

CANADA

PROVINCE OF NOVA SCOTIA

IN THE MATTER OF THE  
*FATALITY INVESTIGATIONS ACT*  
S.N.S. 2001, c. 31

**THE DESMOND FATALITY INQUIRY**

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**TRANSCRIPT**

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**HEARD BEFORE:** The Honourable Judge Warren K. Zimmer

**PLACE HEARD:** Guysborough, Nova Scotia

**DATE HEARD:** January 28, 2020

**COUNSEL:** Allen Murray, QC, Inquiry Counsel  
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1 January 28, 2020

2 MATTER COMMENCED

(TIME: 10:11 HRS.)

3

4 THE COURT: Mr. Murray?

5 MR. MURRAY: Yes, good morning, Your Honour.

6 THE COURT: You can begin if you like.

7 MR. MURRAY: Thank you. First witness today that the  
8 Inquiry Counsel will be calling is Sgt. Addie Maccallum.

9 THE COURT: Sgt. Maccallum, just please step forward.

10 Thank you.

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1 **S/SGT. ADDIE MACCALLUM, sworn, testified:**

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3

**DIRECT EXAMINATION**

4

5 **MR. MURRAY:** Can you state your name, please, for the  
6 record?

7 **A.** Sure. It is Addie James Maccallum.

8 **Q.** And can you spell your first and last name for us?

9 **A.** Addie is A-D-D-I-E and Maccallum is M-A-C-C-A-L-L-U-M.

10 **Q.** All right, and how are you employed, sir?

11 **A.** I am with the RCMP.

12 **Q.** And what is your role with the RCMP?

13 **A.** I am the District Commander in Pictou County.

14 **Q.** And your rank is?

15 **A.** Staff Sergeant.

16 **Q.** Staff Sergeant. I am sorry. I demoted you a moment  
17 ago. I said sergeant.

18 **A.** That is fine.

19 **Q.** How long have you been a member of the RCMP?

20 **A.** Since 1996. 23 years.

21 **Q.** Thank you. And you said you are currently stationed  
22 in Pictou County?

1           **A.**    I am.

2           **Q.**    All right.  And what is your role there as District  
3 Commander in Pictou County?

4           **A.**    I oversee administrative and all operations for the  
5 RCMP employed in Pictou County.

6           **Q.**    Okay.  There are detachments, I think, are there?

7           **A.**    Yes, there is two detachments.  One in Pictou and one  
8 in Stellarton.

9           **Q.**    Right.  Okay.  Previously, or prior to being stationed  
10 in Pictou County where were you stationed with the RCMP?

11          **A.**    I was stationed here as the District Commander in  
12 Guysborough County.

13          **Q.**    All right, and how long were you the District  
14 Commander in Guysborough County?

15          **A.**    Two and a half years.

16          **Q.**    And roughly from when to when?

17          **A.**    January 2015 to July 2017.

18          **Q.**    All right.  Now in Guysborough County there are three  
19 detachments?

20          **A.**    Yes.

21          **Q.**    And can you just tell us how those are set up or how  
22 they were when you were District Commander?



**S/SGT. ADDIE MACCALLUM, Direct Examination**

1           **A.**    Sure.  There is one here in Guysborough, which is kind  
2 of the administrative hub.  There is one in Canso and another  
3 one in Sherbrooke.

4           **Q.**    And at the time you were the District Commander in  
5 Guysborough County how many members were stationed at each of  
6 those three detachments?

7           **A.**    Total of 11.  Four in Guysborough, three in Canso, and  
8 four in Sherbrooke.

9           **Q.**    Okay, and as I recall, there was typically a corporal  
10 stationed in Canso and a corporal in Sherbrooke and a sergeant  
11 in Guysborough?  Is that how it worked?

12          **A.**    Correct.

13          **Q.**    Okay.  Okay.  The geographic area covered by those  
14 three detachments is a fairly big geographic area, was it?

15          **A.**    Yes, approximately 4,040 square kilometres.  It is, I  
16 think, the biggest RCMP district in Nova Scotia.

17          **Q.**    Okay, and fairly sparsely populated.

18          **A.**    Yes.  Far distance to go between corners, and  
19 residences are fairly widely scattered.

20          **Q.**    Right.  Okay.  S/Sgt. Maccallum, if you could turn  
21 your mind back to a particular day, January 3rd, 2017.  At that  
22 time you were stationed in Guysborough, were you?

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1           **A.**    Yes.

2           **Q.**    All right, and you had some involvement in the matter  
3 with which we are here today or for which we are here today?

4           **A.**    Yes, I did.

5           **Q.**    All right.  If we can bring up your general report.  
6 Thank you.

7           **THE COURT:**     Sergeant, your report comes up on the  
8 monitor.  You also have a hard copy.  Did you prefer to ...

9           **A.**    Certainly.

10          **THE COURT:**     Actually, if you would prefer to read  
11 through.

12          **A.**    Sure.  I did bring my originals, but ...

13          **THE COURT:**     Did you?  Whenever you like.  We have it  
14 there for you as well.

15          **A.**    Thank you.

16          **MR. MURRAY:**     So Staff Sergeant, when did you become  
17 involved initially in the matters for which we are here today?  
18 What time of the day was it?

19          **A.**    It would be approximately 6 p.m.

20          **Q.**    Okay, and were you on duty at that time?

21          **A.**    I was not actually.  I had finished my shift at 4  
22 o'clock, but I remained in the office just catching up on some

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 paperwork and other tasks.

2 Q. And that was the office at the Guysborough Detachment?

3 A. Yes.

4 Q. Okay, and from where did the calls originate? How did  
5 you become aware that there was an incident that would require  
6 police involvement?

7 A. Our RCMP dispatch centre in Truro radioed us that the  
8 call had transpired and broadcast to the member that was working  
9 at the time, Cst. Nathan Sparks, and I ...

10 Q. And Const- ...

11 A. ... overheard that while I was in the office.

12 Q. And Cst. Sparks. Was he at the detachment at that  
13 time?

14 A. He was. We both were.

15 Q. Okay. Was it just the two of you that were at the  
16 detachment at that time?

17 A. Yes.

18 Q. All right, and that call came from your dispatch  
19 centre, which is located in Truro?

20 A. Correct.

21 Q. Okay. Your general report refers to OCC. When you  
22 refer to that, that is the dispatch centre?

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1           **A.**    Yeah, I am sorry. That is the acronym. It is  
2 Operational Communication Centre, is how we term it, but it is a  
3 9-1-1 dispatch centre.

4           **Q.**    Right.

5           **A.**    Telecoms.

6           **Q.**    Okay. What was the information that you initially  
7 received from that call or that you heard from that call?

8           **A.**    Our dispatcher stated that there was a suicide in  
9 progress, is how it was first broadcast, which, to be honest, it  
10 was a little bit different, because typically it is not. You  
11 never hear in progress. There is usually somebody who is  
12 suicidal or it has already been committed. It is already done.

13          **Q.**    Yes.

14          **A.**    So it was broadcast that it was in progress.

15          **Q.**    And was there a particular address to which you were  
16 directed?

17          **A.**    Yes. I forget exactly. I think it was 15375.

18          **Q.**    All right.

19          **A.**    I know it was Highway 16 in Upper Big Tracadie.

20          **Q.**    Okay, and you can have reference to your notes there.  
21 It is 15375.

22          **A.**    Thank you.

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1           **Q.** Are you familiar, or were you at that time familiar,  
2 with that address?

3           **A.** The civic address did not really do much for me. It  
4 did not really make any recollection, but when I started to hear  
5 the description where it was and the people involved, then I did  
6 recognise the address and people who resided there.

7           **Q.** All right. You had had some familiarity with that  
8 residence? Or you had been there in the past?

9           **A.** I had, yes.

10          **Q.** All right. The dispatch to which you responded, was  
11 that as a result of 9-1-1 calls being received by the dispatch  
12 centre?

13          **A.** Yes. They had stated they received a 9-1-1 call from  
14 ... it was Chantel Desmond.

15          **Q.** Okay.

16          **A.** Had gave them the first call. And the dispatcher was  
17 basically saying that they were trying to get more information  
18 but she was frantic on the phone. So we just really had gotten  
19 that first bit of information and then it was ongoing after  
20 that.

21          **Q.** Okay. Did you know Chantel Desmond at the time?

22          **A.** Yes, I had met her, her and her family, several times

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 through my time being posted here in Guysborough.

2 Q. Okay. The actual 9-1-1 calls that were received by  
3 the OCC centre in Truro, would you have heard those yourself or  
4 would all you have heard was the dispatch?

5 A. No, I would not have heard the calls. I would have  
6 just gotten the information relayed to me by the dispatcher.

7 Q. All right. Your Honour, obviously had some discussion  
8 about the 9-1-1 call and we have, I believe, transcripts of the  
9 calls that were received by the OCC centre. And I believe there  
10 are five of them.

11 **THE COURT:** Mm-hmm.

12 **MR. MURRAY:** At this point, although S/Sgt. Maccallum was  
13 not directly privy to them, he is discussing them and it may be  
14 an appropriate time to enter those as exhibits.

15 **THE COURT:** Yes, thank you. Counsel, I can tell you  
16 that I had a discussion with Mr. Murray and Mr. Russell about  
17 these calls. I understand that the actual calls have been  
18 disclosed to counsel and you have them. You have access to  
19 them. I made a decision that we will have the transcripts  
20 entered. I do not see any necessity to actually play the calls.  
21 If somebody wants to have them played, has a particular argument  
22 on it, I am prepared to hear you, but at the present time that

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 is the decision we have made. Thank you.

2 (10:22:15)

3 **MR. MURRAY:** I do not know which numbers they will be  
4 assigned.

5 **THE CLERK:** Call 1, Exhibit 94. And then call 2, 95.  
6 Call 3, 96. Call 4, 97. And call 5, 98.

7 **MR. MURRAY:** Thank you.

8 **EXHIBIT P-000094 - CALL 1 - 2017-JAN-03-18-03-42**

9 **EXHIBIT P-000095 - CALL 2 - 2017-JAN-03-18-04-06**

10 **EXHIBIT P-000096 - CALL 3 - 2017-JAN-03-18-10-25**

11 **EXHIBIT P-000097 - CALL 4 - 2017-JAN-03-18-19-56**

12 **EXHIBIT P-000098 - CALL 5 - 2017-JAN-03-18-27-59**

13 **Q.** Sgt. Maccallum, you said you had been to that  
14 residence in the past?

15 **A.** Yes.

16 **Q.** What type of a residence was it?

17 **A.** It was a mobile home style. I believe it was double  
18 wide. So it was a little bit larger than your typical mobile  
19 home. One storey with a basement.

20 **Q.** Okay, and this residence was on Route 16?

21 **A.** It was, yes.

22 **Q.** And visible from Route 16?

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1           **A.**    Yes.   Probably a hundred metres off the road.

2           **Q.**    How far was the residence from the Guysborough  
3 Detachment?

4           **A.**    Normally be about a 25-minute drive, and I would say  
5 it is approximately 25 kilometres.

6           **Q.**    Okay.  So was your intention to respond to this call  
7 along with Cst. Sparks?

8           **A.**    Yes.  For typically crimes in progress or traumatic  
9 events, violence in progress, you would have at least two  
10 members respond.  Cst. Sparks was the member on duty, and since  
11 I was there I said that I would go with him as the second  
12 member.

13          **Q.**    Okay, so in general, when you receive a dispatch of  
14 this nature how do you react to that?  I take it, it is a little  
15 different than some other calls you might be dispatched to?

16          **A.**    Sure.  Typically, whatever officers are going we would  
17 formulate a plan about our approach and arrival, and the big  
18 thing would be, also, trying to acquire as much information  
19 about what is going on.  You know, who is there, what has  
20 transpired, where exactly everybody is, and then trying to  
21 actually formulate, Do we need additional resources, emergency  
22 personnel, fire, ambulance?  So it would be a lot of planning



**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 that was going while we are responding.

2 Q. Okay. Now you had to obviously travel to the  
3 residence, as did Cst. Sparks. Did you travel in one vehicle or  
4 did you travel in two?

5 A. No, we travelled in two marked police cars and with  
6 our lights and sirens going.

7 Q. Okay. Simultaneously?

8 A. Yes.

9 Q. Okay, and were you communicating by radio?

10 A. Yes.

11 Q. Okay. Was it your intention to have other officers  
12 attend as well as backup for the two of you?

13 A. Initially the call was a possible suicide in progress.  
14 We probably felt we would have enough resources.

15 Q. Yes.

16 A. But more information started to come in and the more  
17 information is that there was possibly a murder/suicide, that  
18 there was two deceased ...

19 Q. Yes.

20 A. ... and a firearm was possibly involved. Knowing  
21 that, and also some of the background from the residence and the  
22 families that we were aware of, I felt that it was needed that

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 we have further resources and I requested our dispatch to  
2 contact I think it was Antigonish RCMP Detachment first and ask  
3 for two additional members to be dispatched to our location.

4 **Q.** Okay, and you made that request through your dispatch  
5 centre?

6 **A.** Yes.

7 **Q.** By radio, obviously, as you were driving?

8 **A.** That is right.

9 **Q.** Okay. Do you recall what the weather conditions were  
10 like that night when you were attending the residence?

11 **A.** I know it was dark. I do not think there was any sort  
12 of precipitation at the time. It had snowed either earlier that  
13 day or the day before. There was snow on the ground. But I  
14 think it was just dark, overcast, no precipitation.

15 **Q.** Okay. You had had the name of Chantel Desmond  
16 initially. As you gathered additional information did you  
17 become aware of other individuals who might be involved in the  
18 matter?

19 **A.** Names that were dispatched to us were that one of the  
20 deceased was believed to be Lionel Desmond and then a name of  
21 Dana Desmond was given, but we think that that was changed  
22 shortly thereafter to Shanna Desmond. Those were the first two

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 other names that came ... that were told to us.

2 Q. At that time did you know Lionel Desmond?

3 A. I did.

4 Q. And you had met Lionel Desmond in the past?

5 A. I had.

6 Q. Okay, and in particular, you responded to a call at  
7 that residence on a previous occasion, did you?

8 A. Yes. I have been to a call to that residence and to a  
9 residence that is just right directly beside it as well.

10 Q. Okay, and we will ask you about that in a moment. Or  
11 in more detail. But at the time that you were dispatched to  
12 that residence in that past did you have contact with Lionel  
13 Desmond?

14 A. Yes.

15 Q. What did you know about him as you were responding to  
16 the call on January 3rd, 2017?

17 A. I had known that he had been previously employed with  
18 the Armed Forces, Canadian Armed Forces, in a combat role from  
19 my conversations with him in my also ... other dealings knew  
20 that he was experiencing some mental health issues. He was an  
21 avid hunter and he was married to Shanna. They had a child and  
22 at that particular time when I had last talked to them they were

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 estranged and starting to try to work on their relationship.

2 Q. And that particular incident that you are referring to  
3 when you had contact with him, do you recall when that was?

4 A. It was mid November 2015. I think 17th or 18th.

5 Q. Okay. Between the 18th of November, 2015 and January  
6 3rd, 2017 did you have additional contact with Lionel Desmond?

7 A. I had contact with him, I believe, during several  
8 community functions. Just had seen him around. I believe maybe  
9 once Remembrance Day.

10 Q. Yes.

11 A. And then just he may have called once about an  
12 additional investigation that had happened afterwards. I think  
13 it was perhaps the seizure of one of his firearms.

14 Q. All right, and given that information and knowing that  
15 it was Lionel Desmond who was potentially involved in this, did  
16 that impact the manner in which you responded to the call?

17 A. Knowing that, dealing with somebody who was with the  
18 Armed Forces, knowing that they were trained to skill sets, also  
19 that had been experiencing some mental health issues and that  
20 there had been an estranged relationship are all very high-risk  
21 factors that we take into account when evaluating what the risk  
22 is, our response, making our plan.

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1           Also, when we are given the information about what has  
2           transpired a lot of times it is not accurate. So when somebody  
3           says that there possibly is a murder/suicide or that possibly  
4           this person is deceased. Or you don't know if that is actually  
5           the people that are involved. You do not know if that  
6           information is accurate. And so you go in there with not just  
7           truly believing exactly what you have. You have to be open to  
8           that.

9           So it elevated our risk factor a lot and we were starting  
10          to talk about different scenarios and possibilities for our  
11          response.

12          **Q.** Right. As you travelled to the residence did you  
13          continue to have interaction with the OCC, or dispatch,  
14          regarding who was on the line, who else was present, that type  
15          of thing?

16          **A.** Yes. I believe the 9-1-1 calls kept getting  
17          disconnected, and I was asking the dispatcher if they could get  
18          back in touch with Chantel Desmond. And they let me know that  
19          they were now speaking ... I believe the next person was a John  
20          Day.

21          **Q.** Yes.

22          **A.** And John Day. I can say that I believe that he was

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 Chantel's partner or spouse. And he was saying now that he  
2 believed that there was multiple people deceased in the  
3 residence.

4 Q. Right. Did you know John Day?

5 A. No, I did not.

6 Q. Do you recall what time you arrived at the scene? And  
7 you can refer again to your notes if that is helpful.

8 A. 18:28 is what my notes say.

9 Q. Okay, and that accords with your memory, does it, of  
10 the event?

11 A. Yeah. We left. It was about a 15-, 20-minute drive.  
12 We went ... we got there fairly quickly. So given the time that  
13 we left, that sounds about right.

14 Q. Okay. Can you describe the scene when you arrived?

15 A. When you are travelling north on Highway 16 through  
16 the section of Upper Big Tracadie you come down a hill and there  
17 is a bit of a straightaway and to the left the residence was to  
18 the left on a bit of a hill. It is about a hundred metres off  
19 the road.

20 **(10:31:51)**

21 We had shut our lights and emergency equipment off. So we  
22 approached with a little bit more stealth. As we were

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 approaching I could see the first thing I noticed was that the  
2 house was fully illuminated from inside. It looked like every  
3 single light was on, and from the illumination I could see that  
4 there was a group of people standing in approximately halfway up  
5 the driveway. And I think there was maybe four to six people  
6 there.

7 We pulled off to the side of the road just before the end  
8 of the driveway, and at that point I had actually contacted our  
9 OCC again and asked for further members to attend because, as I  
10 had mentioned, he said that there was now multiple people with  
11 ... probably there was three to four deceased and I know that  
12 the scene was going to be a difficult one to contain and  
13 maintain security over.

14 So looking at the scene, I am seeing the house as I  
15 described, fully illuminated from inside, the people in the  
16 halfway of the driveway. I could also see that there was I  
17 believe four vehicles that I could see in the driveway. It is a  
18 circular driveway. It goes up along the left side of the house,  
19 and the house is perpendicular to the highway and then it loops  
20 around the back and comes down as a horseshoe and meets Highway  
21 16 on the other side.

22 Q. It may be helpful for us to ... we have aerial photos

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 that were taken at the scene. It may be helpful for us to have  
2 reference to them now. I think they are P-27 and P-28. Let us  
3 try the other one, P-28.

4 **EXHIBIT P-000027 - USB - AERIAL PHOTO 1 - 15375 HWY. 16 UPPER**

5 **BIG TRACADIE**

6 **EXHIBIT P-000028 - USB - AERIAL PHOTO 2 - 15375 HWY. 16 UPPER**

7 **BIG TRACADIE**

8 **THE CLERK:** (inaudible - distance from mic).

9 **THE COURT:** If you could.

10 **MR. MURRAY:** Maybe get you to just put that on the easel  
11 behind you there. You said, Sergeant, the driveway was a  
12 horseshoe? Perhaps just using the aerial photograph you can  
13 describe ...

14 **A.** Sure. So this is the residence here. We would come  
15 from this direction, south, and travelled up on Highway 16. We  
16 parked right about here, the end of the driveway.

17 **Q.** So for the record, in the photograph that is P-28, you  
18 came from the left of the photograph?

19 **A.** Yes.

20 **Q.** And that is travelling in a northerly direction?

21 **A.** Yes.

22 **Q.** And on the photograph you pointed that you parked



**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 adjacent to the road just before getting to the driveway.

2       **A.** Right.

3       **Q.** Okay.

4       **A.** What we saw was this house here was fully illuminated.

5 Somewhere around the middle here there was the congregation of  
6 people.

7       **Q.** Middle of the driveway?

8       **A.** Right. Right about ... the driveway heading up? It  
9 was I would say halfway up the driveway ...

10       **Q.** Right.

11       **A.** ... where I saw them. And so we parked here and then  
12 they started walking down to meet us, and where we had a  
13 conversation.

14       **Q.** Did you and Cst. Sparks arrive at the same time?

15       **A.** We did.

16       **Q.** All right. The individuals with whom you had the  
17 conversation, do you recall who they were?

18       **A.** One was Chantel Desmond, and I began talking to  
19 Chantel. She was hysterical. I really could not understand  
20 what she was saying except she said her family was dead.

21       Another person approached me who said his name was John  
22 Day. Cst. Sparks began to talk to Ms. Desmond and then I began

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1 to talk with Mr. Day. I do not really remember who the other  
2 people were that were there at the time.

3 Q. Okay, and Mr. Day's demeanour at that time?

4 A. He was calm but he was pretty sad. He had ... he  
5 mentioned that he had gone in the house. Prior to this when we  
6 were talking with our dispatch and we were getting the  
7 information from Mr. Day and Ms. Desmond on the scene I told  
8 dispatch to make sure that the people calling knew to not go  
9 back in the house and to stay away from the house and wait for  
10 us to get there.

11 Mr. Day had mentioned that he did go in after Ms. Desmond  
12 and to check on them and he said that he had found the family,  
13 the four people, deceased inside. He thought that they were  
14 dead.

15 Q. Okay, so at this stage, then, you know that there are  
16 four individuals who potentially are deceased in the residence.

17 A. Yes.

18 Q. Do you have any additional information from the people  
19 at the scene about what you might find in the residence?

20 A. Mr. Day stated that he saw a rifle or a long gun. I  
21 forget how he described it. In the kitchen beside who he  
22 thought was Lionel.

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1           **Q.**    Okay.  The photograph that is P-28, obviously there  
2    are some vehicles there, but that is taken at a different time.  
3    Do you recall what, if any, vehicles there were in the driveway  
4    around the residence?

5           **A.**    Yes.  Directly behind the house, perpendicular house,  
6    was a Dodge Ram pickup truck parked in a row.  These ones right  
7    here.  There was a Acura SUV, and I believe there was an older  
8    plow truck that had a plow on it.  There might have been one  
9    other vehicle, a small car, but I do not remember exactly which  
10   one that was.

11           I think actually there was ... that is the MDX right there,  
12   the Acura, there is the plow truck, and then that would have  
13   been the other vehicle that was beside it.  And there is the red  
14   Dodge pickup truck there.

15           **Q.**    Okay.  Again for the record, you are pointing to three  
16   vehicles that are parked perpendicular to the home at the top of  
17   P-28?

18           **A.**    Yes.

19           **Q.**    Those three vehicles, your recollection is, were there  
20   when you approach the residence?

21           **A.**    Yes.

22           **Q.**    And the red truck, which we can see in the picture,

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1 which I guess is more parallel to the residence, that was also  
2 present when you approached the residence?

3 **A.** Yes.

4 **Q.** The other vehicles, I think, in P-28 are the police  
5 vehicles? Or are you able to tell?

6 **A.** I am pretty sure that I can tell that there is a ...  
7 it is hard to tell from an overhead, but it looks like these are  
8 the light bars. That there is definitely a police vehicle.  
9 These are ...

10 **Q.** The vehicle that is partway up the driveway.

11 **A.** Right, at the end, and that one, the three white ones  
12 up here ...

13 **Q.** Yes.

14 **A.** ... have light bars on them. I am very confident  
15 those are police vehicles. And then of these two grey vehicles  
16 that are right here, I believe one of those is one of our  
17 unmarked. I am not sure what the other ... I think the other  
18 one is an unmarked police vehicle as well, but I am not sure.

19 **Q.** And those last five vehicles to which you made  
20 reference are the white or grey vehicles parked closer to the  
21 residence and perpendicular to it.

22 **A.** Right, these ones right here.

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1           **Q.**    Okay. All right. The residence is how far from the  
2 road you said roughly?

3           **A.**    I would say a hundred metres.

