were of young people of that age. Some were family with a
17 few mixed pictures. Some were school pictures of the
18 school class that Marcel had in certain years, a class
19 photo.

20 **MS. SIMMS:** Okay. So what happened with the
21 photographs following the search? It was Constable Tyo who
22 seized the photographs; is that ---

23 **MR. DESROSIERS:** Yes, I had him seize the
24 photographs because I had to return for the bail hearing --

25 -

1 MS. SIMMS: Okay.

2 MR. DESROSIERS: --- that we had scheduled
3 in the afternoon and he seized the albums.

4 MS. SIMMS: Okay. And if you just refer to
5 your notes on Bates page 751.

6 MR. DESROSIERS: Yes.

7 MS. SIMMS: There's an entry at 15:30.

8 MR. DESROSIERS: Correct.

9 MS. SIMMS: It says:

10 "Writer return to HQ. The five photo
11 albums require further studying. Will
12 be catalogued as soon as possible."

13 MR. DESROSIERS: Yes.

14 MS. SIMMS: And then below that, at 18:15,
15 Constable Tyo turned over those five photographs to you for
16 continuity.

17 MR. DESROSIERS: Correct.

18 MS. SIMMS: Is that right? So I'm just
19 going to flip ahead here and take you to Bates page 758.

20 MR. DESROSIERS: Yes.

21 MS. SIMMS: And there's an entry there under
22 Wednesday, May 21st.

23 MR. DESROSIERS: Yes.

24 MS. SIMMS: So about three weeks later and
25 it says:

1 "Writer turned over the five seized
2 albums to case manager Blake Paquin.
3 He will be cataloguing the five
4 albums."

5 **MR. DESROSIERS:** Correct.

6 **MS. SIMMS:** Okay. What does cataloguing
7 involve?

8 **MR. DESROSIERS:** Cataloguing meant he would
9 put them in with a number, letter and a number and appendix
10 for each album, Appendix A, B, C, D, E.

11 **MS. SIMMS:** So he's identifying each
12 photograph and giving it a letter and a number?

13 **MR. DESROSIERS:** Each photograph had a tab
14 with a number on it.

15 **MS. SIMMS:** Okay. And that's ---

16 **MR. DESROSIERS:** That's for -- that was for
17 disclosure so that we had a ---

18 **MS. SIMMS:** A record of ---

19 **MR. DESROSIERS:** --- a record and that it
20 was catalogued properly for disclosure.

21 **MS. SIMMS:** And you would also be using it
22 when you're trying to identify the photographs; right?

23 **MR. DESROSIERS:** Certainly, yes, it was.

24 **MS. SIMMS:** Okay. So just below that you
25 have a note on May 22nd ---

1 **MR. DESROSIERS:** Correct.

2 **MS. SIMMS:** --- 1997.

3 **MR. DESROSIERS:** Yes.

4 **MS. SIMMS:** And so can you tell us what
5 happens here?

6 **MR. DESROSIERS:** Inspector Tim Smith of the
7 OPP and Constable Steve Seguin of the OPP had attended our
8 Service to look through the five photo albums because --
9 which were seized at Marcel Lalonde's residence in relation
10 to the investigation. I had notified the OPP or Don Genier
11 of the -- of the arrest and the seizure of the albums.

12 **MS. SIMMS:** Were the OPP aware of the
13 impending arrest and impeding search prior to it being
14 executed?

15 **MR. DESROSIERS:** I don't believe I had
16 advised them, no.

17 **MS. SIMMS:** No.

18 **MR. DESROSIERS:** It was our search warrant
19 and I didn't see a need to do that.

20 **MS. SIMMS:** And just -- you received a
21 number of disclosures of people that photographs had been
22 taken of them in the nude as young people; right?

23 **MR. DESROSIERS:** I'm sorry. Could you
24 repeat the question?

25 **MS. SIMMS:** Previous to the search, you had

1 received a number of disclosures from a complainant that
2 photographs had been taken of them in the nude when they
3 were young people at Marcel Lalonde's house.