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5           **Q.**    We do have some photographs which we can have a look  
6 at as we go through your evidence. These are marked as P-29, I  
7 believe. So photograph number 1, and appreciating that these  
8 were taken at a different time of day and they were not taken by  
9 you, I do not believe, but do you recognise what is depicted in  
10 photograph number 1?

11          **A.**    Yes. So that is the residence that I attended that  
12 night.

13          **Q.**    Okay.

14          **A.**    That would be the north, in the foreground that is the  
15 most northern entrance for the hoop driveway. So it would have  
16 been this one right here.

17          **Q.**    All right, so on P-28, on our aerial photograph, you  
18 point to where the driveway meets route 16 in the right, right-  
19 hand side of that photograph.

20          **A.**    Correct. Right here there is the small white ... I  
21 believe it is a bus-stop-style shelter.

22          **Q.**    That we see in photograph number 1? Photograph number

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1 2 in P-29.

2 A. So that would be the driveway where we would have  
3 parked by. That is the more southern driveway.

4 Q. Yes?

5 A. That would be this one right here.

6 Q. In the center of our aerial photograph.

7 A. Yeah.

8 Q. And that is the portion of the driveway where you met  
9 Chantel Desmond and John Day?

10 A. Correct.

11 Q. All right. Photograph 3 in P-29, I believe, will show  
12 a closer view of the residence? Is that correct?

13 A. Right. That is the front of the residence.

14 Q. Okay, and photograph 4?

15 A. And so this would be the left side, the left end as  
16 you would come up this driveway here. You would be facing it  
17 from right about here.

18 Q. On our aerial photograph to the left of the residence.

19 A. Correct.

20 Q. And is that the driveway that you would have  
21 approached the residence?

22 A. Yes.

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1           **Q.**    Okay.  Now if we go to photograph number 5 where are  
2 we looking here now?

3           **A.**    That is the rear of the residence, and you can just  
4 see the landing and the rear door.

5           **Q.**    Yes.

6           **A.**    That would be the primary entrance to the residence  
7 and then the red Dodge truck that we see depicted right here on  
8 the aerial.

9           **Q.**    Yes.

10          **A.**    That is the truck.

11          **Q.**    Okay.  Our red truck in our aerial photograph is the  
12 one that is depicted in photograph 5 of the P-29 pictures.

13          **A.**    Yeah.

14          **(10:41:59)**

15          **Q.**    Okay.  Now after you had the contact with Chantel  
16 Desmond and John Day and the others in the driveway what was  
17 your intention?

18          **A.**    Our intention was to enter the house.

19          **Q.**    If ...

20          **A.**    So our intention was to enter the house and ...

21          **Q.**    Sergeant, at any point if you need a short break we  
22 can take one.

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1           **A.**    I appreciate that.

2           **Q.**    Just say ...

3           **A.**    Cst. Sparks and myself quickly discussed what we had  
4    been told by Chantel and John Day, and because there was four  
5    victims or four people in the house believed to have been shot,  
6    we knew it was important that we made entry to check on them and  
7    see if we could offer any assistance, check on their conditions.  
8    Perhaps there was more victims.

9           We also knew from talking to especially John Day that this  
10   just happened. This was probably 15, 20 minutes since this  
11   transpired, given some of the phone information that he provided  
12   us, having contact with inside. So we made a plan that we would  
13   be making entry, clearing the residence, make sure that it was  
14   safe, and rendering any assistance we could to people inside.

15          **Q.**    Apart from the obvious issue of preserving life and  
16   giving assistance to victims, did you have a view about whether  
17   there might still be an active shooter in the home?

18          **A.**    So the information was is that John Day said that he  
19   felt that Lionel was the shooter and there was a gun laying  
20   beside him. We had no sounds coming from the house. There was  
21   nothing to make us, you know ... obvious that there was anybody  
22   else in there that was a threat or another suspect. But still,



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1 we kind of look at things and say, Okay, there is a possibility  
2 of a one-plus-one rule. If there is one, one suspect, there is  
3 one shooter, there could be another. Typically, there would be  
4 things where we would remain outside and wait, but because there  
5 was victims inside we basically would be going in with more of  
6 as a rescue team. Clear the house and provide assistance if we  
7 could.

8 Q. You made reference to the one-plus-one rule, and what  
9 ...

10 A. I am sorry, that is a tactical consideration that  
11 usually police are taught, and it is if ... even though that  
12 there is one threat, there is one suspect, be wary that there  
13 might be another or more.

14 Q. Okay. Did you formulate a plan how you were going to  
15 enter the residence?

16 A. We did. We said that we would walk ... we were going  
17 to walk up to the left of the driveway. There was fairly good  
18 darkness and from being ... the interior of the house being  
19 fully illuminated, we felt that anybody inside the house would  
20 not be able to see us approaching, that there was light  
21 streaming from every window.

22 So we said we would walk up together with certain spacing

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1 up the left of the driveway and then when we got to ... we said  
2 when we got to where the cars were we would be able to try ...  
3 we were looking in the windows on the way up, but we would try  
4 to look in through the back door.

5 Q. Yes?

6 A. I had asked John Day which way he had gone in, and he  
7 said the back. So we ... I know that from the past that was the  
8 primary entrance of the home. So we were planning to go up  
9 here, have a look, and then once we determine we ... it was as  
10 safe as possible to approach we were going to approach the door  
11 and make entry.

12 Q. Okay, and you said the house was fully illuminated.  
13 Outside of the residence was there lighting?

14 A. There was a bit of light from a nearby residence but  
15 not ... and forget if there was ... might have a little bit from  
16 across the street. But there was not much.

17 Q. Okay.

18 A. There were no major streetlights casting much light,  
19 and I do not believe there was much illumination from any moon.  
20 It was a fairly dark, overcast night. So just the house. The  
21 house was predominantly ... it was light up extremely, extremely  
22 well.

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1           **Q.**    You had said earlier that you had called for other  
2 officers as you gathered more information about what had  
3 potentially transpired. Had any of those officers arrived when  
4 you and Cst. Sparks determined that you were going to enter the  
5 residence?

6           **A.**    No. We knew that two officers, I believe, from  
7 Antigonish were approximately ten minutes away. So we decided,  
8 though, it was not ... we were not going to wait. We were going  
9 to make entry first.

10          **Q.**    Okay, so we had been looking at photograph 5 in  
11 Exhibit P-29. Does that depict the back deck and door ...

12          **A.**    Yes.

13          **Q.**    ... that you were going to enter?

14          **A.**    There is another set of stairs that would be just off  
15 to the right off that photo, photo 5. You cannot see it from  
16 this photo, but that would have been the stairs we would have  
17 went up.

18          **Q.**    Perhaps we can look at photograph 6.

19          **A.**    Right, so that is the other set of stairs, and those  
20 are the ones we would have went up. We went around further to  
21 the back to look in the door in the window the best we could  
22 from a distance, but those are the ones we went up.

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1           **Q.**   Were you able to see anything inside when you looked  
2 in the ... from a distance looked in the back door and window?

3           **A.**   No.

4           **Q.**   Okay. Photograph 6 appears to have been taken,  
5 obviously, at night. Does that better, I guess, depict the  
6 scene as you approached the house?

7           **A.**   Actually, I remember more light coming through those  
8 side windows.

9           **Q.**   Yes?

10          **A.**   So I am not sure exactly what time this was taken. I  
11 know it was not taken by myself.

12          **Q.**   Yes.

13          **A.**   But I remember more light coming through the windows  
14 than that, and that is obviously ... something is illuminating  
15 it, whether it be the camera flash or vehicle headlights.

16          **Q.**   Right.

17          **A.**   So something is giving it a little bit more light  
18 outside.

19          **Q.**   Okay, so more light from inside the house, less  
20 outside.

21          **A.**   Correct.

22          **Q.**   And photograph 7 in P-29, I believe, is the same

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1 perspective but just a little closer?

2       **A.**    Correct.

3       **Q.**    All right, and I guess we have photograph number 8 as  
4 well we can go to, and this again is one taken in the daylight.

5       **A.**    Right, so that is just a closeup of the back deck and  
6 door we would have entered.

7       **Q.**    Did you formulate a plan with Cst. Sparks about who  
8 would enter the residence first?

9       **A.**    So when we discussed it I think I just said that I  
10 would enter first. We had seen ... as we approached we saw that  
11 the door ... there was a set of keys in the lock ...

12       **Q.**    Yes?

13       **A.**    ... of that rear door. And John Day had mentioned  
14 before that he had ... the door was unlocked. So we said that  
15 when we got there I would open it. We both had been in that  
16 residence before. So we kind of knew the layout and we said  
17 that we would go through it. I would take point, which is the  
18 front, the lead, and Cst. Sparks would provide me cover  
19 basically watching my back as we move through the house.

20       **Q.**    All right. I think in photograph 10 of P-29, the one  
21 there, yeah. I do not know if we can see the keys in the door  
22 in that photograph.

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1           **A.**    I think I can see them but ...

2           **Q.**    My copy, it looks like you can see, see a bit of them,  
3 but in any event, in photo 11. Perhaps we can just go to photo  
4 11. May be easier.

5           **A.**    Right. So that is what we saw from when we were  
6 looking at the rear of the house. We saw that the keys were  
7 clearly ... there was a key in the lock and there was more keys  
8 hanging off the chain.

9           **Q.**    And it was your understanding that the door was  
10 unlocked, though, from the information you received from John  
11 Day?

12          **A.**    Yes.

13          **Q.**    All right. So you said you had a sense of the layout  
14 of the residence. Have you been there before?

15          **A.**    Yes.

16          **Q.**    What did you expect when you entered the back door?

17          **A.**    I knew that there was a room that was by itself.  
18 Dining room or type of, like, study type of area and then I knew  
19 that it opened into ... immediately into a kitchen and then the  
20 house went to ... the rest of the layout moved to the left, the  
21 north. An open-concept living room, a hallway. At first I  
22 could not remember if the hallway was on the left or right and

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1 then I knew off the hallway there was more rooms and the house  
2 ended in a final bedroom at the end.

3 Q. Okay, and you said this mobile home also had a  
4 basement?

5 A. Yes.

6 Q. Okay, and you were aware of that when you entered the  
7 residence?

8 A. Yes.

9 Q. Okay. You have touched on this a bit, but as you  
10 enter, what are your thoughts and how do you prepare to enter a  
11 residence yourself?

12 A. So the first thing, what I do is go in, and we are  
13 there to preserve life. That being said, we also know, and we  
14 are trained to know, that our officer safety is also going to be  
15 really important. Because we cannot help anybody if we are  
16 injured or killed. So we have to come up with a plan so that we  
17 are able to keep safe to do our job and be able to help others.

18 So basically, the plan was going to be that we were going  
19 to go through slowly, take our time, clear the house first, and  
20 then whoever we encountered, if it was a victim, after we  
21 cleared the house and made it safe we'd be able to assist them.  
22 If we ran into a suspect we obviously have to deal with that

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1 person. We would have to try to. If there was a threat we  
2 would have to try to stop it or apprehend the person if we have  
3 to.

4 **(10:52:16)**

5 **Q.** And as you entered the residence your service, I  
6 forget what it is, pistol or a revolver, did you have that  
7 drawn?

8 **A.** When walking up the driveway, we didn't have it up.  
9 We kept our hands free as we got up the driveway and then as we  
10 got to the back of the house, as we approached, I pulled out my  
11 service pistol, and so did Cst. Sparks.

12 **Q.** Okay, and you said you were point. Meaning you were  
13 going in first?

14 **A.** Yes.

15 **Q.** Did you open the door?

16 **A.** I did. Prior to opening the door, though, I looked in  
17 the windows.

18 **Q.** Yes.

19 **A.** Just to see what we were walking into, and I saw the  
20 ... immediately you will see the stairs that leads down to the  
21 basement.

22 **Q.** Mm-hmm.



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1           **A.**    Straight through the door. Just to the right was the  
2 dining room and then through that was a set of double French  
3 doors that led into the kitchen.

4           **Q.**    Okay, so in photograph 13 of that in P-29. Does this  
5 depict, as you open the door, what you see?

6           **A.**    Yes.

7           **Q.**    Okay, so what appears to be the stairs down, when you  
8 walk in, those are the stairs, obviously, to the basement, are  
9 they?

10          **A.**    Yes, they are.

11          **Q.**    Okay, and in photograph 14 I think we may have a view  
12 from the basement looking up to the door?

13          **A.**    That looks accurate.

14          **Q.**    Okay, and then in photograph 15. What is depicted  
15 here?

16          **A.**    So that is the dining room. That is just to the right  
17 when you come through the door.

18          **Q.**    Right.

19          **A.**    And then those are the French doors that lead to the  
20 kitchen.

21          **Q.**    That you referred to just a moment ago?

22          **A.**    Yes.

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1           **Q.**    Okay.  When you entered the residence where did you go  
2 first?

3           **A.**    So I went just to the right to see.  Basically, I was  
4 slowly trying to look through those doors.  Cutting the pies, as  
5 we refer to it, on an angle.  So I could see a little bit at a  
6 time, a little bit at a time.

7           **Q.**    When you say "cutting the pie", then, can you just  
8 explain what that means?

9           **A.**    Sure, I am sorry.  So basically what that means is  
10 that if there is an angle, a doorway, instead of walking right  
11 straight through you basically back away from it a bit and you  
12 come at it at a different angle, and by doing such, you have a  
13 view a little bit at a time but you are not exposing yourself to  
14 the sight of anybody that is on the other side.  So basically  
15 you are just kind of doing it but in incremental amount.

16          **Q.**    Yes?

17          **A.**    It gives you time to react and it gives you some bit  
18 of concealment.  There is really no cover in a mobile home but  
19 there is concealment so somebody would not see you.  So it is  
20 another tactical technique just to ... we were going to slowly  
21 clear it and that was the way we were going to take corners to  
22 see in.

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1           **Q.**    Right.  Okay, so you used this method to approach the  
2 French doors that are depicted in photograph 15?

3           **A.**    Yes.

4           **Q.**    Okay.  Did you ultimately approach the doors?  Or were  
5 you able to see into the other room?

6           **A.**    Pretty much as soon as I got into the living room.  I  
7 am sorry.  The dining room.  I observed that there was a pool of  
8 blood on the floor just on the other side of the French doors.  
9 It looked like it was coming from the left.  Not that I could  
10 see it pooling but it looked like it had come from the left.  
11 And it had come halfway through the doorway.

12          **Q.**    Okay.

13          **A.**    So I saw that and I told Cst. Sparks that I seen a  
14 pool of blood.

15          **Q.**    When you were in the residence did you hear anything?

16          **A.**    Just roughly around the time that I was approaching  
17 the French doors I heard voices, and they were quite low.  I  
18 told Cst. Sparks that I could hear somebody, but they seemed  
19 kind of monotone.  And the way, it was very placid.  In my mind  
20 I was kind of thinking that it might have been like some sort of  
21 television or audio recording.  So I could hear it, but I could  
22 not decipher what it was saying.  It was not music.  It was

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1 definitely people's voices.

2 Q. Okay, and ultimately you determined that, that was a  
3 TV, I think, did you?

4 A. Right. Later on when I got farther through the house  
5 I determined that that was a television in the living room that  
6 was on quite low.

7 Q. Okay, so as you enter the residence you are  
8 approaching the French doors. Initially, you did not go down in  
9 the basement.

10 A. No.

11 Q. Okay. You did clear that, I believe, later, did you?

12 A. Right.

13 Q. Okay, so perhaps we could just go to photograph 16.  
14 This is a little closer angle, I guess, to the French doors.

15 A. Right.

16 Q. And how were the French doors? In the photograph, one  
17 is open and one appears to be mostly closed. Is that how they  
18 appeared when you entered the residence?

19 A. If my memory serves, one was wide open, and we did not  
20 touch the right-hand door. The left-hand door, I think it is  
21 possible that I pushed it open a little further.

22 Q. Mm-hmm.

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1           **A.**    But it was open. I did not have to open the door, in  
2 my memories, to get in. Just maybe had to push it open a little  
3 further.

4           **Q.**    Okay, and ultimately you did approach the French doors  
5 and enter, I guess, what you described as the kitchen, open-  
6 concept living room portion of the home?

7           **A.**    I did. Prior to that, though, I spent some time at  
8 the door, the French doors, as I mentioned, kind of cutting the  
9 pie. Looking slowly around the edge ...

10          **Q.**    Mm-hmm.

11          **A.**    ... before I entered the kitchen.

12          **Q.**    Okay, so that took some time, did it?

13          **A.**    It did.

14          **Q.**    All right. When you felt that it was safe to  
15 physically enter that portion of the residence that is when you  
16 made your entry?

17          **A.**    Right, so I went in first. As I got to the French  
18 doors I could see that I was into the kitchen. Directly ahead  
19 of me was a fairly large island and the first thing ...

20          **Q.**    We will go to photograph 17, actually, as you are  
21 describing this.

22          **A.**    Okay. Certainly.

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1           **Q.**    It may be of some assistance.

2           **A.**    Right, so that is what I would have been looking at  
3 coming straight in. You could see the large island and over to  
4 the kitchen. In the foreground would have been the pool of  
5 blood I seen coming from the left.

6           **Q.**    Now in photograph 17, obviously there is a portion of  
7 this photograph in the lower left-hand corner that is  
8 intentionally blurred.

9           **A.**    Yes.

10          **Q.**    What was there in the kitchen when you entered?

11          **A.**    That was the pool of blood that I ...

12          **Q.**    Okay.

13          **A.**    ... seen previously.

14          **Q.**    Okay, so as you enter you are able to see the island  
15 and the kitchen portion of the room?

16          **A.**    Yes.

17          **Q.**    All right. As you enter what do you see?

18          **A.**    First thing I notice is that, to my immediate left,  
19 there is a female laying on the floor. She seemed to be the  
20 source of the pool of blood. She was not moving and it looked  
21 like she had suffered a serious wound to her neck or jaw. She  
22 looked like she was dead.

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1           **Q.**    That individual, were you able to recognise her or did  
2 you know her?

3           **A.**    I thought it was Shanna Desmond. She was laying  
4 partially on her side, but I was not a hundred percent sure.  
5 But that is who I thought it was.

6           **Q.**    It may be of assistance for us to reference the  
7 diagram that has been prepared. Maybe you want to take the  
8 aerial photograph off. And this is P ...

9           **THE CLERK:**       30.

10          **MR. MURRAY:**     P-30.

11          **A.**    Thank you.

**EXHIBIT P-000030 - USB - SCENE SKETCH PREPARED BY CST. OLFERT**

12          **THE COURT:**       Just going to stop you for a second, Mr.  
13 Murray. Counsel, Exhibit P-30 is a sketch that was prepared by  
14 Cst. Olfert. We will eventually talk about the preparation of  
15 it. We have the ability to capture that image and make it part  
16 of the live-stream. We are not doing that with the photographs,  
17 but we can do it with this particular image. Is there any  
18 objection to that? No? All right. Thank you.

19                   So we can take Exhibit P-30 from the ClickShare and we can  
20 broadcast that as part of the live-stream for a short period of  
21 time and then we will come back to the regular live-stream.  
22

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 Thank you.

2 **MR. MURRAY:** So, Sergeant, first of all, do you recognise  
3 the diagram that has been prepared here and marked as P-30?

4 **A.** I do.

5 **Q.** And that was prepared by ...

6 **A.** Sgt. Jennifer Olfert.

7 **Q.** Okay, and Sgt. Olfert. The diagram refers to a Sgt.  
8 McNeil. That is the same person, I believe.

9 **A.** Yes, it is.

10 **(11:01:56)**

11 **Q.** Okay. Does that, from your memory - as an aid, I  
12 guess - help to demonstrate what you saw as you entered the  
13 kitchen and living room area of the residence on that night?

14 **A.** Yes. The positioning for the ones in the kitchen,  
15 people in the kitchen, are very accurate. The fourth position  
16 right in the way of the hallway, my memory is that is going to  
17 be a little different from where I found that person.

18 **Q.** Yes.

19 **A.** But when I get to that one I will probably have a  
20 little ...

21 **Q.** Sure.

22 **A.** ... bit different recollection.



**S/SGT. ADDIE MACCALLUM, Direct Examination**

1           **Q.**    Okay, so using P-30.  As you entered the kitchen of  
2 the residence you said you found an adult female that you  
3 believed may have been Shanna Desmond.  Is she depicted on the  
4 photograph P-30?

5           **A.**    Yes.  It would be the person right here.

6           **Q.**    And is there a number associated with the person to  
7 whom you are pointing?

8           **A.**    You know, to me, in my notes, I made that subject 1.  
9 Here there is a bunch of numbers, but I believe the numbers are  
10 more to do with other exhibits as opposed to the people.

11          **Q.**    Right.  Understood.  In the lower right-hand portion  
12 of the photograph I guess we can say that depicts the entry to  
13 the kitchen?

14          **A.**    Yes.  There is a break here in the bottom-right where  
15 the line gets thinner.

16          **Q.**    Yes?

17          **A.**    So I believe that is supposed to depict the French  
18 doors.

19          **Q.**    Okay, and that female that you first encountered.  She  
20 appeared to have an injury, did she, you said?

21          **A.**    Yes.  I did not approach very closely, but from the  
22 distance of about five feet it looked like she had a significant

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1 wound to her neck or upper chest and that seemed to be the  
2 source of the pool of blood.

3 Q. Okay, and from what you observed, again from some  
4 distance, she appeared to be deceased?

5 A. Yes. She was not moving and she looked like she was  
6 dead.

7 Q. As you entered further into the room where did you go?

8 A. From there, I really did not move too far but I  
9 started scanning the rest of the room and the next thing I saw  
10 was a male laying on his back a short distance from the first  
11 person that I found.

12 Q. Okay, and is the figure depicted in P-30?

13 A. Yes. It would be the person that is right here where  
14 it has got the sketch of a rifle laying over his arm.

15 Q. Okay. Were you able to recognise that individual?

16 A. When I saw the person the first thing I noticed was  
17 that there was a gun. That is the thing that I noticed and I  
18 told Cst. Sparks that there was a rifle laying on the floor. I  
19 kind of scanned the person from head to toe and noticed that  
20 they were dressed in camouflage clothing, quite heavy camouflage  
21 clothing, from head to toe. The person was laying on their back  
22 with their arms kind of spread-eagle, almost, and the rifle was

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1 laying over his left arm close to his chest. I noticed that,  
2 that person had suffered a, obviously, in my mind, fatal wound  
3 to his head and face.

4 To be honest, it would be almost impossible to identify who  
5 the person was because of the injury. Perhaps it was my  
6 expectation in some of the things I saw through size of the  
7 person and whatnot, but it could be Lionel Desmond. But as I  
8 said, there was no way that I would be able to say that a  
9 hundred percent.

10 Q. Understood. The figure as depicted in P-30, does that  
11 accurately reflect the way in which you found the male in the  
12 residence?

13 A. Yes.

14 Q. And in particular, the rifle to which you have made  
15 reference, was it positioned on his body in a similar manner to  
16 the way it is depicted in P-30?

17 A. Yes.

18 Q. Okay. Did you make any other observations of the  
19 rifle when you initially saw it?

20 A. I noticed that there was no magazine in it. This type  
21 of rifle, I noticed it was ... I am not exactly sure what style  
22 it was at the time, but it looked like a carbine, a military-

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1 style weapon, and instead of it being something that would be a  
2 bolt-action or a lever-action it would be something that a  
3 magazine would fit up into a well.

4 Q. Yes?

5 A. And you could see that the well ... I noticed that the  
6 well was empty. I also then saw that a magazine that I assumed  
7 would fit into the firearm was sitting on the island, and it had  
8 a couple rounds still in it. I could see that there was rounds  
9 in it.

10 Q. Yes?

11 A. I also noticed that there was quite a few spent rifle  
12 casings laying on the floor. I did not count how many, but I  
13 know there was more than one or two.

14 Q. I appreciate you would not be perhaps taking a close  
15 count of the casings at that moment, but roughly where did you  
16 see them?

17 A. I would say that they would be basically in this area  
18 right here.

19 Q. You have drawn a circle around the male's lower-half.  
20 I guess legs?

21 A. Right. From where I was standing here and looking  
22 down the ones I could see were in the area between the island,

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1 and these blue are two half-walls that would lead into the  
2 living room. So I would say that it would be in this area here  
3 between the half-walls and the island.