4 **MR. DESROSIERS:** Yes, at the time of the
5 events that happened to them.

6 **MS. SIMMS:** And you didn't find any
7 photographs like that?

8 **MR. DESROSIERS:** No, we did not.

9 **MS. SIMMS:** And I think we've gone through
10 this but Marcel Lalonde was charged with respect to a young
11 person in January of that year; right?

12 **MR. DESROSIERS:** Yes, he was.

13 **MS. SIMMS:** So some months before the search
14 was actually conducted.

15 **MR. DESROSIERS:** Yes.

16 **MS. SIMMS:** Okay. And that was a charge by
17 the OPP?

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

19 **MS. SIMMS:** Okay. So when in your notes it
20 says they were viewing the albums in reference to their
21 investigation, did you know what investigation that was?

22 **MR. DESROSIERS:** I believe it was in
23 relation to Father Charles probably, possibly.

24 **MS. SIMMS:** So -- sorry, we're jumping
25 around a bit here but we have -- you have the photographs.

1 How did you go about identifying or did you go about
2 identifying who the young people were in the photographs?

3 **MR. DESROSIERS:** I had shown the album to
4 some of the witnesses that we had.

5 **MS. SIMMS:** M'hm.

6 **MR. DESROSIERS:** I had recognized certain
7 individuals from my own experiences living here in Cornwall
8 as to who they were. I also -- there were also names in
9 the albums of the individuals, certain individuals.

10 **MS. SIMMS:** Was Constable Tyo involved in
11 the identification?

12 **MR. DESROSIERS:** No. He did look through
13 them, yes. I would -- yes, he did, yeah. He looked
14 through to see through the albums, scanned them quickly. I
15 sat down mostly with the albums myself but he did look at
16 them, yes. I recall a time when he did look at them.

17 **MS. SIMMS:** Were you able to identify all of
18 the young people that were portrayed in the photographs?

19 **MR. DESROSIERS:** No, we were not.

20 **MS. SIMMS:** Can you give an idea percentage
21 wise how many would remain unidentified?

22 **MR. DESROSIERS:** Hadn't been or had?

23 **MS. SIMMS:** Sorry; had not been identified.

24 **MR. DESROSIERS:** In percent or ---

25 **THE COMMISSIONER:** Ballpark.

1 **MS. SIMMS:** Just ballpark.

2 **MR. DESROSIERS:** Ballpark I would say half
3 mostly, almost half.

4 **MS. SIMMS:** And was this -- you showed the
5 albums to the OPP. Were they of any assistance in
6 identifying some individuals for you?

7 **MR. DESROSIERS:** I believe a couple of
8 individuals, yes.

9 **MS. SIMMS:** Did you show them to anyone at
10 the Children's Aid Society?

11 **MR. DESROSIERS:** No, I did not.

12 **MS. SIMMS:** Why is that?

13 **MR. DESROSIERS:** I did not feel at that time
14 that it was required to show them the albums, no.

15 **MS. SIMMS:** What about did you check
16 yearbooks to see if you could match up faces to names
17 through that method?

18 **MR. DESROSIERS:** I don't believe we had the
19 yearbooks for those years in the office.

20 **MS. SIMMS:** So that's a no?

21 **MR. DESROSIERS:** No.

22 **MS. SIMMS:** So I understand that there was a
23 list of names of young people that you identified prepared
24 and it was a three-page list of names.

25 **MR. DESROSIERS:** Identified and not

1 identified, yes.

2 MS. SIMMS: No, the ones you actually did
3 identify.

4 MR. DESROSIERS: Yeah, by name, yes; maybe
5 not by the picture but by a name.

6 MS. SIMMS: So I'm going to ask you to jump
7 ahead in your notes again because this was the first
8 reference I found to it; so Bates page 1768.

9 So we're now on December 5th, 1997.

10 MR. DESROSIERS: That's correct.

11 MS. SIMMS: And you have a note from 10:36.

12 MR. DESROSIERS: Yes.

13 MS. SIMMS: Indicating that you turned over
14 the three pages of names of people identified in all seized
15 photo albums to Constable Don Genier.

16 MR. DESROSIERS: That's correct.

17 MS. SIMMS: Right?

18 MR. DESROSIERS: Yes.

19 MS. SIMMS: And writer will be attempting to
20 locate the people from the album.

21 MR. DESROSIERS: Correct.

22 MS. SIMMS: So is it around this time that
23 the list of names was prepared?

24 MR. DESROSIERS: Probably beforehand, before
25 that I would have had that list. I would have been

1 compiling it.

2 MS. SIMMS: Okay. I just don't see any
3 notes on it. So I was just wondering at what timeframe you
4 had compiled a list of names, if you can recall.

5 MR. DESROSIERS: I can't really recall that.

6 MS. SIMMS: But you would have -- once you
7 had a list of names, I'm sure you would have share it with
8 Constable Genier in a short timeframe. Is that ---

9 MR. DESROSIERS: Once I had the lists, I
10 would assume, yeah, I would have but I can't recall that.

11 MS. SIMMS: So you just can't say whether
12 you had it ---

13 MR. DESROSIERS: I can't say for sure,
14 that's right.

15 MS. SIMMS: --- longer?

16 MR. DESROSIERS: Yes.

17 MS. SIMMS: Okay. And the note says that
18 you'll be attempting to locate the people from the album?

19 MR. DESROSIERS: Right.

20 MS. SIMMS: Do you see that?

21 MR. DESROSIERS: Yes.

22 MS. SIMMS: So, again, the next note I see
23 about this is Bates page 782. And I'm not going to go into
24 detail but you said about contacting persons on this list?

25 MR. DESROSIERS: Right.

1 MS. SIMMS: Right, or attempting to.

2 MR. DESROSIERS: Attempting to, yes.

3 MS. SIMMS: You can't locate all of them.

4 And this is on April 28th, '98?

5 MR. DESROSIERS: Correct.

6 MS. SIMMS: Do you know why there's the
7 four-month delay between December and April?

8 MR. DESROSIERS: The only explanations I
9 would have is it's a continuing investigation. I have my
10 caseload as well ---

11 MS. SIMMS: Right.

12 MR. DESROSIERS: --- that's going on at that
13 time. Other things, court maybe. I can't answer why it
14 would be four months.

15 MS. SIMMS: Well, the preliminary would have
16 been an intervening event.

17 MR. DESROSIERS: In January.

18 MS. SIMMS: The preliminary inquiry happened
19 in January of '98 of that year?

20 MR. DESROSIERS: That's correct.

21 MS. SIMMS: So you've identified about 50
22 percent of the individuals and now you're attempting to
23 locate them and contact them; right?

24 MR. DESROSIERS: Yes.

25 MS. SIMMS: And that's -- what's your

1 purpose in doing that?

2 **MR. DESROSIERS:** The purpose is to find out
3 if they are the person who knew a Marcel Lalonde, if they
4 had him as a teacher and if they had anything that they
5 wanted to talk about in relation to him, to the police
6 about.

7 **MS. SIMMS:** And there's a number of
8 individuals that you aren't able to locate?

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

10 **MS. SIMMS:** You speak to a number of
11 individuals, you're not able to locate a number. Is that
12 fair?

13 **MR. DESROSIERS:** That's right. I had
14 checked through the Ministry of Transportation Driver's
15 Licence Registry, phone books, 411.

16 **MS. SIMMS:** Okay. And, again, just
17 ballpark, but can you give us any estimate of that list of
18 names how many you were able to speak to, in a percentage?

19 **MR. DESROSIERS:** Oh, God.

20 **MS. SIMMS:** And I understand it will just be
21 ballpark.

22 **MR. DESROSIERS:** It was a lesser number than
23 the total. I -- it's hard to -- probably less than half.
24 Around that ballpark.

25 **MS. SIMMS:** And like we discussed before how

1 these investigations go, there's some people who had some
2 information to provide you, some who had none. Is that a -
3 --

4 **MR. DESROSIERS:** At some point, some said
5 they didn't even know Marcel Lalonde, so I tried other
6 names ---

7 **MS. SIMMS:** With that name?