4 Q. What you believe potentially to be the magazine that  
5 would fit into the rifle, where was that located?

6 A. It was sitting on the ledge of the island.

7 Q. Okay. Which is depicted in the center of the kitchen,  
8 I guess, in the diagram?

9 A. Right. I think this one here, this is the ledge. It  
10 is elevated up higher than the rest of the counter.

11 Q. Okay, and you were able to see at least one cartridge  
12 still in that magazine?

13 A. Right, and the thing that I remember is that they had  
14 red tips on the ends of the bullets and I think close to the  
15 magazine was a box of ammunition. There was also a very large  
16 hunting-style knife that was ... I cannot remember where it was  
17 on the island, but I believe it was on the island.

18 Q. Yes.

19 A. And I was kind of putting two and two together,  
20 because I noticed on the male's person that he had some sort of  
21 belt on and it had a very large sheath, which was empty.

22 Q. Okay.

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1           **A.**    So I was thinking that perhaps that knife belonged to  
2 that sheath.

3           **Q.**    Okay.  As you approached further into the residence  
4 which way did you proceed, I guess?

5           **A.**    I was talking to Cst. Sparks.  I told him that I was  
6 going to continue around this part of the island.

7           **Q.**    On the kitchen side of the island?

8           **A.**    On the kitchen side.  Correct, and the reason why I  
9 wanted to do that was I noticed that there was ... the hallway  
10 to lead to the rest of the residence was on the right-hand side.  
11 Instead of walking down this way, I wanted to come at it from  
12 this angle so I could try to see down and see if there was  
13 anything more down that way.

14          **Q.**    And the hallway that would lead to the rest of the  
15 residence, in P-30 that is depicted in the upper left-hand  
16 corner of the diagram?

17          **A.**    Yes.

18          **Q.**    Okay, so by, I guess, moving on the kitchen side of  
19 the island you would have a better angle to see down that  
20 hallway?

21          **A.**    Yes.

22          **Q.**    And your concern was obviously that there might be

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1 somebody there?

2       **A.** That's right. Once again, just looking to make sure  
3 if there was any threat and, obviously, what was in front of us  
4 and trying to always look ahead and see if there was, you know,  
5 perhaps something more that we needed to be aware of.

6       **Q.** Okay. And you did do that?

7       **A.** Yes.

8       **Q.** Okay.

9       **A.** Moved around the island and I could see partially down  
10 the hallway and nothing remarkable I could see down there. But  
11 when I came to the end of the island, I encountered a third  
12 person laying on the ground, actually partially up against the  
13 wall where ... the front door would have been right here.

14       **Q.** So in P30, again, at the very top of the photograph  
15 ...

16       **A.** Yes.

17       **Q.** ... that's the front door?

18       **A.** Yes.

19       **Q.** And there appears to be a figure positioned near that  
20 door at the top of the photograph. Is that the individual  
21 you're referring to?

22       **A.** It is.

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1           **Q.**    Can you describe that individual, what you saw?

2           **A.**    The person was kind of twisted and contorted.  It  
3 looked like they had fallen against the wall and they were still  
4 kind of propped up.  They were bleeding ... there was a pool of  
5 blood underneath them.  I couldn't see exactly where a wound was  
6 on them.  I did see blood on the torso.  They weren't moving.  
7 They were ... it appeared that they were deceased, as well.

8           **(11:12:04)**

9           **Q.**    Was this a male or a female?

10          **A.**    At first, I couldn't quite tell because they were  
11 turned away from me and the way that they were twisted against  
12 the wall.

13          **Q.**    Yes.

14          **A.**    I couldn't tell if it was male or female, initially.

15          **Q.**    Okay.  And, at that moment, did you check on that  
16 person's condition or were you continuing to clear the  
17 residence?

18          **A.**    I continued to clear the residence.

19          **Q.**    Okay.  So after encountering that person, in which  
20 direction do you go?

21          **A.**    From there I went to the opening into the living room  
22 and ... right.  And I started moving through the living room



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1 towards the hallway.

2       **Q.** Okay. In P30, there's a figure depicted near the  
3 hallway to the rest of the residence. Did you encounter a  
4 person there?

5       **A.** I did. My memory is that the person I encountered was  
6 closer to the centre of the room ...

7       **Q.** Yes.

8       **A.** ... more in front of the television. So ...

9       **Q.** And the television in that photograph is depicted  
10 where?

11       **A.** The television is on the left side of the diagram.  
12 The grey box with the lines going through it right here.

13       **Q.** Right. And your recollection is that this individual  
14 was positioned closer to that television?

15       **A.** Yes. More in front of it. In that diagram, it looks  
16 like the person is directly in the hallway and I remember them  
17 closer to the centre of the room.

18       **Q.** And the fourth individual, what do you recall of that  
19 person?

20       **A.** So I noticed that was a child and she was laying face  
21 down in a pool of blood and there was a small dog sitting beside  
22 her.

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1           **Q.**    Do you want to take a short recess?

2           **A.**    No.  I'm sorry.  I'd rather just keep going.

3           **Q.**    Okay.

4           **A.**    So I encountered her.  She wasn't moving and she  
5 looked to be the source of the blood.  And she appeared to be  
6 dead.

7           **Q.**    And did she appear to have an injury, as well?

8           **A.**    I couldn't tell at that time.  I noticed later when I  
9 had further encounter with her.

10          **Q.**    Okay.  Where did you go after encountering the child?

11          **A.**    At that time, I was ... I could ... I heard the noise  
12 from the television because I was standing right beside it.  But  
13 I had heard now more voices and they were coming from down the  
14 hallway.  They ... it was the same thing.  It was low voices.  
15 It sounded to be one person.  And I told Cst. Sparks that I had  
16 ... I could hear something down the hallway.  And so I said I  
17 was going to go down and I was going to check it out and he was  
18 going to stay back into the living room and he would provide  
19 cover for me.

20                So I started moving down the hallway.  It's quite short.  
21 To the left, I encountered I forget if it was a bathroom or a  
22 bedroom first.  And I was able to just look in it through the

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1 crack of the door and I cleared the first room very quickly.  
2 There was nobody in it. And as I moved through the hallway, I  
3 could tell that the voice was getting louder. And I felt it was  
4 coming from the far room at the end of the hall which I knew was  
5 a bedroom.

6 So I cleared the next room, which was a small bedroom, a  
7 spare bedroom, and as I was just outside the door of the final  
8 bedroom, I could tell that the voice was coming from there. And  
9 I had forgot to mention when I started to come down the hallway,  
10 at that point, I started shouting that it was the police.

11 Q. Yes.

12 A. I was making an announcement. Up to that point, we  
13 hadn't really announced our presence much. But at that point,  
14 if somebody was down there, I was going to try to let them know  
15 that we're there and for them to come out if there was somebody  
16 there.

17 As I got ... there was no response. I got to the door and  
18 I got down on my hands and knees and I crawled up to the door  
19 and I was able to basically peek around the corner. And by  
20 doing such, I saw that there was nobody in the room. And then I  
21 saw that there was another television on in there and that was  
22 the source of the noise.

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1           **Q.**    Okay.

2           **A.**    So I had shouted back to Cst. Sparks that I cleared  
3 the room, which is the television. And then I walked back out  
4 to the living room.

5           **Q.**    And I should say by "clearing", you're ... I mean we  
6 can formally define this, but this is determining if there's  
7 anyone in the rooms or if there's any risks or danger?

8           **A.**    Correct. It's not a full search. I'm not going  
9 through closets and, you know, under cupboards and things like  
10 that. But I'm able to go ... just go in and clear it to make  
11 sure there's nobody obvious right then and there. And, yeah,  
12 that's what "clearing" a room is.

13          **Q.**    Okay. And as you were clearing these rooms, Cst.  
14 Sparks, he remained at the end of the hallway, did he?

15          **A.**    Right.

16          **Q.**    Okay. All right. After you cleared those rooms, what  
17 did you do?

18          **A.**    So I came back out and I holstered my pistol and I  
19 began checking the condition of the people.

20          **Q.**    Okay. And what did you determine?

21          **A.**    The first person I checked was the child in the living  
22 room. I touched her and felt ... I knew she ... she was quite

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1 warm. I rolled her over and I saw that she had what looked to  
2 be a gunshot to the face and she ... she wasn't responsive and I  
3 was checking a pulse, but I ... I couldn't find one. So, at  
4 that time, I got on the radio and the ambulance ... EHS was ...  
5 they were staged, a number of them, close by. We had asked for  
6 them to be ready.

7 Q. And by "stage", you mean they're ready to enter when  
8 it's safe?

9 A. Right. So they were parked a distance down the road,  
10 but they were waiting for us to say that the scene was safe  
11 before they would attend.

12 Q. Right.

13 A. So we called for them and I knew that they were only  
14 seconds away, so they were coming in. And then I knew I  
15 couldn't help her, beyond anything I could do. I then moved to  
16 the person that was laying by the front door and I rolled her  
17 ... I rolled her over and I discovered it was a female. She was  
18 also quite warm and a lot of blood. Looked like there was blood  
19 coughed up on the wall. So I couldn't find a pulse either, but  
20 I was concerned that perhaps this person may be still alive.  
21 They didn't ... they weren't responsive, but I didn't know.

22 And then I went and I checked the first person that I

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1 encountered. And once again I found her to be quite warm but  
2 unresponsive. I didn't check the male because, in my mind,  
3 there was no way this person was alive with the injury that they  
4 suffered.

5 Q. And the injury was to his head?

6 A. It was to his head and face, yes ... basically. Yeah.

7 Q. All right. Okay. So did you continue to clear the  
8 residence? Was there anything additionally you had to do?

9 A. EHS came in, the ambulance attendants came in. I  
10 believe there was three or four of them.

11 Q. Did you happen to check the basement before they did  
12 or ...

13 A. In hindsight, I should have. But what had happened is  
14 they were coming in and then at that ... and Cst. Sparks met  
15 them at the door and was guiding them in. And, at that point, I  
16 remembered there was a basement. I knew it was very small. So  
17 while they came in ... and, you know, it was important for them  
18 to get to the people and see if they could help them, I told  
19 Cst. Sparks, I'm going to the basement to clear the basement. I  
20 wanted him to stay with the ambulance attendants ...

21 Q. Yes.

22 A. ... keep ... you know, make sure they were safe. So I

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1 went downstairs. It was ... took me maybe 15 seconds. It's a  
2 very small basement. Nobody down there, nothing remarkable. I  
3 was back upstairs in probably 30 seconds.

4 **Q.** Okay. And, at this point, EHS had entered the  
5 residence?

6 **A.** Right. They were upstairs and they were ... you know,  
7 they were working on two of the ... two of the four people.

8 **Q.** Okay. Perhaps we can just look at our photographs.  
9 There are a couple here that we ... P-29, that we didn't ...  
10 again, if we could look at photograph 18. This appears to be  
11 another angle into the kitchen.

12 **A.** Yes. That's from the dining room and the French  
13 doors.

14 **(11:22:01)**

15 **Q.** Okay. And, again, the rather blurred portion of the  
16 photo just near the entry near the French doors, is that near  
17 where the first female you encountered was positioned?

18 **A.** She would have been farther to the left. I believe  
19 that's the pool of blood.

20 **Q.** Okay. And photograph 19 gives us a perspective, I  
21 believe, from the inside looking at the French doors?

22 **A.** Right. So that would be behind the island, looking

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1 out the French doors towards the dining room.

2 Q. And that's the side of the island that you went around  
3 as you went farther into the residence.

4 A. Yes.

5 Q. Correct? All right. Photograph 20 appears to show us  
6 ... you made reference earlier to a ledge on the island. Is  
7 that depicted in photograph 20?

8 A. Yes. That's the ... well, there's the counter and the  
9 stove in the foreground.

10 Q. Yes.

11 A. The ledge is higher up there and then on it, I can see  
12 a magazine. I identified ... that was from the long gun.

13 Q. Yes.

14 A. And then there's that large knife right beside it.  
15 And then farther to the right there's a box there of ammunition.

16 Q. Okay. So depicted next to the ... I guess the white  
17 purse on the ledge on the island, to the right of it, that's the  
18 magazine you're referring to?

19 A. Yes. There's two things there. One is, I think, a  
20 remote. But ... yeah. So farther back at the back side of the  
21 ledge, you can see the magazine. And in the front of it is ...  
22 I think it's a remote.



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1           **Q.**    It's what it appears to be.  The magazine, as it's  
2 depicted in photograph 20, is that where you saw it?

3           **A.**    Yes.

4           **Q.**    Okay.  To the right of the magazine, that's the knife  
5 that you described?

6           **A.**    Yes.

7           **Q.**    Okay.  And, again, is that positioned as you recall it  
8 when you entered the residence?

9           **A.**    Don't exactly ... I know it was up there.  I never  
10 touched it.  I don't know anyone else did.  So, I mean, that's  
11 the general area that I remember it being.

12          **Q.**    Right.  And, finally, the other item of interest on  
13 that photograph is the box of ammunition which is to the far  
14 right of the photograph, number 20.

15          **A.**    Right.  That's the red box that's just beside the blue  
16 bag of chips and right behind it is the water cooler.

17          **Q.**    Okay.  And in photograph 21, I think there's a little  
18 better angle of ... view of the box of ammunition.

19          **A.**    Right.

20          **Q.**    Was it opened in that manner when you ...

21          **A.**    I remember ...

22          **Q.**    ... saw it?

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1           **A.**   ... seeing the shells. Remember ... I don't remember  
2 if it was out farther or closed, but I do remember seeing  
3 shells. So that looks very similar to how I saw it.

4           **Q.**   Okay. And there was ... you described them as having  
5 a red tip, which I think we can see in those photographs, at  
6 least on mine.

7           **A.**   Yeah. There's some sort of colour there. I can't  
8 really tell for that one, but ...

9           **Q.**   All right. And were there some shells missing from  
10 that box?

11          **A.**   Yes.

12          **Q.**   Okay. I don't know if you took count of how many were  
13 missing or not?

14          **A.**   No. I know there wasn't a whole lot because I know  
15 that there was a lot of ammo there. But I couldn't tell you how  
16 many were missing.

17          **Q.**   Okay. In photograph 22, we see in the right-hand  
18 portion of that photograph, near the water cooler, I guess,  
19 appears to be a door. Is that the front door to the residence  
20 that you referred to earlier?

21          **A.**   Yes.

22          **Q.**   Okay. And the female who was positioned near that

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1 door, where would she have been in this photograph?

2 **A.** She would be on the other side of that half wall.

3 **Q.** Yes.

4 **A.** Between the half wall and the exterior wall that would  
5 be beside the door, so kind of in the corner of it.

6 **Q.** Okay. Photograph 23, we have an angle looking back  
7 into the residence from the hallway or near the hallway?

8 **A.** Right. So this would be the entrance of the hallway  
9 ...

10 **Q.** Yes.

11 **A.** ... looking back through the living room towards the  
12 kitchen and then far back ... in the far distance would be the  
13 French doors.

14 **Q.** Okay. In this photograph, 23, in the lower portion of  
15 it, a little bit to the right, there's again a blurred image.  
16 Do you recall what would have been there?

17 **A.** Yeah. I believe that would have been the child.

18 **Q.** Okay. So you said you cleared the basement quickly.  
19 Cst. Sparks remained upstairs, did he?

20 **A.** Yes.

21 **Q.** Okay. The EHS members then were able to enter the  
22 residence?

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1           **A.**    Right.

2           **Q.**    Okay.  And they set about their work, obviously, with  
3 the injured parties?

4           **A.**    Uh-huh.

5           **Q.**    All right.  Do you recall what the situation was  
6 outside of the residence?

7           **A.**    I do.  Just as EHS had come in, two other members ...  
8 RCMP members had arrived.  I believe it was Cst. Drake and Cst.  
9 Dollard.  And they had arrived at the end of the driveway that  
10 we walked up.  And I ... when I looked out, I could see and hear  
11 that a large crowd had gathered, quite emotional crowd.

12          **Q.**    More than when you first entered the residence?

13          **A.**    Yes.  And there was ... I don't remember how many  
14 cars, but I could tell the cars were now parked along Highway  
15 16, down at the ends of the driveways.

16          **Q.**    Okay.  And this crowd was, in your description,  
17 emotional?

18          **A.**    Yes.  I could hear them quite clearly from inside the  
19 residence shouting and crying.  And, yeah, they appeared to be  
20 quite emotional and upset.

21          **Q.**    The amount of time that you were in the residence from  
22 when you entered to the point in time that the residence was

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1 cleared, do you have any sense of how long that was?

2       **A.** It wasn't long. I mean obviously it seems longer  
3 because we did a lot of things in a short period of time. I  
4 would say three to four minutes.

5       **Q.** The members that you referenced, Csts. Dollard and  
6 Drake there, they were from the Antigonish Detachment, were  
7 they?

8       **A.** Yes.

9       **Q.** Okay. Did you take any ... do anything, take any  
10 action or give anyone any instructions as a result of the  
11 situation as it was evolving?

12       **A.** I did. I ... so they showed up. Obviously, it was  
13 extremely chaotic when they showed up and they were ... with  
14 this crowd. And I told them over the radio just to wait there.  
15 I said, I'll be right down to them. I left Cst. Sparks with EHS  
16 in the house. And I can't remember if I went ... had to go all  
17 the way down to the end of the driveway or if the members came  
18 and met me halfway. But we talked and I gave them certain  
19 direction. I told them, I said, you know, we obviously have a  
20 ... we have four dead people inside. It looks like a homicide  
21 and it's a serious scene and we're going to have a lot of people  
22 showing up with a lot of potential ... obviously family members,

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1 potential witnesses.

2       So I said ... I gave them certain directions and it was I  
3 wanted them to stay ... I knew more backup was coming, but I  
4 wanted them to stay together, not to be separated. I wanted  
5 them to not allow anybody approach the house from the street  
6 side ... the roadside. And if anybody did talk to them, I  
7 wanted them to poll them and ask, you know, if they would give  
8 them their name and a contact number so we might potentially  
9 have to contact them as witnesses or family after we had ...  
10 things had settled down and we were able to establish our  
11 investigation.

12       **Q.** Right. And you had a concern obviously about  
13 individuals attempting to enter the residence, I would assume.

14       **A.** Yeah. I ... it was obvious then people were very  
15 distraught when I was outside and I can't recall exactly what  
16 was being said but, you know, my belief was that people would  
17 want to get inside to see what was going on. And, you know,  
18 later on people had said very specific things to me about that  
19 but, at that time, that was my feeling, that people were going  
20 to want to get inside to find out more or see things with their  
21 own eyes.

22       **Q.** Okay. Did you contact other members or other

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1 individuals on scene? I believe your notes make reference to a  
2 risk manager and ...

3 **A.** Right. So I knew that there was four of us on scene.  
4 I knew that there was at least two more members coming to help  
5 provide scene security and containment. I had contacted ... we  
6 have what's called a "risk manager" in their dispatch centre and  
7 that person is, be like me at the time, a senior NCO and, there,  
8 would be able to provide, to call out extra resources.

9 So I obviously was engaged and fairly tied up at the scene  
10 and so I was talking to ... the risk manager was S/Sgt. Steve  
11 Ettinger. Told him, you know, We have multiple homicides,  
12 fairly chaotic scene. Obviously, we're going to need ...  
13 investigational part of it is Major Crime, so a call would be to  
14 Major Crime. I said ... and I told him, I said, I need some  
15 more resources, I said, probably another two to four minimum  
16 just to have containment and have control of the scene. And  
17 then to basically make aware through our chain of command what  
18 was transpiring, because I think it was important to let  
19 basically my supervisors and the upper echelon know that we had  
20 a very notable event take place.

21 **(11:32:13)**

22 **Q.** When you respond to a call of this nature, where there

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1 appear to be multiple deaths, that would be protocol, would it  
2 be, to engage your supervisors or let them know what's going on?

3 **A.** Even probably a singular death of that nature. And  
4 it's obviously a sudden death that's not natural, so that would  
5 be something that you would notify a supervisor immediately. In  
6 my mind, obviously it was homicide.

7 **Q.** Right.

8 **A.** And so that would be something that you would  
9 definitely engage our upper management police force.

10 **Q.** Your thought was that Major ... what you've referred  
11 to as Major Crime would be involved in this, as well. That's  
12 the Northeast Nova Major Crime Unit? Am I referring to the  
13 right one?

14 **A.** Right. There's several Major Crime Units with the  
15 RCMP within Nova Scotia.

16 **Q.** Yes.

17 **A.** And knowing it was a homicide, in my mind a multiple  
18 homicide, this would fall squarely in the mandate of them to be  
19 the lead investigational unit. So notifying them as quick as  
20 possible so they can start rolling out resources and doing the  
21 things that they need to do to start tasking for homicide. I  
22 knew that was going to be ... you know, it was obviously a



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1 natural next step, so letting them know as soon as possible what  
2 happened.

3 Q. Okay. And, typically, they would respond to something  
4 like this close in time, I take it, would they, or ...

5 A. Right. And this one, in my mind, there was no doubt  
6 that they were going to be heading there as soon as they got  
7 geared up so ...

8 Q. Okay. After making those calls or contacting those  
9 individuals, did you do other investigation of the scene or look  
10 at other things on the scene?

11 A. So ... and I can't remember exactly the sequence of  
12 events, but either shortly after I spoke to the members in the  
13 driveway and this was only like ... just talked briefly for a  
14 minute, because we get them at their post, or just before it. I  
15 was advised by EHS that there's nobody alive. They ... you  
16 know, there's nobody there that they could help or save. So I,  
17 you know, confirmed that we had four dead people.

18 Q. Yes.

19 A. So, at that point, one of the most important things  
20 was to control access to the scene. So I tasked Cst. Sparks to  
21 be basically the scene officer that would just take notes. He  
22 would be by a door and he would take notes of anybody that comes

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1 and goes, any observations. So that was the very first thing  
2 that I tasked him with. Secondly, I was now starting to receive  
3 phone calls from our Forensic Identification Unit, Major Crime,  
4 just wanting to know some more details to know basically what  
5 ... you know, what they were going to be bringing and what they  
6 were going to be coming to.

7 Q. So in addition to the Major Crime Unit, you also have  
8 a Forensic Identification Section in the RCMP?

9 A. We do.

10 Q. And they would be called out to an investigation such  
11 as this, I take it?

12 A. Yes.

13 Q. Where would the members from the FIS Section respond  
14 to something in this area?

15 A. Typically, it would be Port Hawkesbury, but we also  
16 would ... there's another unit in Truro. So I know there was  
17 going to be at least ... there would be multiple ones coming, so  
18 it would be a fairly large scene and there would be a lot of  
19 work for them to do. There would be at least two Forensic  
20 members coming. So typically from Port Hawkesbury, but I  
21 believe eventually somebody may have come from Truro, as well,  
22 to assist.

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1           **Q.**    And what did you do next?

2           **A.**    We had controlled the scene as best we could.  Two  
3 more members arrived from Port Hawkesbury.  I believe it was  
4 Cst. Klip and another member from Antigonish, Cst. Ramaglia.  I  
5 knew that ... to be honest, at that time we were just getting  
6 enough people to feel comfortable that we had the scene  
7 contained and controlled.

8           So I ... to be ... I wanted Cst. Sparks out of the scene,  
9 to be honest.  I wanted him away from that.  So I tasked him and  
10 Cst. Ramaglia to become family liaison.  And I knew that Cst.  
11 Sparks had been in the community for a long time, has really  
12 good relations with both sides of the families and so I asked  
13 for him to talk to some of the people that were down at the end  
14 of the driveway, set up a point where they could go and talk at  
15 a ... on an offsite.  We did ... I had that.

16           I assigned Cst. Klip to take over as the scene officer.  
17 And then set about with another member ... we went and cleared  
18 or basically examined each of the vehicles that were parked  
19 there.  And there was two or three sheds ...  
20 garage/outbuildings.  We wanted to clear them, as well, and to  
21 make sure that there was just nothing of interest or threat in  
22 those, as well.

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1           **Q.**    Okay.  And did you find anything of note in either the  
2 vehicles or the shed when you cleared them?

3           **A.**    Actually, the very first vehicle I looked in was an  
4 Acura MVX SUV and I found a rifle ... a .22 calibre rifle laying  
5 across the front seat of that vehicle.