8 **MR. DESROSIERS:** --- that had the same name
9 that I was able to track and locate.

10 **MS. SIMMS:** M'hm.

11 **MR. DESROSIERS:** Some had them as a teacher
12 and they had nothing to disclose. They couldn't assist.
13 Anything -- nothing had happened to them.

14 **MS. SIMMS:** So ---

15 **MR. DESROSIERS:** Others had a little
16 information to give; weren't willing to come forward at the
17 time.

18 **MS. SIMMS:** Okay. So you had received some
19 information but there were no additional charges as a
20 result of ---

21 **MR. DESROSIERS:** No, there was not, no. No
22 additional charges are ---

23 **MS. SIMMS:** --- this exercise, okay.

24 So we're going to -- I'm going to ask you
25 some questions about the disclosure process ---

1 **MR. DESROSIERS:** M'hm.

2 **MS. SIMMS:** --- with respect to this case.

3 And you've laid charges in April, so I take
4 it that's the time when you're starting to provide
5 disclosure to the Crown and to defence; right?

6 **MR. DESROSIERS:** Yes, that's correct.

7 **MS. SIMMS:** Okay. And at that time -- up
8 until the arrest, Sergeant Snyder had been responsible for
9 investigating allegations with respect to some of the
10 alleged victims; right?

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

12 **MS. SIMMS:** Following the arrest, did he
13 remain involved in terms of dealing with those -- those
14 alleged victims?

15 **MR. DESROSIERS:** No, not that much. No.
16 No.

17 **MS. SIMMS:** So you took over ---

18 **MR. DESROSIERS:** Doing the preliminary ---

19 **MS. SIMMS:** --- all of the CPS.

20 **MS. SIMMS:** --- interviews that resulted
21 from their disclosures. New -- other witnesses, other
22 names that came through the media that we were contacted
23 by.

24 **MS. SIMMS:** So just to be clear, now
25 Sergeant Snyder's involvement has changed?

1 MR. DESROSIERS: Correct.

2 MS. SIMMS: As you're going forward after
3 the arrest?

4 MR. DESROSIERS: Yes.

5 MS. SIMMS: You're taking responsibility for
6 the file?

7 MR. DESROSIERS: Yes.

8 MS. SIMMS: And he remains your supervisor?

9 MR. DESROSIERS: Yes.

10 MS. SIMMS: Is that fair?

11 MR. DESROSIERS: That's correct.

12 MS. SIMMS: So are you still briefing him
13 and updating him on the case?

14 MR. DESROSIERS: He's checking with me at
15 times, yes, about what's going on.

16 MS. SIMMS: From time-to-time, okay.

17 MR. DESROSIERS: Because I would have to
18 talk to him about some of his complainants and find out
19 from him certain information.

20 MS. SIMMS: Okay. So you've -- now, after
21 the arrest there are -- the OPP still has their outstanding
22 charge ---

23 MR. DESROSIERS: Correct.

24 MS. SIMMS: --- that's being handled by
25 Constable Genier?

1 **MR. DESROSIERS:** Yes.

2 **MS. SIMMS:** And you are handling the rest of
3 the CPS complainants?

4 **MR. DESROSIERS:** Correct.

5 **MS. SIMMS:** Okay.

6 So was there a discussion about how you
7 would coordinate -- I also understand -- sorry, I should
8 say that new information was laid at some point where there
9 was -- the matters were going to proceed together. Is that
10 right?

11 **MR. DESROSIERS:** I cannot recall when they
12 were made, all companion charges, exactly when it was.

13 **MS. SIMMS:** Were you working with Constable
14 Genier from the start, from -- following the arrest, were
15 you communicating with him?

16 **MR. DESROSIERS:** After the arrest, once a
17 Crown was assigned ---

18 **MS. SIMMS:** M'hm.

19 **MR. DESROSIERS:** --- then we were starting
20 to receive disclosure requests from his -- from his defence
21 counsel, and at that point we were really contacting,
22 discussing disclosures at that time.

23 **MS. SIMMS:** Okay. So from the time that a
24 Crown was assigned.

25 And I'll just ask you to look at Bates page

1 759. And, yes, we're still at Exhibit 1715.

2 And on May 27th -- are you there, sir?

3 **MR. DESROSIERS:** Yes.

4 **MS. SIMMS:** Okay.

5 **MR. DESROSIERS:** Thank you.

6 **MS. SIMMS:** Tuesday, May 27th, you have a
7 note there that you met with Crown Prosecutor, Curt
8 Flanagan ---

9 **MR. DESROSIERS:** Correct.

10 **MS. SIMMS:** --- accompanied with Constable
11 Don Genier?

12 **MR. DESROSIERS:** Yes.

13 **MS. SIMMS:** All right. So certainly as of
14 that date you're working together?

15 **MR. DESROSIERS:** Correct, yes.

16 **MS. SIMMS:** And Curt Flanagan did not remain
17 the Crown assigned to this all the way through?

18 **MR. DESROSIERS:** No. It was passed on to
19 another assisting Crown at the same Brockville office.

20 **MS. SIMMS:** So starting at this time, on May
21 27th, '97 or whenever you first started liaising with
22 Constable Genier, did you have any discussion about how you
23 would coordinate your work together on this file?

24 **MR. DESROSIERS:** At first it was, I would
25 look after the disclosure for our Service, he would look

1 after disclosure for his Service.

2 When we started receiving faxes from the
3 Crown's office, they were pretty well just one fax sent to
4 both of us.

5 **MS. SIMMS:** Okay.

6 **MR. DESROSIERS:** And we would contact each
7 other to make sure that number one item was -- he was going
8 to disclose that because it involved his complainant or if
9 number two was mine then I would do that. So we
10 communicated to make sure that we were looking after all
11 the numbers in the disclosure. He would send his out; I
12 would send mine to the same Crown.

13 There were times where if he was going
14 towards that area, we would communicate and say my package
15 is ready, he's going to deliver it, and there were times
16 where I delivered packages of the disclosure on his behalf.

17 So we had a working relationship where we
18 made sure everything was always being disclosed ---

19 **MS. SIMMS:** M'hm.

20 **MR. DESROSIERS:** --- at an appropriate time,
21 as much as we could, and it would get to the Crown.

22 **MS. SIMMS:** Okay. So initially when there
23 were -- you were -- before you were dealing with request
24 letters from the Crown, you put together what you had at
25 CPS and you forwarded it directly to the Crown?

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

2 **MS. SIMMS:** And he put together what he had
3 at OPP and forwarded it directly to the Crown?

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

5 **MS. SIMMS:** So you weren't privy to what he
6 was disclosing?

7 **MR. DESROSIERS:** No, I wasn't.

8 **MS. SIMMS:** And he wasn't privy to what you
9 were disclosing?

10 **MR. DESROSIERS:** No.

11 **MS. SIMMS:** Okay. And then when you began
12 receiving letters with items listed one to nine, you would
13 speak to him to coordinate who was dealing with which
14 request; right?

15 **MR. DESROSIERS:** That's right.

16 **MS. SIMMS:** And still sometimes you would
17 send a disclosure directly to the Crown?

18 **MR. DESROSIERS:** From our office I would
19 send our request ---

20 **MS. SIMMS:** Right.

21 **MR. DESROSIERS:** --- our part of the
22 package, yes.

23 **MS. SIMMS:** And sometimes, for convenience
24 sake, one of you would deliver the whole package. Is that
25 correct?

1 **MR. DESROSIERS:** Yes, that's correct.

2 **MS. SIMMS:** Okay, but you still -- it's the
3 same situation where you're not necessarily ---

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

5 **MS. SIMMS:** --- privy to what's being
6 disclosed?

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

8 **MS. SIMMS:** Okay.

9 **MR. DESROSIERS:** Other than seeing it on the
10 fax sheet, what he was asked to send. I don't know what he
11 had sent concerning that.