6           **Q.**    And if we go back to P-29, the photographs, I guess  
7 that's where we're at, photograph 31, do you recognize that?

8           **A.**    I do.  That's the Acura SUV that I found the rifle in.

9           **Q.**    Okay.  And where was that positioned in relation to  
10 the residence?  Do you recall?

11          **A.**    Actually ... so if ...

12          **Q.**    If you want to put the aerial photograph ...

13          **A.**    Yeah, if you don't ...

14          **Q.**    ... back up, you can.

15          **A.**    So looking at the residence here, up in the top of the  
16 centre of the aerial, I believe it's this vehicle right here.  
17 That's the SUV right there.

18          **Q.**    Okay.

19          **THE COURT:**    There's two ...

20          **MR. MURRAY:**    Okay.  The ...

21          **THE COURT:**    Sorry.  There's two dark vehicles.  Would it  
22 be the left or the right?

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1           **S/SGT. MACCALLUM:**    It would be the one on the right ...  
2 the left in the photo.

3           **THE COURT:**            Thank you.

4           **MR. MURRAY:**        And you said that that vehicle ... and  
5 perhaps we can look at photograph 32. Do you recognize what's  
6 depicted in photograph 32?

7           **A.**        I do. That's the rifle that I found inside the  
8 vehicle.

9           **Q.**        Obviously in 32, the doors to the vehicle ... or the  
10 passenger door is opened. Do you recall if the doors were  
11 opened or closed?

12          **A.**        They were unlocked. I opened it and I looked at the  
13 ...

14          **Q.**        Closed but unlocked?

15          **A.**        Correct.

16          **Q.**        Okay. And the rifle was positioned as it is in  
17 photograph 32?

18          **A.**        Yes.

19          **Q.**        Beyond ... I don't know if you did a closer  
20 examination of the rifle at all or ... at that time.

21          **A.**        I don't remember actually if I did much with it. I  
22 know I didn't ... I didn't clear it, *per se*. I let members know

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1 that there was a rifle right there. I didn't want to disturb  
2 the scene too much, so I let them know there was a rifle in that  
3 vehicle. Cst. Klip, who was the scene ... she was basically no  
4 more than 20 feet away from it. So I let everybody know that  
5 there was ... you know, there's the firearm obviously inside and  
6 then there's a firearm in the truck.

7 Q. Okay. Cst. Klip, as the scene ... log keeper? Is  
8 that the phrase ...

9 A. Right.

10 Q. ... you use or ...

11 A. Scene officer.

12 Q. Scene officer? She was positioned where?

13 A. Basically by the steps that we had gone up to the back  
14 ...

15 Q. Okay.

16 A. ... back door.

17 Q. All right. So if anyone were to ... either a police  
18 officer, EHS, anyone were to enter or exit the residence, Cst.  
19 Klip would be keeping note of that?

20 A. Correct.

21 Q. Okay. Did other family members or individuals attend  
22 the scene?

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1           **A.**   Originally, I said there was quite a large crowd. I'd  
2 say there was probably 25 people at the end of the driveway. A  
3 lot of that was family, some of them were neighbours or friends.  
4 People were coming and going. We had enough members so that we  
5 had two at the end of each driveway and then the rest around the  
6 residence. People were showing up at the end of the driveway.  
7 Some were family members.

8           At one point after we cleared the rest of the buildings and  
9 cars and ... we found nothing else in any of the other vehicles  
10 or cars with the exception of finding two tires slashed on one  
11 vehicle. There was a time where Cst. Klip was at the back of  
12 the house and I was walking around to the front of the house and  
13 I heard her shout. And I ran around back and a family member  
14 had somehow approached through the woods or through a side part  
15 of it and startled her.

16   **(11:42:03)**

17           And she ... that person was quite emotional. I think it  
18 was ... I think it might have been Chantel's sister ... Desmond  
19 ... Cassandra Desmond, I believe it might have been. And so  
20 that family member had approached, kind of surprised us. And  
21 then throughout the evening more family members did arrive.

22           **Q.**   Okay. And you had said other family members arrived.

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1 Did you have contact with Sheldon Borden that evening?

2       **A.** I did. Shortly after the incident with the Desmond  
3 sister at the back of the house, I got a phone call from our  
4 Telecoms and it was the risk manager, S/Sgt. Ettinger. And he  
5 was calling to let me know that he had spoken or one of the  
6 dispatchers had spoken with Sheldon Borden and he had indicated  
7 that he was on the way from New Glasgow or Truro to the scene  
8 and he was with five or six friends. And the information I got  
9 was that it said he was coming to the house and he was going in  
10 and no one was going to stop him.

11       **Q.** Okay. Did you know Mr. Borden at that time?

12       **A.** I did.

13       **Q.** Okay. And what was his relationship to the family  
14 members?

15       **A.** He would have been Shanna's brother.

16       **Q.** Okay. So you were made aware of that information.

17       **A.** Right. And I had known Sheldon from before, through  
18 the ... he was also a member of the Armed Forces and I met him  
19 at Remembrance Day ceremonies and just seen him through the  
20 community at different occasions. I knew him to say hello.

21       **Q.** Right.

22       **A.** Knew who he was.



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1           **Q.** Did you actually have contact with Mr. Borden that  
2 evening?

3           **A.** I did. I would say it wasn't very long after I was  
4 told that, maybe a half an hour, that a vehicle came in quite  
5 suddenly to the driveway. And a group of people approached us  
6 through ... over the front yard. One of them was Sheldon  
7 Borden. He was very upset, very angry, and he basically said,  
8 you know, he wanted to know if his family was dead. And he said  
9 he was going in the house.

10          **Q.** Were you able to talk to Mr. Borden and dissuade him  
11 from doing that?

12          **A.** I was.

13          **Q.** All right. Were you able to calm him?

14          **A.** Umm ...

15          **Q.** Sufficient?

16          **A.** Enough so that I think that he realized that we were  
17 trying to deal with the matter there and that we would have some  
18 more information for him and that it maybe would be best if he  
19 went and spent time with his family and we could update them all  
20 together.

21          **Q.** Okay. You said a moment ago, and I neglected to ask  
22 you this, you also observed a vehicle at the scene that had

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1 flattened tires?

2       **A.** Yes.

3       **Q.** And which vehicle was that?

4       **A.** At the moment it kind of escapes me. I believe it was  
5 the Dodge truck, the red Dodge truck. I remember it was two  
6 tires on the same side.

7       **Q.** And perhaps we can go to photograph 24 in P-29.

8       **A.** Right. I didn't know any more than the fact that I  
9 saw that it had two flat tires.

10       **Q.** Okay. And that's the Dodge Ram truck that was  
11 positioned behind the residence, is it?

12       **A.** It is.

13       **Q.** Okay. And are the two flattened tires visible in that  
14 photograph?

15       **A.** Yeah. You can definitely tell that the rear one, in  
16 my opinion, is flat and the front one looks like it's down quite  
17 a bit as well.

18       **Q.** Okay. And were you able to determine how those tires  
19 were flattened or ...

20       **A.** I wasn't. No.

21       **Q.** Okay. Just that they were flattened?

22       **A.** Correct.

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1           **Q.**    Okay.  We can have, I guess, a look at photograph 25.  
2  I don't know if we looked at the tires that closely, but it  
3  would appear to depict the front driver side tire.  I don't know  
4  if you looked at it that closely or not or ...

5           **A.**    And I ... I didn't.  It was dark and I didn't quite  
6  look at it that closely.  I just knew it was black.

7           **Q.**    Understood.  Now you said that you were originally  
8  dispatched to this around 6 o'clock.  I think your general  
9  report says 6:10, that you were in the office when the call came  
10 in.

11          **A.**    Right.

12          **Q.**    How long did you remain on scene?

13          **A.**    I think it was 1 or about 2 in the morning.

14          **Q.**    Okay.  And what else did you do, if anything, at the  
15 scene?

16          **A.**    While I was there, I made sure that all members that  
17 were there were briefed on what their duties were.  I made sure  
18 that we had sufficient resources when Major Crime showed up.  
19 And Forensic Identification, I briefed them on what we responded  
20 to, what we observed inside.  And then I think I gave a briefing  
21 over the phone to several of our senior RCMP management over  
22 what had transpired.

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1           **Q.**    So members from Northeast Nova Major Crime attended  
2 while you were still on scene?

3           **A.**    Yes.

4           **Q.**    And which members? Do you recall or ...

5           **A.**    There was Cst. Jerry Rose-Berthiaume and I believe it  
6 was Cst. Mike Wilson, I think was the other member there  
7 initially. I know more were coming, but those were the two that  
8 were there when I was there.

9           **Q.**    Okay. And the member from FIS, do you recall who that  
10 was?

11          **A.**    It was Sgt. Jennifer McNeil Olfert and it's terrible,  
12 I can't remember the second Ident member that was there. There  
13 was a second female Ident member that was there. I just can't  
14 remember her name. Laura Septon. Sorry.

15          **Q.**    All right. And after doing those tasks, did you  
16 ultimately leave for the night?

17          **A.**    I did.

18          **Q.**    Okay. And you said you felt that was after midnight,  
19 at least, 1 or ...

20          **A.**    It was ...

21          **Q.**    ... 2, perhaps?

22          **A.**    Yeah. It was well after midnight. It was probably

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 around 2 o'clock in the morning when I went off shift.

2 Q. Okay. And you went off shift. You went home, did  
3 you?

4 A. I did.

5 Q. How does one go home and deal with that?

6 A. You don't sleep.

7 Q. Yeah.

8 A. I knew I was going to be up the next morning early to  
9 give a full briefing at 8 o'clock to the full Major Crime team  
10 and investigators that would be handling the full investigation  
11 from that point on. So just deal with it. I didn't sleep. The  
12 next day, I went and gave the briefing in more detail and just  
13 set about what tasks I had to do that day.

14 Q. Okay. The next day, apart from giving briefing to  
15 other investigators, did you have additional involvement in the  
16 investigation of the matter?

17 A. I spoke to some family members. I think Ricky and  
18 Thelma Borden were either arriving in town or had just arrived  
19 in town and I spoke with them on the phone and they wanted some  
20 ... they had some questions and I told them that I couldn't  
21 answer most of them because the investigation was ongoing and  
22 just didn't have that information for them.

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1           **Q.** They were traveling from another province, I believe,  
2 were they?

3           **A.** Right. I can't remember exactly what province they  
4 were traveling from. But did that and then I built a rotational  
5 schedule so that we could continue operations through  
6 Guysborough, because we also had to do with the rest of the  
7 businesses as it comes in.

8           **Q.** Yes.

9           **A.** And then I briefed another member who was going to be  
10 taking over for me to handle the management of the district for  
11 the next week because I was going to take some time off.

12          **Q.** Okay. The time that you were going to be taking off,  
13 was that something that was planned or is that mandated after an  
14 incident like this?

15          **A.** I had ... I was going with my wife for our 20th  
16 wedding anniversary, so we had some time planned off and ...  
17 just the way it fell.

18          **Q.** Okay. So the rotational schedule, obviously members  
19 from the Guysborough District were going to continue to be  
20 engaged in this investigation or assisting with it?

21          **A.** Right.

22          **Q.** Okay. All right.

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1           **THE COURT:**       Mr. Murray, is this a good spot for a short  
2 break this morning?

3           **MR. MURRAY:**       Yes.

4           **COURT RECESSED (11:52 HRS)**

5           **COURT RESUMED (12:14 HRS)**

6           **THE COURT:**       Mr. Murray?

7           **MR. MURRAY:**       Thank you. Sergeant, in your testimony  
8 earlier, you made reference to the fact that you had previously  
9 had some contact with the family and had been to this residence  
10 in the past?

11           **A.**       Yes.

12           **Q.**       And if I could draw your attention back to an earlier  
13 date, November 18, 2015, do you recall that day?

14           **A.**       I do.

15           **Q.**       And if we could perhaps bring up exhibit, I think it's  
16 P32.

17           **EXHIBIT P-000032 - ONE PAGE SUPPLEMENTARY OCCURRENCE REPORT OF**

18           **A. MACCALLUM - NOVEMBER 18, 2015**

19           **Q.**       That's your supplementary occurrence report with  
20 respect to that day, it may assist you.

21           **A.**       Okay.

22           **Q.**       Do you recall what the nature of your contact was with

**S/SGT. ADDIE MACCALLUM, Direct Examination**

1 Mr. Desmond and that residence on November 18, 2015?

2       **A.** Towards the end of the shift, I was notified that Mr.  
3 Desmond, Lionel Desmond, was believed to be at a residence in  
4 Upper Big Tracadie. Throughout the day, other members of the  
5 Guysborough RCMP were looking to speak with him because we had  
6 received a complaint from his wife that he had been experiencing  
7 some mental health issues that day and she believed that he may  
8 need to be assessed and she was concerned for his well-being.  
9 So throughout the day members were trying to locate him but he  
10 had been traveling around in a car, he had gone to several  
11 different locations and we were unable to make contact with him.  
12 And then around 4:30 I was notified that he had arrived at a  
13 residence in Upper Big Tracadie. I was going off shift but the  
14 other officers that were working were much further away at other  
15 calls and so I had let them know I was still around, I was only  
16 probably 25 minutes away from the residence and that I would  
17 attend.

18       **Q.** The calls that had come in earlier you said that they  
19 resulted from a call from his wife?

20       **A.** Yes.

21       **Q.** Do you know where his wife was at the time?

22       **A.** At the time I believe she was at the family home where



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1 they were staying, the Borden residence that was 15375 Highway  
2 16, basically the residence which we talked about earlier today.

3 Q. I see. And so the general nature of the concerns  
4 about Lionel Desmond on that day that were coming through the  
5 day were what?

6 A. I believe one of the words mentioned that was he was  
7 manic, that his wife was concerned about his well-being, and  
8 that he was experiencing a mental health episode that day and  
9 was concerned for him.

10 Q. So you said that at 4:30 just as you were going off  
11 shift you received notification that Lionel Desmond was at the  
12 residence?

13 A. Right.

14 Q. Is that the same residence you were referring to in  
15 your evidence earlier?

16 A. No, it's the residence that was directly beside it and  
17 I don't know actually if I can refer to the aerial, it would be  
18 this residence right here, to the left of the aerial photo.

19 Q. Okay. In the left of the photograph, all right. So  
20 what did you do as a result of learning that Mr. Desmond had  
21 returned to the residence?

22 A. I began to drive up to the residence, to that

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1 location. Along the way I called and found out that his wife  
2 was at the next-door residence. I got some information from her  
3 and I stopped in to see her first to find out exactly what her  
4 concerns were before heading over and talking to Mr. Desmond.

5 Q. Okay. So Mrs. Desmond, when you say at the residence  
6 beside it, are you talking about 15375 where she was?

7 A. Yes, that's where she was.

8 Q. You went to that residence first?

9 A. Yes.

10 Q. And what time roughly did you attend at that  
11 residence?

12 A. It was shortly after 5 o'clock.

13 Q. Okay. And you spoke to Shanna Desmond that day?

14 A. I did.

15 Q. What information did you receive from her?

16 A. That Lionel had been manic earlier that day. He  
17 stopped taking certain medications and that she was unsure if he  
18 was going to follow through with appointments that had been  
19 arranged in New Brunswick with his doctors there. She also  
20 mentioned that, you know, he didn't threaten himself or threaten  
21 others but she was concerned about his well-being.

22 Q. And you took from the information that she gave you

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1 that they also had a residence in New Brunswick?

2 **A.** Yes, they were residing in I believe it was Oromocto  
3 near the military base. At the time he was still I don't if  
4 employed or receiving some sort of benefits from his time with  
5 the Armed Forces.

6 **Q.** On November 18, 2015, had you met Lionel Desmond  
7 before?

8 **A.** I think I had met him at perhaps Remembrance Day prior  
9 to that, I think that might have been the only time.

10 **Q.** And Shanna Desmond, had you met her before?

11 **A.** Yes, I'm not sure where exactly.

12 **Q.** Okay. You didn't have to be introduced to her for the  
13 first time that day?

14 **A.** No.

15 **Q.** Okay. Did you know what Lionel Desmond's diagnosis  
16 was on that day or what his medical condition was beyond what  
17 Shanna Desmond had told you?

18 **A.** I had some knowledge that he had been experiencing  
19 mental health issues and I believe PTSD was something that was  
20 told to me. I'm not sure where that came from.

21 **Q.** Okay. And your understanding was that Lionel Desmond  
22 was at the residence nextdoor to 15375?

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1           **A.**    Yes.

2           **Q.**    Okay. Did you have contact with him?

3           **A.**    I did. Once I was done speaking with Ms. Desmond, I  
4 walked nextdoor, it was a short distance. I knocked on the door  
5 and the home owner was Mr. Desmond's aunt, Ms. MacEachern, and  
6 she invited me in and I found Lionel sitting at the kitchen  
7 table with another family member, I can't remember who that one  
8 was, and invited me to sit down and I sat down and had a  
9 conversation with him so I could express why I was there and get  
10 some information from him so I could make an evaluation.

11          **Q.**    Okay. And what type of information were you hoping to  
12 get from Lionel Desmond to assist you in making whatever  
13 decisions you had to make?

14          **A.**    Basically I wanted to see how he was doing and the  
15 fact that was he experiencing any sort of mental health crisis  
16 at that moment where he'd be a danger to himself or others and  
17 these would be things that I would obviously be looking for to  
18 see if it was something where we'd have to discuss, you know, if  
19 there was nothing for me to have to make any sort of  
20 apprehension to bring for an examination, an evaluation and  
21 perhaps we discussed that if he needed to go there, he would go  
22 willingly. So basically talked about how he was feeling, what

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1 the concerns were that his wife had told me, and to see, you  
2 know, basically see what his responses were to the questions.

3 Q. Potentially in a situation like that you have to  
4 consider whether it's appropriate to take a person into custody  
5 to bring them to the hospital?

6 A. Right. Basically there's two things under the  
7 **Involuntary Psychiatric Act** would be, you know, is the person  
8 suffering from a known mental illness and are they a danger to  
9 themselves or others.

10 Q. So you said that you found Mr. Desmond in the kitchen  
11 of the home?

12 A. Yes.

13 Q. Okay. And can you describe your interaction with him?

14 A. Sure. I told him why I was there. He was very calm,  
15 lucid, polite. He understood why I was there and specifically I  
16 told him that his wife said that he was manic early this  
17 morning. He agreed, he said that he was manic early this  
18 morning but he was able to control it by, I believe he said he  
19 was able to get himself away from sources that made him that way  
20 so he'd be able to calm down. And then when I asked, you know,  
21 what his plans were, it was clear that he didn't say anything  
22 that made me concerned that he was going to be a danger at that

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1 time to himself or others and he went on to say that there were  
2 certain medications that he had stopped taking, he agreed with  
3 what his wife had mentioned, but he said that was under the  
4 advice of his doctor. He was now taking, he had a medical  
5 prescription for marijuana and other prescriptions and that he  
6 had appointments and he gave me the dates and times where he had  
7 appointments the following week with two separate doctors in New  
8 Brunswick, I believe Oromocto. Upon hearing that and talking to  
9 him, he was very calm, he didn't say anything to me that at that  
10 time raised to me a concern that I would say that I would have  
11 to make any apprehension and/or even suggest, he had a plan in  
12 place, the suggestion that he would have to go to the hospital  
13 at that time. My general impression of him was that he  
14 obviously was somebody who was going through mental illness but  
15 he recognized what it was, he recognized a lot of triggers. He  
16 knew his family cared about him and, you know, that's why I was  
17 there and he accepted that and that he had a plan, you know,  
18 follow-up treatment and it all sounded very reasonable.

19 **(12:25:30)**

20 Q. And you said that he actually gave you dates and times  
21 and the names of doctors that he was going to see in his area in  
22 New Brunswick?

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1           **A.**    Yes.

2           **Q.**    When he used the term "manic" or his wife did, did you  
3 have an understanding of what they meant by that?

4           **A.**    Loosely and my understanding of manic was that he'd be  
5 maybe agitated and more excitable. I don't know exactly, you  
6 know, that was the only real word that was described. I believe  
7 that raised voices and shouting and very animated was how it was  
8 kind of described to me by Ms. Desmond but, you know, I wanted  
9 to know was there any threats, was there any assault, was there  
10 any hands on you, none of that took place.

11          **Q.**    Okay. And she was asked that, was she?

12          **A.**    Yeah.

13          **Q.**    He had said at that point that he, under the advice of  
14 physicians, stopped taking certain prescribed medications and  
15 was taking medical marijuana or cannabis, is that the  
16 information you got?

17          **A.**    Yes.

18          **Q.**    Okay. How long was your conversation with him?

19          **A.**    I'd say I was probably there about 15 minutes.

20          **Q.**    Okay. Is this a conversation where you were both  
21 interacting with one another, in other words was he answering  
22 your questions? I guess I'm trying to get a sense of whether it

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1 was a conversation or, you know, how that went.

2       **A.** It was very much a two-way dialogue. When I asked  
3 questions it wasn't terse, short answers, he gave me quite a bit  
4 of information and when I was talking to him, seeing how he was,  
5 and he was listening to what I had to say and then responded.

6       **Q.** Okay. Was there anything else about his presentation  
7 that day that stood out to you?

8       **A.** I felt that he was mildly intoxicated.

9       **Q.** Yes.

10       **A.** More by what I would say would be marijuana than  
11 alcohol. You know, looking back I can't really put my finger  
12 specifically on symptoms that made me believe that but in my  
13 mind, I believe that he was mildly intoxicated by marijuana.

14       **Q.** In your experience as a police officer you've  
15 interacted with individuals who have consumed marijuana?

16       **A.** Yes.

17       **Q.** And you're familiar with their presentation?

18       **A.** Yes.

19       **Q.** Okay. You described him though as lucid. Did you  
20 feel that he was coherent and able to answer your questions  
21 fully?

22       **A.** Absolutely.



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1           **Q.** Did you have any discussion with him about firearms or  
2 did you have any knowledge of firearms at that time?

3           **A.** The only, and it wasn't specifically firearms, but  
4 when talking to him, he did mention that, you know, that he was  
5 back in Guysborough specifically to not only work on the  
6 relationship with his estranged wife but to do some hunting so I  
7 took that to be with firearms. I guess that could have been  
8 with a bow or another manner but I took that to be with a  
9 firearm.

10          **Q.** Did his wife express any concern to you in particular  
11 about firearms?

12          **A.** No.

13          **Q.** Did you understand that at the time or was it your  
14 understanding that he was staying at the residence beside the  
15 residence where his wife was or that he was simply there when  
16 you met him?

17          **A.** I didn't quite get that far into it, I believe he was.  
18 I know he said he was just there temporarily and when he said he  
19 was working on the relationship with his wife, I didn't know if  
20 he was staying nextdoor and he was just over here socially or he  
21 was staying there for a couple nights. I didn't get that sense  
22 and, you know, I don't really remember asking specifically where

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1 he was staying.

2 Q. You understood, though, that there was some marital  
3 discord that he said he was working on?

4 A. Yes, he was specific about that.

5 Q. Okay. You said you were with him for approximately 15  
6 minutes that day?

7 A. Yeah.

8 Q. Okay. And you had mentioned his aunt. I think your  
9 supplementary occurrence report references her as Sarah  
10 MacEachern and you thought there was somebody else there as  
11 well?

12 A. There was somebody sitting, another male, a middle-age  
13 male that was sitting at the table with him.

14 Q. Okay.

15 A. I think I might have been introduced to him as an  
16 uncle but I'm pretty sure it was a family member that he was  
17 fine to talk in front of.

18 Q. How did you end the conversation with Lionel Desmond  
19 that day?

20 A. So basically it ended with the fact that he was given  
21 the opportunity that if he ever felt that, you know, he needed  
22 the assistance of the police, if he felt that things were

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1 changing that, you know, he's to call and we'd be there to  
2 assist the best we could and he acknowledged that and he said  
3 that he knew a lot of his triggers and that if he ever felt that  
4 he was deteriorating in that type of his health that he wouldn't  
5 hesitate to contact the police for assistance.

6 **Q.** Okay. Having spent that time with him and having  
7 spoken to him about those issues, did you feel that any further  
8 action was necessary with respect to Mr. Desmond?

9 **A.** No, not at that time. The only thing I was going to  
10 do was I was going to follow up with his wife and let her know  
11 how the conversation went and just update her.

12 **Q.** And did you have contact with his wife Shanna after  
13 that?

14 **A.** I did. I walked nextdoor, I talked to her. I told  
15 her how our conversation went and I told her specifically that  
16 he had a plan for next week. That was the thing that I think  
17 relieved her the most, that she realized that he did have a plan  
18 because that was one of her concerns that she didn't think he  
19 was going to follow up with the doctors and I said, you know,  
20 that he did have appointments with two doctors by name which I  
21 don't remember right off the top of my head, and that she was  
22 very relieved to hear that.

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1           **Q.**    Okay.  That appeared to be information she was not  
2 aware of?

3           **A.**    Right.  So I think she was uncertain of that when she  
4 first called and then when I confirmed it for her, you know,  
5 they obviously weren't talking I think at that time so she  
6 didn't get that information so I gave it to her, I think it was  
7 new information for her.

8           **Q.**    Okay.  And in your supplementary occurrence report you  
9 reference the names, first and last, of one of the doctors, Dr.  
10 Paul Smith.  The other is a Dr. Matthews, I believe, is the name  
11 that was referenced to you.  You would have made note of those  
12 at the time, I appreciate they might not remain in your memory  
13 now but at the time you made those notes, that's the information  
14 that he gave you?

15          **A.**    Yes.

16          **Q.**    All right.  After briefing, I guess, Shanna Desmond,  
17 did you have any additional involvement with the family that  
18 day?

19          **A.**    No, that was the end of my involvement that day and  
20 then I ended my shift shortly thereafter.

21          **Q.**    Okay.  Did you have any other reason to have any  
22 interaction with the family between that time and obviously

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1 January 3, 2017?

2       **A.** Approximately two weeks later I believe I had a  
3 conversation with Lionel Desmond over the phone regarding his  
4 firearms being seized. One was seized I believe in Oromocto and  
5 then we had one that we were in custody of in Guysborough. I  
6 believe he was asking about those and just where they were.

7       **Q.** Okay. That conversation with Lionel Desmond  
8 approximately two weeks later, was that in person or by phone?

9       **A.** By phone.

10       **Q.** Do you know where Lionel Desmond was when you spoke to  
11 him that day?

12       **A.** I believe he was in Oromocto but I'm not 100 percent  
13 certain.

14       **Q.** Okay. Can you describe what you recall of his  
15 demeanor when you spoke to him by phone on that occasion?

16       **A.** Not really. Nothing stands out, it doesn't stand out  
17 that he was agitated or really upset that would stand out. I  
18 think I would have made a note of it but, no, I don't really  
19 recall how he was.

20       **Q.** You understood there was an incident or that at least  
21 a firearm in New Brunswick had come into the possession of the  
22 police in New Brunswick?

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1           **A.**    Yes.

2           **Q.**    And that a firearm was in your possession, and I say  
3 yours meaning the RCMP, in Guysborough as well?

4           **A.**    Yes.

5           **Q.**    Okay. Do you know which officer was involved in  
6 seizing that firearm or collecting it?

7           **A.**    The one in Guysborough?

8           **Q.**    Yes.

9           **A.**    That would have been Constable Len MacDonald.

10          **Q.**    Okay. You weren't involved in seizing that weapon?

11          **A.**    No. As the exhibit custodian my involvement was  
12 moving it from a temporary exhibit locker into our secure  
13 locker.

14          **Q.**    Okay. And that was at Guysborough detachment was it?

15          **A.**    Yes.

16          **Q.**    Okay. So the exhibit custodian, there are only  
17 certain individuals I understand who have access to the exhibit  
18 locker in that detachment, is that correct?

19          **A.**    That's correct.

20          **Q.**    And were you the only exhibit custodian for  
21 Guysborough?

22          **A.**    I was the main one and they had one other member,

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1 Corporal O'Blenis who was basically a backup.

2 Q. Right.

3 A. So he had a key in case I wasn't around.

4 Q. Okay. And that particular firearm that was in the  
5 possession of the RCMP in Guysborough, do you recall anything  
6 about that particular firearm?

7 (12:35:06)

8 A. It was a long gun hunting rifle.

9 Q. Yes.

10 A. I believe it was camouflage, like the stock and  
11 barrel, I believe it was camouflage and it had a scope on it. I  
12 think the caliber was a .308.

13 Q. Okay. And do you know how that came into the  
14 possession of the police?

15 A. So from my reviewing the files and talking to  
16 Constable MacDonald, my understanding was is that after a  
17 firearm was seized in Oromocto due to an incident that took  
18 place there, there was another firearm that was in Guysborough.  
19 Ms. Desmond, being Lionel Desmond's wife, had taken that firearm  
20 and put it in another residence for safekeeping and that gun was  
21 then turned over to Constable MacDonald, probably about two  
22 weeks after the incident that I had responded to and once he had

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1 possession of it for safekeeping, he took it to the Guysborough  
2 detachment and that's where it became lodged.

3 Q. Okay. And do you recall how long that firearm was  
4 lodged at the Guysborough detachment?

5 A. It would have been approximately five months, five to  
6 six months.

7 Q. Okay. And perhaps we can bring up Exhibit P36.

8 **EXHIBIT P-000036 - ONE PAGE REPORT MAY 2016 re DESMOND FIREARM**

9 Q. At some point you took some action, did you, with  
10 respect to that firearm?

11 A. I did. In late April, we had received confirmation  
12 through RCMP in New Brunswick, I believe the Oromocto  
13 detachment, that the circumstances on why the firearms were  
14 seized for public safety while Mr. Desmond's firearm licence was  
15 under review, that those circumstances had changed and that the  
16 review had ended and that his licence was being reinstated,  
17 hence his firearms could be returned to him.

18 Q. Okay. And that was information that the detachment  
19 received from the office of the Chief Firearms Officer of New  
20 Brunswick?

21 A. It was coming, the information came a couple different  
22 ways. One it was the Oromocto RCMP let us know first about it



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1 and then I believe there was some confirmation by the way of a  
2 report or an affidavit from the Chief Firearms Officer that the  
3 review period had ended and the firearms could be returned to  
4 their lawful owner which was Mr. Desmond.

5 **Q.** You, at that point, had no additional reason to retain  
6 possession of the firearm, did you?

7 **A.** No.

8 **Q.** And was it you that interacted with the RCMP in  
9 Oromocto or was that another member?

10 **A.** It was a bit of both. Constable Len MacDonald and  
11 myself both had some communications. Constable MacDonald did a  
12 lot of the initial and then once it was confirmed that it was to  
13 go back, then I, as the exhibit custodian and the district  
14 commander, made contact with Oromocto to see where exactly did  
15 they want it shipped to and arranged for it to be shipped.

16 **Q.** Do you recall if there was a particular officer in  
17 Oromocto with whom you spoke?

18 **A.** No, I want to say Constable Richard but I'm not 100  
19 percent sure who.

20 **Q.** Okay. Now when you were returning the firearm, so the  
21 plan was ultimately for this to be returned to Lionel Desmond?

22 **A.** Right. So that was the ultimate end goal but we were

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1 shipping the firearm to Oromocto RCMP and then they were going  
2 to return it to who we thought was the lawful owner and that was  
3 for them to determine. We believed it to be Lionel Desmond but  
4 we were getting that information from Oromocto RCMP.

5 Q. Okay. And is there a particular way in which one  
6 ships a firearm, a long gun like this?

7 A. Sure. Any firearm has to be shipped securely, to go  
8 by firearm regulations and by law. So it would be, it's a non-  
9 restricted firearm, it'd be trigger locked, shipped as a  
10 controlled shipment, no locked case, and also there would be no  
11 ammunition with it so I prepared it like that and because it had  
12 locks on it, we shipped it and then I shipped the keys  
13 separately to the same location so they would have the keys to  
14 open it, unlock it but they didn't go together.

15 Q. They're shipped in separate packages?

16 A. Yes.

17 Q. Okay. And there may be a good reason for that, it may  
18 be obvious, but so what is the reason for that?

19 A. Well, a firearm obviously can be a very dangerous item  
20 and we don't want somebody to be able to inadvertently gain  
21 access to it in transit when it's not properly being handled or  
22 secured so with the locks and the mechanisms put on it, it

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1 shouldn't be easy for someone to use it or get ahold of it so  
2 it's shipped that way, the keys are shipped separately, and  
3 obviously somebody could somehow disable locks eventually but  
4 this at least would comply by law and prove to be a deterrent on  
5 it.

6 Q. And I appreciate that you were shipping this firearm  
7 to the Oromocto RCMP, not directly to Mr. Desmond, but it was  
8 your understanding that he had at that a point a valid  
9 possession and acquisition licence for his firearm?

10 A. Right, it was being, his licence that was under review  
11 was being reinstated was my understanding.

12 Q. And Exhibit P37.

**EXHIBIT P-000037 - TEN PAGE RCMP FILE re DESMOND FIREARM/SEIZURE****AND RETURN**

15 Fourth page. This appears to be your correspondence under  
16 your name?

17 A. Yes.

18 Q. And that's dated May 4, 2016 and relates to the  
19 trigger lock securing the firearm with a certain serial number?

20 A. Yes, it does. That's after there had been another  
21 very similar letter saying here's the firearm and then another  
22 one saying here's the key for the locks.

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1           **Q.**    Okay.  And then the next page is page five and that's  
2 your correspondence with respect to the firearm itself?

3           **A.**    Yes.

4           **Q.**    And they were sent by Purolator, were they or was  
5 there another way?

6           **A.**    Or it was a secure shipment.  They're back in my  
7 previous ...

8           **Q.**    Yeah, I noted P36, I think you make reference in that  
9 to Purolator.

10          **A.**    Right, yeah, it was Purolator.

11          **Q.**    And you said it was primarily Constable MacDonald, Len  
12 MacDonald, that had contact with the authorities in New  
13 Brunswick leading up to this firearm being shipped back to New  
14 Brunswick?

15          **A.**    That's right.  He was the lead investigator on the  
16 file and he's dealing with primarily the correspondence with the  
17 Oromocto RCMP and the firearms officer in New Brunswick.

18          **Q.**    Right.  After shipping this firearm and trigger lock  
19 back to New Brunswick, between that period of time in May 2016  
20 and January 3, 2017, did you have any additional interactions,  
21 other than perhaps Remembrance Day ceremonies and that type of  
22 thing, did you have any other interaction with the family that

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1 you can recall?

2       **A.** I believe I spoke with Ricky Borden several times on  
3 primarily some family disputes and then there was a motor  
4 vehicle collision on New Year's Eve of 2016 that there was  
5 either a phone call I think came to the office wanting to know  
6 where the vehicle perhaps was towed or the accident report, it  
7 was something, there was some sort of inquiry over that but  
8 those are the only ones I can remember that I had dealings with  
9 the family about.

10       **Q.** That phone call in or around New Year's, do you recall  
11 who that was from?

12       **A.** I think it was Lionel.

13       **Q.** Was it? It was your understanding that the vehicle  
14 that had been involved in that accident was towed somewhere?

15       **A.** Yes, and up to that point I really was unaware of the  
16 collision at all. I hadn't responded to it, I hadn't known the  
17 file, it was a rather routine investigation.

18       **Q.** Okay. And do you remember anything about that  
19 conversation with Lionel Desmond in or around New Year's Day?

20       **A.** It was fairly ... he was trying to get some  
21 information on it.

22       **Q.** Okay. And then after that we're at January 3, 2017?

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1           **A.**     Yes.

2           **MR. MURRAY:**     All right, thank you, Sergeant Maccallum,  
3 those are the questions that I have.

4           **THE COURT:**     Thank you, Mr. Murray. Counsel and Sergeant  
5 Maccallum, I think we're going to break for lunch and we'll come  
6 back at, say, 1:45. Thank you.

7           **COURT RECESSED           (12:46 HRS)**

8           **COURT RESUMED           (13:52 HRS)**

9           **THE COURT:**     Staff Sergeant, if you can return to the  
10 stand.

11           Mr. Murray, you had concluded your examination or your, the  
12 evidence of the Staff Sergeant?

13           **MR. MURRAY:**     Yes, Your Honour.

14           **THE COURT:**     All right. Thank you. And Ms. Ward or Ms.  
15 Grant?

16           **MS. WARD:**         Nothing, Your Honour.

17           **THE COURT:**     All right. Thank you. Mr. Anderson?

18           **MR. ANDERSON:**     No questions, Your Honour.

19           **THE COURT:**     Okay. Mr. Macdonald?

20           **MR. MACDONALD:**     No questions, Your Honour.

21           **THE COURT:**     Okay. Mr. Rogers? Oh, sorry.

22           **MS. WHITEHEAD:**     No questions, Your Honour.

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1           **THE COURT:**           All right. Thank you. Ms. Miller?  
2

3                                   **CROSS-EXAMINATION BY MS. MILLER**

4           **(13:53:46)**

5           **MS. MILLER:**           Good afternoon, Staff Sergeant Maccallum.  
6 My name is Tara Miller. I am representing Brenda Desmond and  
7 sharing representation of Aaliyah Desmond with Mr. Macdonald.  
8 So I have a few questions for you this afternoon to help fill in  
9 some of the details. As I understand your evidence this  
10 morning, you were posted to Guysborough from January of 2015 and  
11 then left in June of 2017?

12           **A.**           July of 2017, yes.

13           **Q.**           July. Thank you for that. And your interactions  
14 with Lionel Desmond outside of general community events,  
15 Remembrance Day services, passing in the grocery store perhaps,  
16 were limited, as I understand you to have said, to November  
17 18th, 2015. When you did what sounds to me like a mental health  
18 wellness check ... Is that fair to say?

19           **A.**           Yeah.

20           **Q.**           Yeah. And that was precipitated by a call from  
21 Shanna Desmond?

22           **A.**           Yes.

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **Q.**     Yeah, okay. And then two weeks later, towards the  
2 end of November 2015, you had an involvement with putting one of  
3 Lionel's firearms in the exhibit locker, is that fair to say?

4           **A.**     Yes.

5           **Q.**     And through the course of that you had a conversation  
6 with Lionel?

7           **A.**     Yes.

8           **Q.**     Okay. And I think your evidence this morning was  
9 that in that conversation he was just looking to get  
10 information, he wasn't upset or agitated when you spoke with  
11 him?

12          **A.**     Correct.

13          **Q.**     Okay. And then the next, I guess, time your paths  
14 would have, not directly crossed, but I assume it would have  
15 been in May of 2016 when you facilitated the return to New  
16 Brunswick of a firearm that had been seized here in Nova Scotia?

17          **A.**     Yes. I don't recall any communications with him at  
18 the time.

19          **Q.**     Right. And then from May 2015 to January 2017 you  
20 had no further interactions with Mr. Desmond other than outside  
21 of a call that you would have had with him after New Year's Eve,  
22 2016...



**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **A.**     Right.

2           **Q.**     ... relating to his vehicle going off the road and he  
3 was looking for information about its whereabouts?

4           **A.**     Yes.

5           **Q.**     Okay.    And nothing stood out in that call, either,  
6 in terms of his demeanor other than that ... he wasn't agitated  
7 or upset in that call?

8           **A.**     No, not that I remember at all.

9           **Q.**     Okay.    So my summary of that, Staff Sergeant  
10 Maccallum, is that your conversations and interactions with  
11 Lionel Desmond disclosed no evidence of violence, domestic or  
12 other, with him over the course of that time, is that fair to  
13 say?

14          **A.**     Of domestic violence?  No, I don't, I don't remember  
15 anything about domestic violence with conversations with him.

16          **Q.**     Yeah, fair enough.  And in terms of violence in  
17 general, outside of domestic violence, your interactions and the  
18 experiences that you gave evidence about this morning didn't  
19 disclose anything of a violent nature in those conversations, is  
20 that fair to say?

21          **A.**     With my direct conversations with him, no.

22          **Q.**     Yes.    Okay.  And similarly, you shared with us

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 through the course of those interactions with Mr. Desmond you  
2 actually spoke with Shanna, predominantly in November of 20- ...  
3 November 18th, 2015?

4 **A.** Right.

5 **Q.** And she confirmed to you at that point that he hadn't  
6 threatened her?

7 **A.** No. There was no ... on that particular day there  
8 was nothing to ...

9 **Q.** Okay. And there were no threats or assaults that  
10 had taken place as a result of that interaction, marital discord  
11 that was ongoing at that time?

12 **A.** That's correct.

13 **Q.** Okay. This is, as I understand it from your  
14 evidence, it's a relatively small detachment with four members  
15 posted here?

16 **A.** Yes.

17 **Q.** And that was the case during your period of time from  
18 January 2015 to July 2017, correct?

19 **A.** There was a period where we went up to five but that  
20 was just a short period of time. It was just an HR issue that  
21 took place but, normally, four, and that's usually what we have  
22 here.

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **Q.**     Okay.     So four to five members who would have been  
2 here and you were the district commander?

3           **A.**     Yes.

4           **Q.**     Okay.     So is it fair to say that there were any other  
5 issues of violence around Lionel and/or Shanna Desmond during  
6 this period of time?  Is it fair to say that given your role of  
7 a small detachment that you would have had some awareness of  
8 that?

9           **A.**     For the most part, yes, but it wasn't just our  
10 detachment that would be involved in investigations.  Because we  
11 are a district, the three detachments making up the 11,  
12 sometimes 12 members could respond to a call for service in  
13 different parts of the county, so you might have a Sherbrooke  
14 member over here.  Rarely, but you could.

15          **Q.**     Yeah.

16          **A.**     And Canso, for sure, could be up here.

17          **Q.**     Okay.

18          **A.**     But to answer your question, if there was something  
19 that was significant, I usually am aware of it, but I couldn't  
20 say I'd be aware, that I'd be aware of it all.

21          **Q.**     Okay.     So you shared with us this morning your own  
22 experience and interaction with Mr. Desmond.  Do you have

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 anything else that you've heard over the course, from your  
2 officers, over the course of that same time period that gives  
3 you further insight into context of other incidents that would  
4 have happened?

5 **A.** I have nothing I could offer right now.

6 **EXHIBIT P-000020 - GENERAL REPORT re JANUARY 3, 2017**

7 **Q.** So in your report, and it's Exhibit P20, this is the  
8 General Report that you would have filed following the January  
9 3rd, 2017, event and I just wanted to clarify one sentence with  
10 you, Staff Sergeant Maccallum.

11 In the first paragraph, sort of midway through, it says,  
12 "Members were aware that this resident and associated family  
13 members were well-known to police with calls relating to  
14 violence."

15 **A.** Right.

16 **Q.** Is it fair to say that that reference in your General  
17 Occurrence Report had nothing to do with Lionel Desmond?

18 **A.** It had to do with the family, in general. There had  
19 been a number of family disputes ...

20 **Q.** Okay.

21 **A.** ... involving different people. I can't say a  
22 hundred percent that Lionel was excluded from that but I just

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 can't ... I just know that we have dealt with those homes and a  
2 number of the family members with either internal family  
3 conflicts or disputes with some other people and I know we dealt  
4 with that more than often. I can't say 100 percent that he,  
5 from my recollections, that he's excluded from it.

6 **Q.** Okay. But certainly with what you shared, your  
7 evidence this morning, that is the totality of your direct  
8 experience and knowledge about Lionel?

9 **A.** Yes.

10 **Q.** And you'd agree that there really isn't anything in  
11 here that would suggest violence, domestic or otherwise, with  
12 respect to what you've shared with us today?

13 **A.** Right, from my experience, that's right.

14 **Q.** Okay. Thank you. I want to move now to again ...  
15 Oh, quick question: what's the difference between H and J  
16 Division? Is one, like, in Nova Scotia and one's New Brunswick?

17 **A.** That's exactly it.

18 **Q.** Okay. So H Division is Nova Scotia?

19 **A.** Right.

20 **Q.** And J Division is your counterparts in New Brunswick?

21 **A.** Right. It's an RCMP thing where each province has  
22 been given a letter designation, and we're H and they're J.

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **Q.**     Okay. I thought that was it, I just wanted to  
2 confirm that. I want to take you to Exhibit 31. This, Staff  
3 Sergeant Maccallum, is the Occurrence Summary. Do you have that  
4 in front of you?

5 **EXHIBIT P-000031 - ONE PAGE OCCURRENCE SUMMARY re NOVEMBER 18,**  
6 **2015**

7           **A.**     I'm seeing it, yes.

8           **Q.**     And so, as I understand it, this would have been  
9 prepared following the incident that you told us about on  
10 November 18th, the mental health check with respect to Lionel  
11 Desmond in November of 2015?

12          **A.**     So some of this what I'm looking at here is part of  
13 our dispatch ticket. So when we're, initially when the call for  
14 service comes in from a complainant calling 911 or calling the  
15 RCMP will generate a file, an occurrence.

16          **Q.**     Okay.

17          **A.**     So some of these things that we're looking at right  
18 now, like, involve persons or people that are associated to the  
19 file, addresses. So some of these things are started, computer-  
20 generated immediately. Other things are updated through the  
21 life of the file to when it's finally concluded.

22 **(14:02:08)**

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **Q.**     Okay.  So what I wanted to ask you about, which is  
2 going to lead me down my next line of questions, is this  
3 reference to FIP at the top, and then further down the page, on  
4 the left-hand side, it says Flag 1 type disclosure to firearms  
5 officer.  Now I understand that FIC or FIP is an acronym for  
6 firearm interest to police?

7           **A.**     Um-hmm.

8           **Q.**     Okay.  Can you give us a bit of an understanding of  
9 what that acronym means and why it would have come to have been  
10 placed on this Occurrence Summary for the November 18th, 2015,  
11 mental health check that you participated in.

12          **A.**     So some of this I can speak to.  Some of it is not  
13 exactly in my expertise.  But our computer system, it's called  
14 CAD, it's a computerized automatic dispatching system.  It's  
15 what pretty much all police forces uses.  A lot of the things  
16 and acronyms and areas that get filled in are already pre-  
17 determined.  So when you put in, when our dispatcher or call-  
18 taker takes a call for service, some of them will come up and  
19 it'll automatically flag it, saying that is a firearm interest  
20 to police.  Domestics are a prime example, anything where  
21 there's violence against a person.

22          **Q.**     Okay.

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **A.**     They will say this is a firearms interest to police  
2 and this is where I can't speak a hundred percent to it, but a  
3 firearms officer, chief firearms officer of each province has  
4 access to many of these things.

5           **Q.**     Yeah.

6           **A.**     And so if it's flagged interest to police, they may  
7 see it for follow-up for a license review or to do more  
8 information or check on it. But it's started, like it's not  
9 something that the police actually put on there. It's just the  
10 fact that the computer system will recognize that this call for  
11 service is something that maybe could be of interest to police  
12 because of firearms-related licensing, or maybe there needs to  
13 be a review, and then it gets, basically, moved over to the  
14 firearms office, unit, so they can have a look at it.

15          **Q.**     Okay. So the chief firearms officer in Nova Scotia  
16 would follow up on any document that has an FIP on it, a  
17 complaint?

18          **A.**     Right. So I mean, and I'm sure they'll probably  
19 have to speak to that, they'll probably have some sort of  
20 vetting and screening process for it, as well, but that's my  
21 understanding - at least it flags it that it might be something  
22 that needs to be aware for them to have a review.



**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **Q.**     Okay.  And so just so that I'm understanding your  
2 evidence, you wouldn't have flagged this as an FIP, this  
3 occurrence in November?

4           **A.**     No.

5           **Q.**     What you understand is that it may have been auto-  
6 generated in the occurrence form?

7           **A.**     Right.  And I'm very confident on that aspect of it.

8           **Q.**     Yeah, okay.

9           **A.**     Really, unless you start going, changing scoring of  
10 what the type of files are, and even then you'll see, it'll ...  
11 Like when we create an occurrence or one gets dispatched to us,  
12 you'll see firearm interest police; sometimes there's a box  
13 that's automatically checked and it's just a computer-generated  
14 portion.

15          **Q.**     Okay.  And that may explain why it then goes on to  
16 say flag type disclosure to firearms officer.  This, again, is  
17 it your understanding that that would have been auto-generated  
18 within the document?

19          **A.**     So later on, and I can, when you're down there ...