12 **MS. SIMMS:** Right, so you would have seen
13 the request and you would have known he's responding to
14 that request?

15 **MR. DESROSIERS:** Yes.

16 **MS. SIMMS:** But you wouldn't have seen the
17 contained documents in that response?

18 **MR. DESROSIERS:** Exactly, yes.

19 **MS. SIMMS:** Okay. So we -- I know there
20 were a number of disclosure requests and disclosure issues,
21 I'm not going to go through all of them.

22 But if we can just go back to -- I don't
23 have to take you back there but we know that there was a
24 note in your -- in your book from April 29th, 1997 ---

25 **MR. DESROSIERS:** Yes.

1 **MS. SIMMS:** --- when you were handed an
2 original signed statement of Perry Dunlop by Sergeant
3 Snyder.

4 **MR. DESROSIERS:** Right.

5 **MS. SIMMS:** Okay?

6 **MR. DESROSIERS:** Correct.

7 **MS. SIMMS:** And you mention that you put
8 that statement onto OMPPAC.

9 **MR. DESROSIERS:** Yes.

10 **MS. SIMMS:** And I believe that's Exhibit
11 1408.

12 **THE COMMISSIONER:** Do you want to refer to
13 that?

14 **MS. SIMMS:** Yes.

15 **THE COMMISSIONER:** Thank you.

16 **MR. DESROSIERS:** Yes.

17 **MS. SIMMS:** You have that?

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

19 **MS. SIMMS:** So this is an OMPPAC witness
20 statement.

21 **MR. DESROSIERS:** Correct.

22 **MS. SIMMS:** And is this a transcription of
23 the original statement you received from Sergeant Snyder?

24 **MR. DESROSIERS:** Yes. Yes, it would be.

25 **MS. SIMMS:** Yes it is, okay. So you hadn't

1 been involved in obtaining this statement from Perry
2 Dunlop?

3 **MR. DESROSIERS:** No, I was not.

4 **MS. SIMMS:** It was Sergeant Snyder who did
5 that?

6 **MR. DESROSIERS:** Yes.

7 **MS. SIMMS:** Did you have any discussion with
8 Sergeant Snyder about this Will Say when he handed it to
9 you on April 29th?

10 **MR. DESROSIERS:** That I can recall, no. It
11 was turned over to me for file -- for the file.

12 **MS. SIMMS:** Okay.

13 **MR. DESROSIERS:** Because I believe he had
14 requested from Constable Dunlop, give me your notes or
15 anything that you have and he provided a Will Say as to
16 what he had, at that time.

17 **MS. SIMMS:** Do you believe that because you
18 recall him telling you that or that's just ---

19 **MR. DESROSIERS:** I believe it was probably
20 in prep I might have read that note ---

21 **MS. SIMMS:** Okay.

22 **MR. DESROSIERS:** --- and him.

23 **MS. SIMMS:** Sure. So -- but what he handed
24 you was just the one-page statement?

25 **MR. DESROSIERS:** Yes.

1 **MS. SIMMS:** And did he advise you to take
2 any follow-up steps with respect to this Will-Say
3 Statement?

4 **MR. DESROSIERS:** None. No.

5 **MS. SIMMS:** No?

6 **MR. DESROSIERS:** No.

7 **MS. SIMMS:** And so at this time, in April of
8 '97 you didn't go back and ask Perry Dunlop if he had any
9 further ---

10 **MR. DESROSIERS:** I believe I had what he had
11 at that time; that's all he has is a Will Say in relation
12 to this. I'd assumed he had sent in everything he had.
13 He's a policeman, he knows disclosure, what disclosure is,
14 issues, as a policeman.

15 **MS. SIMMS:** Okay.

16 **MR. DESROSIERS:** I'm taking the stand as
17 this is what he has and he has nothing more.

18 **MS. SIMMS:** Okay. So you didn't make any
19 request at this time, directly of Perry Dunlop for anything
20 further?

21 **MR. DESROSIERS:** No, I did not. No.