20          **Q.**     Yeah.

21          **A.**     ... at Flags disclosure, those type of things are  
22 most likely person-generated, because now you're into the file

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 and you're working within it. And whoever put those comments in  
2 ...

3 Q. Um-hmm.

4 A. "Lloyd Carter, Firearms Officer, attended detachment.  
5 Sergeant Maccallum provide Carter with information from file.  
6 No hard copy file."

7 Q. Um-hmm.

8 A. That would have been generated by ... Actually, I  
9 don't believe that was myself. I believe that probably was one  
10 of our detachment assistants. They just put the comments on  
11 there that this was done.

12 Q. Okay.

13 A. So Lloyd Carter, who I know is a firearms officer in  
14 Nova Scotia, he may very well have been notified that this file  
15 exists, he comes looking for information to do his follow-up,  
16 and this file, as it says here, no hard copy file, so it's just  
17 electronic, so we probably would have printed out a copy of it  
18 and provided it to him by hand.

19 Q. Okay.

20 A. And that's what that means, I believe.

21 Q. Okay. And did I hear you say that this flag would  
22 have likely been entered by a human being?

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **A.**     Yes.

2           **Q.**     And most likely it would have been a dispatch  
3 assistant or somebody in the ... a district assistant?

4           **A.**     Yes, somebody in one of our detachments.

5           **Q.**     Yes, sorry, detachments, yes.

6           **A.**     A secretary is another term for it.

7           **Q.**     Yeah.

8           **A.**     But they'd be our civilianized position.

9           **Q.**     Yes.

10          **A.**     And they would take care of a lot of our  
11 administrative duties and a lot of clerical ...

12          **Q.**     Yeah.

13          **A.**     This is, unfortunately, a hard copy printout. It  
14 doesn't look quite the same as what our actual software looks  
15 like on the screen, so it looks different than what I would see  
16 on the screen, so I can't speak with a hundred percent  
17 certainty.

18          **Q.**     Um-hmm.

19          **A.**     Where it says Flags ...

20          **Q.**     Um-hmm.

21          **A.**     "Type disclosure to firearm", there's usually a  
22 section on an Occurrence where we would go into Flags and we

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 would, we would check a box ...

2 Q. Okay.

3 A. ... that this file says it's FIP, yes, we're doing  
4 that and this has been done. Hence, where I see the Comments  
5 and Remarks somebody had to type that. That's not computer-  
6 generated.

7 Q. Okay. So what I heard you say is that in this case  
8 it was likely a district assistant, a civilian position, who  
9 would have flagged this, but you or any officer could also  
10 initiate a flag on a file, as well?

11 A. Yes, correct.

12 Q. And you didn't do that on this file?

13 A. I don't remember doing that on this file, no.

14 Q. Okay. And do you have, is there an internal or any  
15 kind of protocol, Staff Sergeant Maccallum, which dictates when  
16 FIC should be flagged?

17 A. FIP.

18 Q. Sorry, FIP, yes.

19 A. So the computers will look at, the software will look  
20 at the type, the crime type, and that's how it's dispatched or  
21 it's scored, and it goes by Stats Canada, what these scorings  
22 are, and then it has to take, fit within certain parameters and

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 then it's, then it comes up saying FIP=yes or FIP=no.

2 Q. Okay.

3 A. And from there, really that's kind of our cue that  
4 this is of interest, further interest, and it's usually the  
5 firearms officer who then initiates contact to us saying I'd  
6 like to get some disclosure on this file because this person has  
7 a firearms license or possesses firearms and we'd like to do a  
8 review. So a lot of it is kind of drilled down to us. We might  
9 be the keeper of the file, of the information and the  
10 occurrence, but we'll get notified, basically, through the  
11 software saying, yes, this is a firearm information for his  
12 file, and the firearms officer then contacts us to get the  
13 information.

14 Q. The chief firearms officer takes it over from there?

15 A. Right, because, really, it's for their duty.

16 Q. Yeah, it's for them. So it's an information sharing,  
17 I guess ...

18 A. It is.

19 Q. ... across the agencies, is that fair to say?

20 A. Right.

21 Q. And so in this case it was shared with the chief  
22 firearms officer of Nova Scotia?

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **A.**     Yes.

2           **Q.**     And I think you said his name is Lloyd Carter?

3           **A.**     Correct.

4           **Q.**     And from there, do you know what happens, what's the  
5 process? I appreciate this isn't your umbrella of the RCMP but,  
6 generally, what happens when the chief firearms officer of Nova  
7 Scotia receives a flag on a file?

8           **A.**     The only thing I can tell is I know that they will  
9 then decide if they're going to conduct a review or not.

10          **Q.**     Yeah.

11          **A.**     They may compile the information. This might be one  
12 of many files on a certain subject, so they may collect it, they  
13 might have one, they might have 10, and then they make a  
14 decision if they're going to do a review of the license or not.

15          **Q.**     Okay.

16          **A.**     And then they would put it under review or suspend it  
17 or revoke it.

18          **Q.**     Okay.

19          **A.**     But that all falls to them and, as you said, it's  
20 probably best for them to explain that.

21          **Q.**     They can better speak to that. Do you know, Staff  
22 Sergeant Maccallum, if a review was done as a result of this

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 occurrence by the chief firearms officer?

2 **A.** No, and to be honest, there was the ongoing review  
3 that was being done in New Brunswick.

4 **Q.** Right.

5 **A.** So I don't know if that's something where the two  
6 agencies - well, it's the same agency but different provinces  
7 speak and they share information, so if one review is ongoing it  
8 might cover, satisfy the needs of both provinces. I'm not sure.

9 **Q.** Okay. Okay, fair enough. We'll have another  
10 witness, I'm sure, that can give us more clarity on that  
11 process. I'm going to take you back to the end of November  
12 2015, so this is after your wellness check of Mr. Desmond and  
13 two weeks later you told us that you participated in securing  
14 one of his firearms in Nova Scotia.

15 **A.** Right.

16 **Q.** Did you have any sense of what had precipitated that,  
17 your need to secure that rifle?

18 **A.** Yes.

19 **Q.** Okay. So would you have been able ... I understand  
20 it was originating out of something that had happened in New  
21 Brunswick, and we'll hear from an officer on that, but would you  
22 have had access to their file materials to see what exactly had

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 transpired in J Division?

2       **A.**     So, yes, I would have access.

3       **Q.**     Okay.

4       **A.**     And I believe I reviewed it just in the matter of  
5 fact that we received a call for service in Guysborough from  
6 Lionel Desmond about the potential theft of his firearm.

7       **Q.**     Um-hmm.

8       **A.**     Which turned out it was really the seizure of the  
9 firearm and the safekeeping of the firearm.

10       **Q.**    Lawful seizure.

11       **A.**    Right. It kind of went through the fact that his  
12 wife had taken it first.

13       **Q.**    Yeah.

14       **(14:11:59)**

15       **A.**    And then through us responding to that, then I found  
16 out that was done because of what happened in Oromocto and  
17 through that reason I was able to review their file. We're all  
18 on the same, it's called PROS.

19       **Q.**    Okay.

20       **A.**    PROS is our acronym for our file management system  
21 that the RCMP utilizes.

22       **Q.**    Okay.



**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **A.**     So I can look at a file anywhere in Canada that the  
2 RCMP deals with and vice versa, and since this was related to  
3 ours it was appropriate for me to have a look at theirs and see  
4 what was transpiring on their file.

5           **Q.**     Okay.

6           **A.**     So that's how I got to know what happened there.

7           **Q.**     As part of that, you can look in PROS and files  
8 across Canada, are you able to see when looking in a file if  
9 there are any license suspensions, like firearm license  
10 suspensions in place or under review?

11          **A.**     No, because that's held ... the PROS, basically, it's  
12 for investigations for the police.

13          **Q.**     Right.

14          **A.**     So firearms officers, they would have their own  
15 database. We would know, if we ran it on other systems.

16          **Q.**     Okay.

17          **A.**     I don't know if you've heard of CPIC.

18          **Q.**     Um-hmm.

19          **A.**     So CPIC would be a system that there would be an  
20 entry made that the person's firearms license is under review or  
21 they're prohibited.

22          **Q.**     Yeah.

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **A.**     Then there's also the CFRO, the Canadian Firearms  
2 Registry Office.

3           **Q.**     Yeah.

4           **A.**     That would also be a check in the ... If you checked  
5 a certain name they'd say that have a PAL, which is a possession  
6 acquisition license, but it might say suspended or under review  
7 or not licensed or expired. So there's ways for us, the police,  
8 to be able to check on the status but not just to go into PROS  
9 and look through it and be able to find this.

10          **Q.**     Okay. Now you've answered my question. So, for  
11 example, if you were checking to see if Tara Miller had a PAL  
12 that was suspended or under review, even though that process was  
13 taking place under a chief firearms officer in whatever  
14 province, you'd still be able to access that information through  
15 CFRO or CPIC?

16          **A.**     Right. That should be ... As long as it was updated  
17 by Firearms. We are seeing the data that's updated by another  
18 agency or another unit.

19          **Q.**     Okay. So they, those, the chief firearms officer has  
20 to update those systems?

21          **A.**     Correct.

22          **Q.**     Okay. Is there any way, to your knowledge, and again

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1 I appreciate you may not be the best person to speak to this,  
2 but is there any way for medical treatment providers to check  
3 and see if a firearm license is under suspension or review?

4 A. I have no idea.

5 **EXHIBIT P-000035 - HANDWRITTEN NOTES OF SGT. MACCALLUM -**  
6 **NOVEMBER 18, 2015**

7 Q. Okay. And I just want to ask you one last  
8 question. I'll take you to Exhibit P35, and these are your  
9 handwritten notes, I understand, based on your meeting with Mr.  
10 Desmond in November, November 18th, 2015, and you shared with us  
11 that he, he had a plan and he was going to be following up with  
12 his two doctors in New Brunswick the following week.

13 A. Okay.

14 Q. And there's a name of Dr. Paul Smith here and his  
15 phone number. That would have been one of the doctors, I  
16 understand, that Mr. Desmond would have shared with you?

17 A. Right.

18 Q. Okay. So you captured his phone number. Was there  
19 any purpose of capturing his phone number?

20 A. I honestly don't remember, until I saw it, taking  
21 down the number. It may very well have been offered.

22 Q. Okay.

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Ms. Miller**

1           **A.**     It was a very cordial and cooperative conversation.  
2 I don't remember asking for it.

3           **Q.**     Yeah, no, I ...

4           **A.**     It could have been offered.

5           **Q.**     Okay. I wondered if you had actually called the  
6 doctor.

7           **A.**     And I did not.

8           **Q.**     No. Okay. All right. Thank you, Staff Sergeant  
9 Maccallum. I appreciate your time.

10          **THE COURT:**       Mr. Rodgers?

11          **MR. RODGERS:**     Thank you, Your Honour.

12

13                                   **CROSS-EXAMINATION BY ADAM RODGERS**

14          **(14:15:52)**

15          **MR. RODGERS:**     Staff Sergeant Maccallum, I want to step  
16 back and maybe ask you some broader questions just in your role  
17 as a Staff Sergeant in the RCMP. You said when you started your  
18 evidence this morning how long you'd been in the RCMP, but can  
19 you remind us how long you've been serving in the RCMP.

20          **A.**     It was 23 years as of January 15<sup>th</sup>.

21          **Q.**     Okay. You've risen through the ranks to Staff  
22 Sergeant. Would it be fair to say, Staff Sergeant, that over

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1 the years and in recent years, that mental health has become  
2 more of a topic of conversation or of review or of study within  
3 the RCMP?

4 **A.** As in, like, internally, as our organization, or that  
5 we deal with?

6 **Q.** Well, in both cases. I want to ask you a little bit  
7 about both of those topics, and I wonder if, in your role,  
8 particularly where you're supervising other officers, other  
9 members, whether you have some training in identifying and  
10 dealing with that from a human resources perspective but, then,  
11 also about encountering individuals that you need to deal with.  
12 So maybe I'll start with the internal to the RCMP question. Is  
13 this something where, you know, you guys take courses, you get  
14 some training on how to deal with that within the organization?

15 **A.** So the short answer is yes. There's been quite a, in  
16 my opinion, quite an improvement in the last decade within the  
17 RCMP to recognize and provide tools to employees to better be  
18 able to deal with mental illness, the source of some stressors  
19 that happen internally with the job and also how to recognize  
20 that in colleagues and provide, like, tool sets and options. So  
21 there has been quite an improvement and I can say that from  
22 where I started.

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1           **Q.**     Yeah.

2           **A.**     So I don't know if that quite answers your question,  
3 without getting into specifics, but ...

4           **Q.**     It, no, it does, and I'll ask you, and I recognize  
5 that this might not be something you'd prepared for in  
6 anticipation of your evidence today but are there specifics that  
7 stand out as being things that seem to be working, effective  
8 ways of dealing with members who might have mental health  
9 difficulties themselves or in identifying those from a  
10 supervision perspective?

11          **A.**     As for identifying, I don't know if there's been any  
12 changes with that, *per se*, but what's happened now is that  
13 there's just more options and avenues available. So if we do  
14 encounter somebody within our organization that's experiencing a  
15 crisis or, obviously, some sort of mental health issues, there's  
16 more immediate things for acute situations that are going on  
17 where we can get employee assistance, and those assistances will  
18 open a broad spectrum of options, from, whether it be provider,  
19 to providers, to counseling. To be honest, there's things that  
20 are as simple as LifeSpeak and certain apps that you can have  
21 and where you ... You know, there's some mindfulness and  
22 wellness tools that are at your fingertips for everyday things.

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1 So those are the kind of things that I think that are, like,  
2 there's things that are right here and now that you can do by  
3 yourself.

4 Q. Yeah.

5 A. And you recommended to people or you can, you know,  
6 gently guide them to things. And then there's some more  
7 complicated and things that are, obviously, a little bit more  
8 private, but through our health services we can get expedited  
9 appointments with caregivers depending on what's needed. You  
10 know, is there probably room for improvement? There probably  
11 definitely is but I just think it's opened up. There's  
12 obviously a lot of time and energy and thought being invested  
13 into it. And you know, I'm sure there's probably a lot more ...  
14 As you said, I didn't really prepare for this part of it.

15 Q. Sure, no, that's fair.

16 A. But I'm sure there's probably a lot more that I could  
17 probably offer on it but I can say that, in my opinion, there's  
18 been a real change in the last decade.

19 Q. Yeah.

20 A. And I see it because, as you even mentioned,  
21 sometimes you have to direct employees and colleagues to some  
22 things that would be helpful to them or, at least, give them the

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1 options. Other times there has to be a little bit more of, you  
2 know, Here's something, maybe you want to look it up, proactive,  
3 in the future.

4 **Q.** Okay. And just a follow-up on that. Are there  
5 things, in particular, that come to mind that in your role as  
6 Staff Sergeant you've recommended to members that ... Are there  
7 things that you tend to recommend because you think they work or  
8 things that you've recommended that you feel have worked that  
9 you might be able to share with us?

10 **A.** I, the only thing I can really think of that is that,  
11 so our employee services, employee assistance services, there's  
12 a 24-hour hotline that's provided through the Government of  
13 Canada.

14 **Q.** Yeah.

15 **A.** And the RCMP obviously falls in part of that. And,  
16 you know, you can call it any time, and if somebody's  
17 experienced something, it may not be a crisis where we have to,  
18 you know, somebody has to go to the hospital immediately, but  
19 they may want to talk to somebody. It kickstarts a referral  
20 program that is very quick that puts you in touch with a care  
21 provider, depending on what's going on, and they follow up with  
22 it, like, you know, Did you get service?



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1 (14:22:02)

2 Q. Okay.

3 A. And it's like, Okay, well, you didn't get service  
4 within 24 or 48 hours, here, we're going to get you another one.  
5 We're going to get you another referral. So those things, I  
6 find, is good because there's actually a little bit of onus and  
7 followup with it. They don't just say, Here's a number. And  
8 then, like I said, some of the simpler ones that are being  
9 championed. Like we have a wellness coordinator for Nova Scotia  
10 with the RCMP, and they follow up a lot on things and if we need  
11 critical debriefings after traumatic events, you know, we can  
12 have a psychologist brought in, have a debriefing for that, and  
13 then do some follow-up. I know some of these things have always  
14 been around but I just find that they've been, the gaps have  
15 been tightened and there's more acceptance now because it's  
16 broken down some more barriers as to it's okay to take advantage  
17 of these things. So I just think there's more of it and there's  
18 more of an acceptance to utilize it.

19 Q. Yeah.

20 A. So I know that, like I said, that is fairly broad but  
21 ...

22 Q. No, no, that's good. I was curious to know whether

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1 that was your experience with it or your impression of the  
2 system. Now a somewhat related question to that. I mean, you  
3 know, we've heard your testimony this morning and, clearly, this  
4 would be a traumatic experience for yourself, for Constable  
5 Sparks, for any of the other members that were on scene, and one  
6 can imagine many other situations for an RCMP officer where that  
7 would be the case. Do you have any kind of systematic or  
8 available training or preparation for how to deal with these  
9 potentially traumatic events? Like is this part of an RCMP  
10 officer's either initial or ongoing training as to here's how  
11 you prepare yourself to face what you might face at any moment?

12 **A.** I can't say that there's really anything to say that  
13 you're going ... something that's going to say, Well, this is  
14 what you're going to see and this is how you're going to react  
15 and how you'd build on resiliency for that.

16 **Q.** Yeah.

17 **A.** What I can say is that I know that there's things to  
18 be able to be mindful and aware of that, when your cup's getting  
19 full ...

20 **Q.** Yeah.

21 **A.** ... that you know it's okay to reach out.

22 **Q.** I ask you this not to be personal with you but just

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1 because the RCMP experience wouldn't be totally dissimilar, I  
2 would think, to a military experience where you might suddenly  
3 and without a lot of warning be thrust into a traumatic  
4 situation. And I was wondering if there's any kind of systemic  
5 effort to prepare members for that.

6       **A.** I can't think of anything except for just people ...  
7 I mean, you have new members or new employees that ... You know,  
8 there's things that you learn about stress and, but to say that,  
9 you know, this is what you're going to see and this is how  
10 you're going to react, because we're all human and react in  
11 different ways, I don't think there's really a cookie-cutter  
12 approach to be able to say this type of training... It's,  
13 basically, just to be mindful of it and how to deal with ...  
14 Because it's an inherent risk for us or the military that we're  
15 going to probably come across traumatic incidents and, you know,  
16 our role is to process and move through whatever duties we have  
17 to do with that, whether it be domestic or military.

18       **Q.** Yeah.

19       **A.** But not, there's nothing really that comes to mind  
20 right now, and I might be missing something, but ...

21       **Q.** No, that's fine.

22       **A.** ... nothing I can say that prepares you for those

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1 things.

2       **Q.** One of the things, you know, where the two situations  
3 again I would say aren't totally dissimilar, do you see former  
4 members of the Canadian Forces, in your experience, once they're  
5 out of active service, joining the RCMP and becoming RCMP  
6 officers? Is that a common occurrence?

7       **A.** I'm aware of quite a few former Armed Forces  
8 personnel that are now RCMP officers or have been RCMP and  
9 retired, yes.

10       **Q.** Yeah. One of the things that struck me when you were  
11 talking about speaking with Corporal Desmond, he was in some  
12 isolation. Did you get the sense that maybe he appreciated  
13 having a chance to talk to an RCMP officer, somebody in uniform,  
14 that he might be able to relate to a little bit? Did you get  
15 that impression from your conversation with him back on November  
16 18<sup>th</sup> of 2015?

17       **A.** Not specifically about being in uniform. We had, to  
18 be honest, quite a good conversation. I think he just ... I was  
19 asking him how he was doing. I was seeing about how he was and  
20 telling him his family was concerned about him and I think he  
21 was genuinely thankful that those questions were being asked of  
22 him. I can't really say it was specific to me wearing a uniform

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1 or being part of the RCMP.

2 Q. Okay. Thank you, Staff Sergeant, those are all my  
3 questions.

4 **THE COURT:** Mr. Hayne?

5 **MR. HAYNE:** No questions, Your Honour.

6 **THE COURT:** All right. Thank you. I have a couple of  
7 questions. Just before I do, I'm going to take just a short 10-  
8 minute adjournment. I want to speak to Mr. Murray and Mr.  
9 Russell for a minute. That might shorten up my questions at the  
10 end of the day. So 10 minutes. Thank you.

11 **COURT RECESSED (14:28 HRS)**

12 **COURT RESUMED (14:42 HRS)**

13

14 **EXAMINATION BY THE COURT**

15 **(14:42:23)**

16 **THE COURT:** Sergeant, I'm going to ask just a couple  
17 questions, and if you can answer them that's fine. It relates  
18 to the firearm and I don't know how much familiarity you might  
19 have or not have with that particular firearm. Now as I  
20 understand from the disclosure of material, and from the  
21 photographs we have, that that firearm was found in a particular  
22 location when you entered the residence? It was across Mr.

**S/SGT. ADDIE MACCALLUM, Cross-Examination by Mr. Rodgers**

1 Lionel Desmond's left arm ...

2 Q. Yes.

3 Q. ... on the floor? Okay. And would you have made any  
4 observations as to whether or not the bolt was locked open or  
5 was closed?

6 A. I don't remember that.

7 Q. Okay. The magazine with one round in it was on the  
8 counter, was on the stepped-up ledge?

9 A. Right ...

10 Q. The island?

11 A. ... of the island. Yeah.

12 Q. Okay. And there were seven rounds out of the box of  
13 ammunition that was on the counter?

14 A. And I can't say that definitely. I can tell that  
15 there was definitely a few missing, but only from that picture  
16 was the first time that I ever really took note as to how many  
17 were missing.

18 Q. Okay. I think from the picture it's showing that  
19 there were seven missing?

20 **THE CLERK:** Photo 21, Your Honour.

21 **THE COURT:** 21?

22 **THE CLERK:** Exhibit 29.

**S/SGT. ADDIE MACCALLUM, Examination by the Court**

1           **THE COURT:**       Well, we can have a look at photograph 21,  
2 please. Be from Exhibit 29. Can you have a look at that,  
3 Sergeant? See if you're able to make out the number of empty  
4 ... I think there's actually ... there may be a better picture  
5 some place, too.

6           **A.**       From that photo it's pretty evident. It looks like  
7 there's seven empty holes. If that was a full box of  
8 ammunition, that there would be seven rounds missing.

9           **Q.**       All right. So I understand that ... I don't know if  
10 there's a better picture of it but let's assume that there's  
11 seven rounds missing, assume that the box was full. I think  
12 we're going to have some evidence at some point that he  
13 purchased a box of ammunition earlier that day. We also, I  
14 think, are going to hear some evidence that there were six shell  
15 casings that were found. So six shell casings and one live  
16 round in the magazine, right? The magazine holds how many  
17 rounds, do you know?

18           **A.**       I don't know how many rounds ...

19           **Q.**       You don't know?

20           **A.**       ... this particular magazine holds.

21           **Q.**       Okay. Do you know, in Canada, what the maximum limit  
22 for a rifle magazine in terms of how many rounds it can hold?

**S/SGT. ADDIE MACCALLUM, Examination by the Court**

1 Do you know that offhand?

2 **A.** Not too definitively but I believe it's five.

3 **Q.** Five. All right. Okay. So I was going to ask you  
4 some questions but you know what I'm going to do is I'm not  
5 going to ask the rest of my questions because they require maybe  
6 somebody with a little bit more precise knowledge. I don't mean  
7 to be disrespectful when I say that. Because I'm interested to  
8 know an explanation for some facts that I think we're going to  
9 hear, and I'm not going to put it to you to ... I'm not going to  
10 put you on the spot to answer it, quite frankly. I don't see  
11 any need for it today.

12 **A.** Okay.

13 **Q.** All right? So I'm just going to ... Counsel, I'll  
14 save my questions for another witness in relation to that. And  
15 I'll give counsel some explanation for it just a little later  
16 this afternoon, too, so everyone will understand where I was  
17 coming from with respect to that.

18 All right, so thank you. Thank you, Staff Sergeant.  
19 Appreciate your time.

20 **MR. MURRAY:** If I might.

21 **THE COURT:** Unless Mr. Murray has another question,  
22 sorry.



**S/SGT. ADDIE MACCALLUM, Examination by the Court**

1           **MR. MURRAY:**     Just a couple.

2           **THE COURT:**     Yes, of course.

3

4

**RE-DIRECT EXAMINATION**

5           **(14:47:37)**

6           **MR. MURRAY:**     Sgt. Maccallum, I just wanted to follow up  
7 briefly on some questions my friend Ms. Miller asked with  
8 relation to, or in relation to, Exhibit P-31. Sergeant, it's my  
9 understanding that in various incidents that the police become  
10 involved in are coded and different codes are entered into your  
11 system. Is that correct?

12           **A.**     Do you mean like scoring?

13           **Q.**     Scoring perhaps is a better word then, yes.

14           **A.**     Yes. Do you mean, like, so what the event is actually  
15 captured as that we attend to and then maybe some subsequent  
16 activities?

17           **Q.**     Well, I'm thinking of ... or are you familiar with the  
18 Universal Crime Reporting numbering system?

19           **A.**     UCR.

20           **Q.**     UCR?

21           **A.**     Yes.

22           **Q.**     And are various incidents, when they are entered into

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1 PROS or CPIC, coded with a number from the UCR?

2 **A.** Yes. Basically a Stats Canada type of ...

3 **Q.** Right.

4 **A.** Right.

5 **Q.** Okay, so that's kind of what I'm referring to, and  
6 it's our understanding that certain incidents, they don't  
7 necessarily have to result in a criminal charge. But when they  
8 are entered into CPIC, perhaps, or PROS, those systems interact  
9 with the Canadian Firearms Information System and that is what  
10 sometimes creates the Firearms Interest Police, or FIP? Do I  
11 have that correct as far as you know?

12 **A.** From my understanding is that there is some  
13 communication between the different databases.

14 **Q.** Yes.

15 **A.** And the firearms officers are automatically notified  
16 when certain scoring types happen. Hence the FIPs. So if it's  
17 a Firearms Interest Police, really, what that also means is it's  
18 an interest to the Chief Firearms Officer for some sort of  
19 review.

20 **Q.** Right.

21 **A.** We can do basically a, you know, manual ... we can  
22 call them and let them know we have this ...

**S/SGT. ADDIE MACCALLUM, Re-Direct Examination**

1           **Q.**    Mm-hmm.

2           **A.**    ... going on.  But this also is another way that they  
3 get notified.

4           **Q.**    Right.

5           **A.**    Right.

6           **Q.**    Okay.  And again, I'll preface all these as Ms. Miller  
7 did with ... these are perhaps better directed to the firearms  
8 officers, but what I'm curious about in this case, as a result  
9 of the November 18th incident a FIP was created and that is what  
10 caused the firearms officer, Lloyd Carter, to attend at the  
11 detachment?

12          **A.**    That's correct.  My memory on this particular one is  
13 that he came to us without us notifying him.  So it must have  
14 been generated through the PROS file to the firearms officer,  
15 their databank.

16          **Q.**    Okay.  And in your experience, when firearms officers  
17 become aware of a particular incident through a FIP or some  
18 other means and they wish to access your police file would they  
19 come to the detachment and ask for information directly?

20          **A.**    Two ways.  They would come and see us in person, and  
21 to be honest, Firearms Officer Carter usually did.  He'd pop in.  
22 We are a small detachment area and driving by he would stop in

**S/SGT. ADDIE MACCALLUM, Re-Direct Examination**

1 if he had something of this. Sometimes it was to pick up  
2 firearms for destruction and things of that nature. Other times  
3 it would be perhaps email or a phone call and we would discuss  
4 it, and I've known there's times where we've filled out and  
5 given disclosure to them by an email or mailing the material out  
6 to them. One way or another they were provided with a copy of  
7 it. It's not always in person.

8 Q. So you would. It was your practice to provide  
9 material from your file, say a general occurrence report or an  
10 occurrence summary of some sort, to a firearms officer if they  
11 asked for it?

12 A. Absolutely.

13 Q. In this particular case, the note on P-31 indicates  
14 that Lloyd Carter was provided with information from the file.  
15 I know it says, "Maccallum provided Carter with information from  
16 file." Do you have a memory, yourself, of actually speaking to  
17 Lloyd Carter on this or not?

18 A. I remember he was at the office or detachment. Not  
19 going to say regularly, but it wasn't uncommon to see him.

20 **(14:51:58)**

21 Q. Mm-hmm.

22 A. For this particular one, I can't remember, you know,

**S/SGT. ADDIE MACCALLUM, Re-Direct Examination**

1 handing it to him.

2 Q. Right.

3 A. But I have done that ...

4 Q. Right.

5 A. ... in the past with other files that would be similar  
6 in nature.

7 Q. Okay. And typically you said this would be printed  
8 off the system, perhaps, if it's an electronic entry and a paper  
9 copy given to the officer?

10 A. That's exactly how we deal with it. If he was there  
11 in person we wouldn't create it electronically. We'd just print  
12 it off and give him a copy.

13 Q. Okay, and just so I'm clear. I appreciate you have  
14 memory of dealing with him various times on various files. This  
15 particular one do you remember one way or the other?

16 A. No, I don't.

17 Q. Okay. It would appear, though, from this entry that  
18 the firearms officer did receive some material from the  
19 detachment and took that away?

20 A. Right. And from looking at it, I see that where it  
21 says, "Involved officers."

22 Q. Mm-hmm.

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1           **A.**    And number 6 is N. Connolly-MacDonald. That was  
2    Natasha Connolly-MacDonald. She was the detachment assistant  
3    and I'm very confident that she wrote those remarks in there.  
4    She probably prepared it and then I gave it to him.

5           **Q.**    Okay. And just above that entry, the one referencing  
6    Lloyd Carter, the expiry date, which says May 13th, 2016, do you  
7    know what that is?

8           **A.**    So yes. Any flag that ...

9           **Q.**    Right.

10          **A.**    ... we put on PROS, it has to have an expiry date.

11          **Q.**    Right.

12          **A.**    So what that means is that it doesn't just go on  
13    indefinitely. It has to be that it's actioned, and so that's  
14    just the diary date on that saying that, Okay, there's got to be  
15    disclosure made to a firearms officer, you know, it's done, that  
16    it's been done. And then the remarks down below say that it had  
17    been completed.

18          **Q.**    Okay. Okay, so is that entry the time that it was  
19    actioned, that the material was given to him?

20          **A.**    No, no, that's just an expiry date on the flag and  
21    that's self-generated, usually.

22          **Q.**    Okay.

**S/SGT. ADDIE MACCALLUM, Re-Direct Examination**

1           **A.**    Yeah.  Sometimes they're six months depending on what  
2 the task is or the flag is.

3           **Q.**    Mm-hmm.

4           **A.**    Some are 30 days.

5           **Q.**    So that one was approximately six months.

6           **A.**    Yes.  So whenever that flag was created.  And I don't  
7 know exactly the administrative flag duration for all the  
8 different ones.  I'm going to assume that one was six months.

9           **Q.**    Okay.

10          **A.**    How they even came up with that date where you can see  
11 12:02.

12          **Q.**    Mm-hmm.

13          **A.**    To me, that's that it was created perhaps three  
14 months, four months, six months at that exact time and then it  
15 predated six months down the road right to that time that, that  
16 happened.

17          **Q.**    Okay, so it doesn't mean that anything specifically  
18 happened at 12:02 on May 13th, 2016.

19          **A.**    No, just that that's the expiry date that was given  
20 through a self-generated diary date.

21          **Q.**    And do you know, when material is provided to the Nova  
22 Scotia Medical ... or sorry, Nova Scotia Chief Firearms Office

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1 to a firearms officer such as what appears to have happened here  
2 they would open a file or retain that material? Or you may not  
3 be able to say one way or the other what would happen with that?

4 **A.** I know that when I've spoken to firearms officers and  
5 they're conducting a review ...

6 **Q.** Mm-hmm.

7 **A.** ... they have the material and that's part of their  
8 review. I don't know what they do with it after that.

9 **Q.** Okay. All right. Thank you, Sergeant.

10 **THE COURT:** Counsel have any questions as a result of  
11 Mr. Murray's questions or my attempt at a question? No? Just  
12 before you go, Staff Sergeant.

13

14

**EXAMINATION BY THE COURT**

15 **(14:44:39)**

16 **THE COURT:** When the FIP is generated do you know from  
17 your own knowledge whether or not the Chief Firearms Office has  
18 access to either CPIC or PROS?

19 **A.** Not PROS because that's when they come looking for  
20 disclosure we provided or otherwise they would have that  
21 already. CPIC, I'm very confident that they have access to it  
22 because they will sometimes add some certain material to it.



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1 But not PROS.

2 Q. All right. Because that's where you would go, for  
3 instance, to find out whether a person had a ... you had somebody  
4 that was in possession of a firearm and they had a license and  
5 you wanted to check on their license if they had their pocket.  
6 And you would check on CPIC to see whether or not it was  
7 actually a valid license?

8 A. No, it's ...

9 Q. Or would you check someplace else?

10 A. Somewhere else called CFRO.

11 Q. Mm-hmm.

12 A. Canadian Firearms Registry Office. And so when you do  
13 a CFRO check they would see. In the days of the long gun  
14 registry you'd see anything that's registered.

15 Q. Mm-hmm.

16 A. And this here now it would say that if a person had a  
17 license or if they have any ... you still have to register,  
18 like, restricted weapons such as handguns or fully automatic  
19 weapons, things of that nature.

20 Q. So CFRO, you would check whether or not a person had a  
21 PAL.

22 A. Right.

**S/SGT. ADDIE MACCALLUM, Examination by the Court**

1           **Q.**   And they would only have a firearm registered there if  
2 it was restricted or prohibited.

3           **A.**   Correct.

4           **Q.**   Okay. All right. Thank you. Again, if anyone has  
5 any questions now is your opportunity to present them. Thank  
6 you.

7           Again, thank you, Staff Sergeant. You're free to go.

8           **WITNESS WITHDREW**           **(14:57 HRS)**

9           **THE COURT:**           Mr. Murray?

10          **MR. MURRAY:**           Yes. Sgt. Jennifer McNeil.

11          **THE CLERK:**           Jennifer ...

12          **MR. MURRAY:**           McNeil.

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1 **SGT. JENNIFER MCNEIL (OLFERT), affirmed, testified:**

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3

**DIRECT EXAMINATION**

4 **(14:58:54)**

5 **THE COURT:** Good afternoon. Mr. Murray?

6 **MR. MURRAY:** Thank you. Can you state your name for the  
7 record, please?

8 **A.** Jennifer McNeil.

9 **Q.** All right, and how do you spell your last name?

10 **A.** M-C-N-E-I-L.

11 **Q.** All right, and we've heard reference, I think, to you  
12 in the evidence of other officers with another name? Some of  
13 the materials may have you identified as Jennifer Olfert?

14 **A.** Yes, that's correct. During this file, and up until  
15 2018, I was Olfert.

16 **Q.** Okay, and that name is spelled how?

17 **A.** O-L-F-E-R-T.

18 **Q.** Okay. Thank you, and how are you employed?

19 **A.** I'm employed by the RCMP as a regular member.

20 **Q.** Okay, and what is your rank?

21 **A.** Sergeant.

22 **Q.** And where are you located presently?

1           A.    Presently I'm on Vancouver Island in Port Alberni.

2           Q.    All right, and how long have you been a member of the  
3 RCMP?

4           A.    For 21 and a half years.

5           Q.    Okay, and presently your duties as a general member  
6 involve what?

7           A.    I'm a Forensic Identification Specialist and the new  
8 planning officer in charge of my unit.

9           Q.    Which is a forensic identification unit or ...

10          A.    Yes, that's correct.

11          Q.    Okay. That's the nature of the work you're doing, as  
12 well, in BC?

13          A.    Yes.

14          **EXHIBIT P-000038 - CURRICULUM VITAE OF SGT. JENNIFER LEE MCNEIL**

15          Q.    Okay, and if I could direct you to ... I believe we  
16 have your *curriculum vitae* marked as an exhibit, and it's P38.  
17 And it'll be in front of you on the screen there and also in the  
18 binder, I think, in front of you if you want to have reference  
19 to it.

20                So your, I guess, manner in which we identify your area of  
21 expertise is as a Forensic Identification Specialist? Is that  
22 correct?

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1           **A.**    That's correct.

2           **Q.**    Okay, and can you explain for the Inquiry what a  
3 Forensic Identification Specialist is or what that entails?

4           **A.**    Of course.  So I attend crime scenes and examine  
5 exhibits for forensic evidence such as fingerprints, footwear,  
6 and trace evidence.  So I ...

7           **Q.**    Mm-hmm.

8           **A.**    ... attend all break and enters, thefts from vehicles  
9 and up to sexual assaults and homicides.

10          **Q.**    All right.  And you have, obviously, some training,  
11 some extensive training actually, to become a forensic  
12 identification specialist?

13          **A.**    That's correct.

14          **Q.**    Okay.  Perhaps if we could just go through your CV  
15 briefly here.  You became a member of the RCMP in June of 1998?  
16 Is that correct?

17          **A.**    Yes.

18          **Q.**    And initially you were stationed at posts in the  
19 Province of British Columbia.

20          **A.**    Yes, that's correct.

21          **Q.**    All right.  And you began your studies that would lead  
22 to becoming a forensic identification specialist, I guess, in

**SGT. JENNIFER MCNEIL, Direct Examination**

1 2005 roughly? Is that correct?

2 **A.** Yes, 2005/2006.

3 **Q.** Okay. And initially you took a fairly lengthy 40-hour  
4 course, it would appear, in July of 2005 to June of 2006, over  
5 that period of time?

6 **A.** I took my basic forensic identification course from  
7 October to December in 2006.

8 **(15:01:58)**

9 **Q.** I'm just looking. Thank you. I'm just looking at  
10 your CV. There appears to be some training you took just prior  
11 to that in '05/'06 that's referenced on your CV.

12 **A.** That's correct.

13 **Q.** Okay. But your basic training in the area of forensic  
14 identification with the RCMP was in October of 2006?

15 **A.** That's correct.

16 **Q.** All right. And what does that entail? What's  
17 involved in the basic forensic identification course?

18 **A.** During that course we learn all aspects of forensic  
19 identification including crime scene examination, photography,  
20 and fingerprint recovery. And there's three examinations based  
21 on those topics. We learn about fingerprint history. Some  
22 about genetics and a bit of skin formation and that sort of

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1 thing, and it culminates in a final fingerprint examination. I  
2 successfully completed all three examinations and the  
3 fingerprint identification.

4 Q. All right. And that also involves an apprenticeship,  
5 does it?

6 A. Yes, the apprenticeship comes directly after the  
7 initial course.

8 Q. I see. Okay, and you completed that. Or when did you  
9 do your apprenticeship?

10 A. Directly after that from December 2006 to March of  
11 2008 and then I went before a board of my peers, a qualification  
12 board, which I successfully challenged the qualification board  
13 and became a specialist.

14 Q. Okay. And at that point you were identified as a  
15 specialist with the RCMP?

16 A. That's correct.

17 Q. All right. And thereafter and from that period of  
18 time up to present your CV outlines a number of courses and  
19 continuing education that you took in the area of forensic  
20 identification?

21 A. Yes.

22 Q. All right. And at some point you were stationed in

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1 the Province of Nova Scotia, were you?

2 **A.** That's correct. From May 2016 until January 2019.

3 **Q.** Okay, and that was in Port Hawkesbury, was it?

4 **A.** That's correct.

5 **Q.** And your work in Nova Scotia involved what?

6 **A.** All aspects of forensic identification work.

7 **Q.** Okay, and that was with the Forensic Identification  
8 Section in Port Hawkesbury?

9 **A.** Yes.

10 **Q.** Okay. And then after January of 2019 you returned to  
11 BC?

12 **A.** Yes, to Vancouver Island.

13 **Q.** Vancouver Island, and that's where you're stationed  
14 ...

15 **A.** Yes.

16 **Q.** ... today. Okay. While you were in Nova Scotia with  
17 the Forensic Identification Section in Port Hawkesbury you had  
18 some involvement, obviously, in the investigation that we're  
19 speaking about today?

20 **A.** Yes, I did.

21 **Q.** Okay. And you became involved in that on January 3rd,  
22 2017?



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1           **A.**    Yes.

2           **EXHIBIT P-000039 - FORENSIC IDENTIFICATION REPORT re JANUARY 3,**  
3           **2017**

4           **Q.**    All right.  Perhaps we could bring up Exhibit P39,  
5           which is your Forensic Identification Occurrence Report.  Please  
6           feel free to reference anything you wish as we go through this.  
7           Can you indicate for the Court when you were called out and what  
8           you recall of the initial call?

9           **A.**    Yes.  So roughly around 8 p.m. on January 3rd, 2017 I  
10          was called by Sgt. MacEachern, who is a sergeant in charge of  
11          Truro.  We have kind of conjoined units between Port Hawkesbury  
12          and Truro.  So we'd have a large area together.  And she had  
13          been advised of a triple murder/suicide that had occurred in my  
14          area, which I cover.  So she called me and advised me of that  
15          and that I would be required to attend.  That was about 8  
16          o'clock, 8 p.m., and then I attended that scene at around 10  
17          p.m.  So at 15375 Highway 16 in ...

18          **Q.**    All right.

19          **A.**    ... Tracadie.

20          **Q.**    All right, and that area fell within your area.  Or  
21          geographic area I guess I should say.

22          **A.**    Yes, in my coverage area.

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1           **Q.** Coverage area, thank you, from Port Hawkesbury. All  
2 right, and you said you were dispatched by a Sgt. MacEachern who  
3 is in Truro?

4           **A.** Yes.

5           **Q.** Okay. Now when you would be dispatched to a call such  
6 as this is there a certain timeframe within which ideally you  
7 like to get there to be able to address the issues that you need  
8 to?

9           **A.** As soon as is practical. So it could be depending on  
10 the location away from me, the severity of the offence and  
11 whatnot. Like as soon as practical. So I would have attended  
12 the detachment, Port Hawkesbury Detachment, from home, gotten  
13 all my supplies and everything sorted out, called my coworker,  
14 Laura Septon, to attend as well and then headed out. So just in  
15 a timely manner.

16           **Q.** Okay. And the other officer that you made reference  
17 to there is Cst. Laura Septon?

18           **A.** That's correct.

19           **Q.** And at that time she was also stationed, was she, with  
20 the FIS section in Port Hawkesbury?

21           **A.** Yes.

22           **Q.** Okay. With this type of call, typically would two FIS

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1 officers respond to it?

2 **A.** Yes.

3 **Q.** Okay, and to your knowledge, was Northeast Nova Major  
4 Crime becoming involved in the file as well?

5 **A.** Yes.

6 **Q.** Typically the two of you might respond to these types  
7 of files simultaneously?

8 **A.** Yes.

9 **Q.** Okay. Are there particular tools or supplies that you  
10 would take with you when you're attending a scene like this in  
11 anticipation of what you might need to do?

12 **A.** Yes. I would certainly take my camera kit. Not  
13 knowing exactly what was before me but knowing that the location  
14 was a ways away from my posting at Port Hawkesbury, I would have  
15 gotten the forensic light source. Perhaps bloodstain kits and a  
16 few other things. And supplies I might need so that I don't  
17 have to go back and forth, as the distance was around an hour, I  
18 believe.

19 **Q.** Okay. All right. Do you recall the conditions that  
20 night when you responded to that address?

21 **A.** On the 3rd I believe the conditions were relatively  
22 clear but it was cold. Because it was in the evening.

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1           **Q.**    Okay.  And did you have any additional information  
2 when you were attending the scene?  Just describe to us.

3           **A.**    Just that it was in one residence; that there were  
4 multiple people deceased and that they did not think there was  
5 an outstanding offender.

6           **Q.**    Okay.  Which is obviously information that's important  
7 for you to know.

8           **A.**    Yes.

9           **Q.**    You can't attend a scene until that's resolved, I  
10 guess.

11          **A.**    Yes, that's correct.

12          **Q.**    All right.  And from whom did you receive that  
13 information?  Was that all from Sgt. MacEachern?

14          **A.**    No.  I believe I spoke with ... yes, I spoke with  
15 Jerry Rose-Berthiaume.  He was the Major Crime investigator.  So  
16 after speaking with Sgt. MacEachern I would have spoken with  
17 him, got a bit more information so I knew what to bring with me  
18 and where we might meet up and then headed out from there.

19          **Q.**    Okay.  When you arrived at the scene at 15375 Highway  
20 16 what did you see?  Can you describe the scene?

21          **A.**    Well, initially when I arrived I noted that off of  
22 Highway 16 the residence is at a convex bend in the road.  The

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1 driveway was a horseshoe-shaped driveway that went around the  
2 back of the residence. And it was dark out and there was  
3 members posted at both sides of the residence at the end of the  
4 driveway.

5 **Q.** All right, and what type of a residence was it?

6 **A.** Sort of a modular home.

7 **Q.** Okay.

8 **A.** And with the long end of it parallel to the highway.

9 **Q.** Okay. Is there a particular place where you would  
10 stage or where you would park before entering the residence?

11 **A.** Well, in that particular case, I had entered through  
12 the left-side driveway. So you'd drive past the residence on  
13 the left-hand side and then there was kind of a more open space  
14 on that side where a lot of other police vehicles and whatnot  
15 were located at. So I just parked on that side, and we actually  
16 entered and exited through that side the entire time.

17 **Q.** Okay. Did you speak to an officer on scene when you  
18 first arrived?

19 **A.** Well, I spoke initially to the scene security person  
20 to get into the driveway and then I spoke with several officers  
21 at the scene.

22 **Q.** Okay, and I think your note indicates that you had a

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1 conversation with Sgt. Maccallum when you first arrived?

2 **A.** Yes, with Sgt. Maccallum and with two Major Crime  
3 members. We all converged into one of our Ident trucks and then  
4 had, like, a little debrief in the vehicle.

5 **Q.** All right. And what information did you receive at  
6 that point during that debrief?

7 **A.** Sgt. Maccallum was the one who had entered the  
8 residence initially, or one of the people that had entered  
9 initially. So he just gave me a rundown of what he had seen  
10 upon entry and how many people had been in there before us so  
11 that we had an idea of how many first responders had been in the  
12 residence as well.

13 **Q.** That's important information, is it, for you to know?

14 **(15:11:57)**

15 **A.** Yes. If I obtain some evidence I need to know how  
16 many people are in there in case, like, say I get footwear  
17 evidence; that I can put them back to other people.

18 **Q.** Okay, so for example, if an emergency responder, an  
19 EHS individual, enters the residence they may leave a footprint.  
20 You need to be able to match that with that person subsequently?

21 **A.** That's correct, and if they leave ... especially with  
22 EHS personnel, oftentimes they'll leave some of their equipment

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1 if they've had to work on somebody. Like gloves or the little  
2 paddles that stick to your chest and stuff. Sometimes they  
3 leave some of their items behind.

4 **Q.** All right. So you had an idea of how many individuals  
5 in the residence might be deceased when you entered?

6 **A.** Yes.

7 **Q.** Did you have names at that point?

8 **A.** At that point I didn't. I did later on. So, yeah, I  
9 just designate them with F1, F2, F3, and M1.

10 **Q.** Okay.

11 **A.** So Female 1, 2, 3, and Male 1.

12 **Q.** Okay. You knew that there were three females and one  
13 male at that point?

14 **A.** Initially when I went and did my initial walk-through  
15 I did and I just designated that for ease of making my own  
16 notes.

17 **Q.** So after your debrief did you, in fact, enter the  
18 home?

19 **A.** Yes.

20 **Q.** All right. And what was the purpose for entering the  
21 home?

22 **A.** So initially upon entering the home I'll go in and do

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1 just a quick walkthrough just to see where items are, where the  
2 people are, areas to be clear of, how I'm going to take my  
3 photographs and video, and just looking for hazards and whatnot.

4 Q. Okay. Was it your intention to photograph initially  
5 when you went in or do you do sort of a walkthrough first?

6 A. I just do a quick walkthrough first. Or just even a  
7 look into the main areas to see kind of what I'm working with  
8 and then to plan out how I'm going to do my photographs.

9 Q. Okay, so when you entered the home was it just  
10 yourself, or did you enter with Cst. Septon?

11 A. I don't recall if she came in with me in that initial  
12 look or not to be quite honest with you. I'm not a hundred  
13 percent certain on that.