22 **MS. SIMMS:** Okay. And it does -- the
23 statement itself does refer to contact in June 1996?

24 **MR. DESROSIERS:** Correct.

25 **MS. SIMMS:** And it refers to a statement

1 taken in January of 1997?

2 MR. DESROSIERS: Yes.

3 MS. SIMMS: And it refers to rough notes,
4 "Don and I worked from rough notes"?

5 MR. DESROSIERS: Yes.

6 MS. SIMMS: But you didn't follow-up at this
7 time with respect to whether there was anything from those
8 contacts, in addition to the statement?

9 MR. DESROSIERS: No. No, I did not.

10 MS. SIMMS: And were you also, at this time,
11 in possession of the statement that they're referring to,
12 the January 1997 statement of C-8?

13 MR. DESROSIERS: No, I was not.

14 MS. SIMMS: You weren't personally in
15 possession of that?

16 MR. DESROSIERS: No.

17 MS. SIMMS: Okay. Did you come in
18 possession of that when the file was transferred to you
19 from Sergeant Snyder?

20 MR. DESROSIERS: I believe it was in the
21 disclosure.

22 MS. SIMMS: And I take it these -- the Will
23 Say and that statement would have been disclosed to the
24 Crown shortly after the arrest; is that fair?

25 MR. DESROSIERS: Yes. It would have been

1 made part of the first Brief that was sent to Mr. Flanagan.

2 MS. SIMMS: Okay. So right around this time
3 period, April, May of '97, Project Truth is starting up;
4 right?

5 MR. DESROSIERS: I don't believe they had --
6 well I believe there was talk.

7 MS. SIMMS: There was talk.

8 MR. DESROSIERS: I didn't know it was called
9 Project Truth.

10 MS. SIMMS: Okay.

11 MR. DESROSIERS: I knew they were looking
12 into other investigations.

13 MS. SIMMS: But you were aware that there
14 was talk of ---

15 MR. DESROSIERS: Yes, that they were going
16 to be putting a team together.

17 MS. SIMMS: Okay. And you said you weren't
18 -- didn't specifically know what their mandate was but you
19 had a sense it was about allegations of sexual assault
20 involving prominent people; that was your understanding?

21 MR. DESROSIERS: Yes.

22 MS. SIMMS: Okay. And were you aware that
23 when Project Truth started up they did have some contact
24 with Perry Dunlop, the Project Truth team?

25 Let me be more specific. There was requests

1 -- were you aware that were requests for disclosure from
2 Perry Dunlop, made by the Project Truth team?

3 **THE COMMISSIONER:** On this matter or
4 generally?

5 **MS. SIMMS:** Generally.

6 **MR. DESROSIERS:** I believe not until '98.

7 **MS. SIMMS:** You weren't aware of that until
8 '98?

9 **MR. DESROSIERS:** Right.

10 **MS. SIMMS:** Okay. What made you aware of
11 that?

12 **MR. DESROSIERS:** It was a letter from Don
13 Genier to his super -- his supervisor.

14 **MS. SIMMS:** Okay. So we've heard that the
15 Project Truth team made a request of Perry Dunlop in the
16 summer and the fall of September of '97 or more than one
17 request for disclosure with respect to sexual assault
18 allegations.

19 **MR. DESROSIERS:** I wasn't aware.

20 **MS. SIMMS:** You're not aware of that?

21 **MR. DESROSIERS:** No.

22 **MS. SIMMS:** And we've heard that he provided
23 some disclosure to the Project Truth team on October 10th of
24 1997 and you're saying you weren't aware of that until '98?

25 **MR. DESROSIERS:** I wasn't aware of that.

1 No, I wasn't.

2 MS. SIMMS: Okay. So that isn't something
3 that Constable Genier advised you of, that ---

4 MR. DESROSIERS: No. It wasn't -- the only
5 -- the only thing that I could recall is when they received
6 four books ---

7 MS. SIMMS: We'll get to that.

8 MR. DESROSIERS: --- I don't know when that
9 was exactly ---

10 MS. SIMMS: Okay.

11 MR. DESROSIERS: --- from Constable Dunlop
12 and we had a conversation where if there's anything in
13 relation to Lalonde I'll send it off if there's something
14 in that -- in those four binders.

15 MS. SIMMS: Okay. Well I believe a number
16 of binders were provided in July of 1998, so we'll come to
17 that.

18 MR. DESROSIERS: Okay.

19 MS. SIMMS: But you weren't aware of any
20 disclosure being provided on October 10th of 1997 ---

21 MR. DESROSIERS: None.

22 MS. SIMMS: --- during that time?

23 MR. DESROSIERS: No.

24 MS. SIMMS: So you didn't have any similar
25 discussion of that time period with Constable Genier?

1 **MR. DESROSIERS:** No I didn't, no.

2 **MS. SIMMS:** He didn't advise you that some
3 notes had been provided and ---

4 **MR. DESROSIERS:** No.

5 **MS. SIMMS:** So -- and would you know if
6 notes from that package were disclosed to the Crown by
7 Constable Genier?

8 **MR. DESROSIERS:** Knowing Constable Genier,
9 if there was something there he would have sent it but I
10 wasn't -- that was the impression and that's what he had
11 stated to me, was that he was going to send anything that
12 was in there, it was going to go to the Crown but ---

13 **MS. SIMMS:** Okay.

14 **MR. DESROSIERS:** --- other than that I ---

15 **MS. SIMMS:** And that's the conversation he
16 had in '98 about those binders; right?

17 What I'm asking you ---

18 **MR. DESROSIERS:** Whenever the binders -- I'm
19 talking about the binders that they had got, yes.

20 **MS. SIMMS:** What I'm asking you is whether -
21 - because you were providing disclosure directly to the
22 Crown ---

23 **MR. DESROSIERS:** Right.

24 **MS. SIMMS:** --- would you have been aware if
25 Constable Genier provided disclosure directly to the Crown,

1 in or about October of 1997, would that have come to your
2 attention?

3 **MR. DESROSIERS:** I think -- I'm just trying
4 to figure out your question. If you could repeat it one
5 more time?

6 **MS. SIMMS:** Did it come to your attention in
7 or about October of 1997 that Constable Genier had received
8 or had access to some disclosure by Dunlop and forwarded
9 anything to the Crown?

10 **MR. DESROSIERS:** To my recollection, no.

11 **MS. SIMMS:** So you don't have any
12 information?

13 **MR. DESROSIERS:** No.

14 **MS. SIMMS:** Okay. And because you were at
15 times separately sending things to the Crown he may or may
16 not have even -- you wouldn't be aware?

17 **MR. DESROSIERS:** I would not be aware of his
18 package.

19 **THE COMMISSIONER:** Ms. Simms, I'm going to
20 have to leave a little earlier today, so if you could pick
21 a good time now, within the next five or 10 minutes, that
22 might be good for me.

23 **MS. SIMMS:** Okay.

24 Well, if it's going to be within the next
25 five or 10 minutes, now might be the best time because I'm

1 turning to the Preliminary Inquiry.

2 **THE COMMISSIONER:** All right.

3 Thank you, sir. You'll have to come back.

4 **MR. DESROSIERS:** Yes.

5 **THE COMMISSIONER:** Madam Clerk will give us
6 the date. It's a Tuesday -- is it a Tuesday?

7 **THE REGISTRAR:** June 2nd.

8 **THE COMMISSIONER:** June 2nd, but it's Monday,
9 right and it will be at one o'clock. Great.

10 Thank you very much.

11 **MR. DESROSIERS:** Thank you, sir.

12 **THE REGISTRAR:** Order, all rise. À l'ordre;
13 veuillez vous lever.

14 This hearing is adjourned until June 2nd at
15 1:00 p.m.

16 --- Upon adjourning at 12:57 p.m./

17 L'audience est ajournée à 12h57

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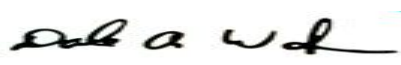
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C E R T I F I C A T I O N

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