14 Q. Okay. You did ultimately take photographs in the  
15 residence, and we may make reference to those. I appreciate you  
16 weren't taking them initially when you entered the home, but ...

17 A. Mm-hmm.

18 Q. ... just to kind of give us a perspective perhaps we  
19 can make reference to P-29. So there are a number of  
20 photographs. We'll have a look here in Exhibit P-29, and I  
21 believe as we go through these you can indicate. I believe  
22 these were all photographs taken by yourself but ...



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1           **A.**    They are all by myself.

2           **Q.**    Right, but I appreciate obviously some of these are  
3 taken in the daylight and on another occasion. But I'd like to  
4 just go through these to indicate kind of where you were and how  
5 you approached the residence.

6           So the first photograph in P29, does that depict the house  
7 that you ultimately entered?

8           **A.**    Yes, it depicts as I came upon the house from Highway  
9 16, and you can see with the police vehicle in the forefront  
10 there, that's the right-side driveway. It horseshoes up and  
11 around the back side of that yellow residence, and you'll see in  
12 the background a police car. That's the other entrance into the  
13 residence, the far residence. Or the far entrance.

14          **Q.**    And that's the direction from which you approached the  
15 house?

16          **A.**    That's correct.

17          **Q.**    As you left the 104 Highway and traveled on Route 16  
18 you would approach the house from that direction?

19          **A.**    That's correct.

20          **Q.**    All right, and in photograph number 2. This is the  
21 area I believe you described a moment ago where you ultimately  
22 parked?

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1           **A.**    Yes.  So the driveway there with the police car in it,  
2  that's where we would generally come in and out of, that  
3  driveway, and you can see my forensic identification vehicle  
4  there, the large truck with a canopy parked there.

5           **Q.**    Close to the residence.

6           **A.**    That's correct.

7           **Q.**    That's your vehicle?

8           **A.**    Yes.

9           **Q.**    Okay, and photograph 3 is another picture of the  
10 residence, is it?

11          **A.**    Just the front view of the residence, yes.

12          **Q.**    Okay, and photograph 4?

13          **A.**    So that's just wrapping around the left side of the  
14 residence to the area that we would commonly come from.

15          **Q.**    Okay, and in the left side of that photograph is?  
16 Again, is that your forensic vehicle?

17          **A.**    Yes, that's the back of my vehicle.

18          **Q.**    Okay.  When you approached the residence and  
19 ultimately entered it from what part of the residence did you  
20 enter?

21          **A.**    From the rear, the rear door.

22          **Q.**    Okay, and if we go to photograph number 5.  What's

**SGT. JENNIFER MCNEIL, Direct Examination**

1 depicted here?

2           **A.** So that's just the back side of the residence, the  
3 driveway. The red vehicle there parked parallel to the  
4 residence was there when we arrived and then you can see the  
5 rear door. And a piece of the rear door and a piece of the back  
6 deck.

7           **Q.** Okay, and that partially obstructed back door, that's  
8 the door that you entered when you ultimately went into the  
9 residence?

10          **A.** Yes.

11          **Q.** Okay, and photograph number 6. We have a little  
12 different perspective, I think, on the back step?

13          **A.** Yes. So the pictures that are dark are the first day  
14 that we arrived and then the lighter on the 5th, just to show  
15 ... you can see more in the light of day. So the dark photos  
16 are the day that we arrived, the evening that we arrived. And  
17 this is just showing that back parking area and the back deck as  
18 a whole.

19          **Q.** All right. We'll just keep going through these.  
20 Photograph number 7 is what?

21          **A.** Is closer up towards the stairs of that back deck.

22          **Q.** Okay, and then photograph 8, a daylight photo, shows

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1 us the same back deck with a little different perspective?

2 **A.** That's correct.

3 **Q.** All right. Now do you recall anything when you  
4 approached the back door that evening to enter the residence?

5 **A.** The back door. There was actually a scene security  
6 person there, a regular member, upon my arrival there, Cst.  
7 Jenny Klip, and then in the doorway, the door handle, there was  
8 actually a set of keys that was in the door handle.

9 **Q.** All right, and they were there that night when you  
10 entered the residence, in the door handle?

11 **A.** Yes.

12 **Q.** Okay, and I think in photograph 11 perhaps we have a  
13 ... the keys you're referring to, they're visible there on the  
14 door, are they?

15 **A.** Yes, that's as I found them.

16 **Q.** All right, and the time that you entered the residence  
17 was what?

18 **A.** I'd have to check these notes. 22:56. So 10:56 that  
19 evening.

20 **Q.** Okay, and I take it you had never been in this  
21 residence before. You had no familiarity with it?

22 **A.** No, I had not.

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1           **Q.**    Okay.  As you entered the residence, can you describe  
2 it for us, what you saw?

3           **A.**    Yeah, so when you opened the back door it opened to a  
4 set of stairs to the basement and then on the right-hand side it  
5 opens to a dining area.

6           **Q.**    Okay, so photograph 13.

7           **A.**    Yes, that's the set of stairs down to the basement.

8           **Q.**    Okay, and photograph 14?

9           **A.**    That's just from the bottom of the stairs looking up  
10 towards that same door.

11          **Q.**    Okay, and then you said to your right there was  
12 another area of the residence.  Perhaps you can look at  
13 photograph 15.

14          **A.**    Yes.  So from the doorway you can see the doorframe  
15 there.  To the right-hand side is a dining room area and then  
16 French doors beyond into the rest of the house.

17          **Q.**    Okay, so again, at this point you're walking through  
18 the residence just to kind of see what might be required of you  
19 when you come back ... or when you ultimately photograph the  
20 scene?  Is that correct?

21          **A.**    Yes.  Initially I would have just had a quick look  
22 into the residence to see where things were and how I would take

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1 my photos and then immediately after that I would have taken  
2 these photographs.

3 Q. Okay. How far into the residence did you go for that  
4 initial look?

5 A. I would have just went to the French doors and had a  
6 look in. The living room/kitchen area is opened. So you can  
7 see pretty much everything from those French doors.

8 Q. Okay. At that time you were able to see the  
9 individuals who were deceased in the home?

10 **(15:22:00)**

11 A. Yes. There's one, Brenda. She was by the front door,  
12 and I couldn't see her over the island. But I was aware of the  
13 number of people and where they were roughly located in the  
14 residence.

15 Q. All right, so after having that initial look was there  
16 anything that you felt you needed to do in preparation for  
17 photographing the scene or were you able to begin that process?

18 A. I was able to just begin the process, and in my  
19 walkthrough initially, and in my photographs, I would have  
20 suited up wearing a Tyvek suit, a white Tyvek suit, mask,  
21 gloves, and booties. Just to not contaminate the scene or  
22 contaminate myself. And I just had to be aware of areas of

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1 interest to walk around.

2 Q. Okay, and what would potentially be an area of  
3 interest?

4 A. The areas where the bodies were, anything that might  
5 be considered evidence, like the bullet casings and that sort of  
6 thing.

7 Q. Okay, so as not to disturb those particular areas of  
8 interest?

9 A. Yes.

10 Q. Okay. All right, so you were suited up. Did you  
11 begin photographing the interior of the residence?

12 A. Yes.

13 Q. So the photographs of the interior of the residence  
14 that we're looking at in Exhibit P29. I appreciate not all the  
15 outside ones were taken at that time, but these interior photos,  
16 were they taken at that time?

17 A. Yes.

18 Q. So this would be later in the evening on January 3rd,  
19 2017.

20 A. That's correct.

21 Q. All right. We've selected, obviously, certain of  
22 these photos for the exhibit. You would have taken a great

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1 number more probably.

2       **A.** Yes. This is just a selection of the photographs that  
3 I took.

4       **Q.** Is there anything in particular that you are looking  
5 for when you're photographing a scene such as this?

6       **A.** I'm looking for pretty much anything that can be  
7 considered evidence. Like in this case, I'd be looking for  
8 firearms casings, the blood spatter. Yeah, just pretty much  
9 anything that draws my attention that might be considered  
10 evidence.

11       **Q.** Okay, and you used the term blood spatter.

12       **A.** Mm-hmm.

13       **Q.** What is blood spatter and what information, if  
14 anything, can be gleaned from it?

15       **A.** It's just blood that's projected onto surface. So  
16 onto the walls or the ceiling, floors, or other objects that are  
17 in the room. And we have blood pattern analysts that will  
18 potentially analyze that if they're required.

19       **Q.** That's a particular specialty that people are trained  
20 in in analyzing blood patterns?

21       **A.** Yes, it's somebody who is a forensic identification  
22 specialist who's gone on and had further training into that



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1 area.

2 Q. Okay, so as a forensic identification specialist who  
3 is photographing a scene such as this, those blood spatter,  
4 areas of blood spatter are obviously things that you want to  
5 photograph or take care not to disturb?

6 A. Yes.

7 Q. All right, so we're at photograph 15 and we're looking  
8 at the French doors that lead into the kitchen in the residence?

9 A. Mm-hmm.

10 Q. And perhaps we can just keep going through these.  
11 Photograph 16 is the same perspective, just a little closer to  
12 the door, I believe.

13 A. That's correct.

14 Q. Was there anything of note in the outer room with this  
15 dining room table that appeared to be of some evidentiary value?

16 A. There was nothing in the dining room itself that  
17 appeared to be out of place or provide any evidence to us at  
18 that time.

19 Q. Okay, so if we go to photograph 17 we're now looking  
20 into the interior portion, if I can say that, of the home,  
21 kitchen and living room area?

22 A. Yeah. You can see through that open French door

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1 there, and it's looking towards the kitchen.

2 Q. Okay.

3 A. Just on the right-hand side of an overall open room.

4 Q. Can you describe the layout of the interior portion of  
5 the home?

6 A. So sure. So you can see the kitchen there from the  
7 French doors. On the right-hand side of the French doors  
8 there's that big island right in the center and then on either  
9 side beyond that there are kind of half-walls. So they're only  
10 half-height and they only jut out a certain portion, and that's  
11 kind of the cutoff between the kitchen and then an open living  
12 room area. So there's an open living room area there as well  
13 and then further beyond that down the right-hand side is a  
14 hallway into some bedrooms and a washroom.

15 Q. Okay. Now we have a diagram that we've been referring  
16 to that gives us the layout of the room. Well, there it is.  
17 Was that something that you prepared or was that something that  
18 ...

19 **THE COURT:** It's right behind that aerial photograph.

20 **MR. MURRAY:** Yeah, you can ...

21 A. Is it?

22 Q. ... take the aerial photo down.

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1           **A.**    Thank you.

2           **THE COURT:**     Sergeant, thank you.

3           **A.**    Yeah, so Cst. Septon took the measurements of this at  
4 the time, I believe, on the 4th and then I just recreated it in  
5 Scene PD. It's just a program for doing plan drawings.

6           **MR. MURRAY:**    Okay. The program, sorry, that you used.  
7 So Cst. Septon would take the measurements?

8           **A.**    Yeah, she took measurements and made kind of a rough  
9 drawing.

10          **Q.**    Yes?

11          **A.**    And then I just recreated it in a computer program.

12          **Q.**    And what is that computer program called?

13          **A.**    Scene PD.

14          **Q.**    Okay, so you input the particular measurements taken  
15 by Cst. Septon and it produces this, does it, or something?

16          **A.**    Yes, and I place all of the items into the scene and  
17 everything.

18          **Q.**    Okay, so the program will create the dimensions of the  
19 room, and what else would she have measured, the furniture?

20          **A.**    And certain items in it such as these are the ... in  
21 the blue these are half-walls.

22          **Q.**    Yes?

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1           **A.**    And then yeah, basically the countertops and the  
2 island and stuff and then I just place all the actual objects in  
3 there.

4           **Q.**    Okay, so the larger fixed items such as the half-wall,  
5 the island, those would be measurements that Cst. Septon would  
6 have taken and then you could place the other items of interest  
7 in the room?

8           **A.**    That's correct.

9           **Q.**    All right, so as you walk into the room from the outer  
10 dining room area, where do you enter the room?

11          **A.**    So the French doors are right here and then you can  
12 look into the island right here, and the kitchen area is over  
13 here and then you go around that half-wall and that's the living  
14 room area and you can see the opening over there where it goes  
15 out into the hallway and the bedrooms and the bathroom.

16          **Q.**    The opening at the upper right.  Sorry, upper left-  
17 hand ...

18          **A.**    Upper left.

19          **Q.**    ... corner of the diagram.

20          **A.**    Yes.

21          **Q.**    Okay, so if we go back to P-29 and photograph 17.  As  
22 you enter, in the lower left-hand portion of that photograph

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1 there is what appears to be an alteration to the photograph?

2       **A.** Yes. So just for the purpose of this I blurred the  
3 photo out, and that's this right here, which is Shanna Desmond.

4       **Q.** Okay, so the area that's blurred in photograph 17 in  
5 the original photograph, that was the location of Shanna  
6 Desmond?

7       **A.** Yes, that would be her legs, lower body area.

8       **Q.** Okay, and then photograph 18.

9       **A.** So that's looking from a bit further back in the  
10 dining room area but now towards the living room area. So you  
11 can see through the closed French door, the island again, and  
12 it's looking across towards the living room area.

13       **Q.** Okay. And, again, you've obscured what would have  
14 been Shanna Desmond in that photograph?

15       **A.** That's correct.

16       **Q.** All right. Now in photograph 19 I believe we're in  
17 the kitchen, are we?

18       **A.** Yes, so this is looking from inside the kitchen from  
19 the back towards the French doors.

20       **Q.** All right. As you're moving through the residence and  
21 you're photographing, I take it you're photographing anything  
22 that might be of evidentiary interest?

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1           **A.**    Yes.  Initially I'm just trying to photograph  
2 everything, get a good overall view of the whole residence ...

3           **Q.**    Yes?

4           **A.**    ... and then just get an idea of the items of  
5 interest.

6           **Q.**    Okay, so in photograph 20, which is our next  
7 photograph, is that the island there noted.

8           **A.**    That's correct.

9           **Q.**    And are there particular items there that were of  
10 interest to you in photographing that particular area of the  
11 home?

12          **A.**    Yeah, so on the top part of the island there, there's  
13 a magazine clip from a firearm right behind ... there's a  
14 handheld phone and then there's a magazine clip right behind it.  
15 To the right of that is a hunting knife and then further on the  
16 edge on the right-hand side of the island there is a box of  
17 bullets.

18          **(15:32:06)**

19          **Q.**    And ...

20          **A.**    That's opened.

21          **Q.**    Right, and those items, as they're depicted in  
22 photograph 20, were where you saw them on the occasion of

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1 entering the home?

2 **A.** That's correct.

3 **Q.** Photograph 21 is another view, I believe, of the box  
4 of shell casings that's opened?

5 **A.** That's correct.

6 **Q.** Now there are some other photographs that we're going  
7 to look at in a bit and more specific to these particular  
8 exhibits. But that box of shell casings appears not to be full.  
9 There appear to be some missing. Do you recall that when you  
10 observed it first?

11 **A.** Yes, there are seven bullets missing.

12 **Q.** Okay, and again in photograph 21 there appears to be a  
13 bit of obscuring done again below the countertop or the island?

14 **A.** Yes. Again that was done by myself just for this  
15 purpose, and that would be a leg, I believe, of Lionel Desmond  
16 right here.

17 **Q.** All right. Okay. Photograph 22?

18 **A.** So this is into the living room area on the right-hand  
19 side. There's a little loveseat there. It's just showing that  
20 little half-wall. There's a glass of wine there to the left-  
21 hand side of the couch and in the diagram it says "couch" right  
22 here.

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1           **Q.**    Okay, and you're pointing on the diagram to ...

2           **A.**    Kind of the top-center area of the diagram.

3           **Q.**    All right. Thank you. Photograph 23 appears to be  
4 from a different perspective?

5           **A.**    Yes. So this is from just in the opening of the  
6 hallway at the very back corner of the living room. So you can  
7 see where those reeds are on the right-hand side. Further to  
8 the right-hand side of that is a TV on the back wall. So in the  
9 diagram it would be this on the left-most side of the diagram,  
10 and so I'm in that back corner taking a photograph out towards  
11 the living room and then further to the kitchen beyond that.

12          **Q.**    Okay, and on your diagram there appears to be ... the  
13 plant, I guess, we see in photograph 23 is represented on the  
14 diagram there at the top?

15          **A.**    The plant. Yes.

16          **Q.**    Okay. Now in photograph 23 once again we see some  
17 obscuring, and I take it that was the location of Aaliyah?

18          **A.**    Yes. So the obscuring near the reeds or whatever on  
19 the right-hand side. So you can see it kind of on the  
20 carpeting. That would have been Aaliyah and then you can see  
21 the little half-wall and right in the middle of the photograph  
22 there would have been Lionel.



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1           **Q.**    Okay.

2           **A.**    And, again, that was done by myself.

3           **Q.**    Right.  Okay.  As you proceed through the home did you  
4 proceed any evidence that EHS workers had been there and had  
5 attempted to save any of the individuals?  In other words, had  
6 they left any physical items?  Or had you seen any suggestion of  
7 that?

8           **A.**    There were some items.  I can't recall exactly where,  
9 but I do recall making note of some items that appeared to have  
10 been left by EHS.

11          **Q.**    Okay.  And when you enter and move through the  
12 residence taking your photographs do you have any physical  
13 interaction with any of the bodies of the individuals there?

14          **A.**    At the outset initially, no.

15          **Q.**    Okay.  I take it you make efforts not to have physical  
16 contact with it initially, do you?

17          **A.**    That's correct.  I typically will try not to make  
18 physical contact with the bodies until after the medical  
19 examiner arrives.

20          **Q.**    Okay.  The medical examiner.  Do they give you  
21 instruction or I guess express their desire about what might  
22 happen before they come to the residence?  I take it they don't

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1 want individuals to be moved?

2       **A.** Yeah, they would prefer that we don't move the  
3 individuals, and if they can attend in a timely manner, then  
4 they would prefer that we do it together. If they can't attend  
5 in a timely manner, then they will basically give us permission  
6 to move the body.

7       **Q.** Okay, so at this stage when you're photographing the  
8 inside of the residence you have not moved the bodies.

9       **A.** No, I have not.

10       **Q.** All right. Do you recall how long it took you to  
11 photograph the inside of the residence that evening?

12       **A.** I don't recall.

13       **Q.** How long would that typically take?

14       **A.** Anywhere between 20 to 30 minutes I'd say.

15       **Q.** Okay, and again, was it at this time that Cst. Septon  
16 was taking measurements? Or that was later on the 4th, was it?

17       **A.** That was the next day.

18       **Q.** The next day. Okay.

19       **A.** Initially we did photographs and video.

20       **Q.** Yeah, you also took a video of the interior of the  
21 residence ...

22       **A.** That's correct.

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1           **Q.**   ... that night? Right. Okay. There were some  
2 vehicles outside of the residence. Did you photograph those as  
3 well?

4           **A.**   I don't recall if I photographed those that evening.  
5 I definitely photographed them the last evening I was there on  
6 the 5th.

7           **Q.**   Okay. There are some photographs of vehicles that  
8 appear to be at night, but that may not have been the first  
9 night?

10          **A.**   That's correct.

11          **Q.**   Okay. All right. Did you do anything else that  
12 evening at the residence?

13          **A.**   No.

14          **Q.**   Okay, and how long were you there in total that night?

15          **A.**   I believe it was around three hours.

16          **Q.**   Okay. When you left the residence that night what was  
17 the scene like? Were there individuals present? I mean other  
18 than officers. Do you recall?

19          **A.**   No, there was no other individual there besides our  
20 scene security.

21          **Q.**   Somebody would remain with the home, given that it was  
22 a crime scene, 24/7?

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1           **A.**    Yes, there would have been at least two members that  
2 had stayed there overnight.

3           **Q.**    Okay, so that was the extent of your involvement that  
4 evening. Did you come back to the matter on the 4th of January?

5           **A.**    Yes.

6           **Q.**    Okay, and what did you do on the 4th of January?

7           **A.**    Initially on the 4th I had a meeting with Major Crime  
8 in Guysborough. And just met with them to see if they had any  
9 more information that might be relevant to our investigation in  
10 the scene and let them know our part of the investigation, if  
11 they had any questions about what we saw and anything that would  
12 have been relevant to them. It was just an exchange of  
13 information and then I would have headed back to the scene.

14          **Q.**    Okay. Where did you have that meeting with Major  
15 Crime?

16          **A.**    The Guysborough Detachment.

17          **Q.**    At Guysborough Detachment. All right. All right, so  
18 what was the nature of your work on January 4th?

19          **A.**    So on January 4th I would have started off with  
20 marking. So we have yellow tent markers. You might have seen  
21 them on TV. They have numbers on them. And I just mark all of  
22 the items that I think are of interest, the kind of larger items

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1 or things that seem more overt.

2 So I go into the scene and try and mark all of the items  
3 that I want to see in chronological order and then I photograph  
4 those, and at some point we had a exhibit person attend with us,  
5 Burns Anderson, Cst. Burns Anderson, from Canso. He attended  
6 and I would have photographed those overall with the tent  
7 markers and then individually close up and then seize them and  
8 turn them over to Burns.

9 **Q.** Okay, so he was designated as the exhibit custodian?

10 **A.** Yes.

11 **Q.** And typically there would be an exhibit custodian  
12 designated on a major investigation like this?

13 **A.** That's correct.

14 **Q.** So any exhibits that are taken or seized in a bigger  
15 investigation like this, they would only go to the exhibit  
16 custodian. Is that correct?

17 **A.** Yes, they would typically go to him to log and make  
18 exhibits of first and then if there's something I want to look  
19 at later I might receive them back later.

20 **Q.** Sure, but everything flows through the exhibit  
21 custodian so that we don't have different people gathering  
22 things up.

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1           **A.**    That's correct.

2           **Q.**    Okay, and who would designate the exhibit custodian?

3           **A.**    It would have been Major Crime or Sgt. Maccallum.

4           **Q.**    Okay, so the time that you entered the home to do this  
5 work on January 4th was ...

6           **A.**    Right around 10 a.m.

7           **Q.**    10 a.m.? Okay, and again, so you're placing the  
8 yellow tents and you're taking photographs as you go through  
9 basically anything that seems it may be of evidentiary value?

10          **A.**    That's correct.

11 **EXHIBIT P-000041 - USB - SCENE PHOTOGRAPHS - 26 PAGES**

12 **(15:42:04)**

13          **Q.**    And we have a series of photographs that are marked as  
14 Exhibit P41? And perhaps we can go through these. These are  
15 all photographs I think that you took as well, are they?

16          **A.**    Yes.

17          **Q.**    So the first photograph in this bundle, we see marker  
18 number 1 and also it has, I guess, a little ruler on it to give  
19 you, I guess, a sense of size or perspective for the objects  
20 you're photographing?

21          **A.**    That's correct.

22          **Q.**    Okay. And when you're photographing these objects, do

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1 you move them or do you leave them where they are?

2 **A.** I leave them where they are.

3 **Q.** Okay. So the first photograph is of what appears to  
4 be some kind of a clasp?

5 **A.** Yeah, it appeared to me to be potentially a necklace  
6 or a bracelet clasp.

7 **Q.** Okay. Do you recall where you located that particular  
8 item?

9 **A.** Yes, I can show you on the plan drawing. By the foot  
10 of Shanna Desmond. It's in the plan drawing you can see by the  
11 foot there, kind of in front of one of the French doors.

12 **Q.** Okay. So on the plan drawing we see numbers. So the  
13 numbers on the plan drawing correspond to the numbers of the  
14 individual objects, do they?

15 **A.** That's correct. And you can see the items that are  
16 ... some of the numbers are in red and some are not. The items  
17 in red correspond to items related to firearms.

18 **Q.** Okay. So number 2, or photograph number 2, is  
19 obviously a cell phone and it was located ... well, you can show  
20 us. I see the number 2 on the diagram but ...

21 **A.** Yes, kind of by the right hand of Shanna Desmond on  
22 the ground.

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1           **Q.**    Okay.  As you proceed through the area, do you have a  
2 plan with respect to ... I assume you don't want to move  
3 haphazardly around the room, you want to make sure you cover  
4 everything.  Did you have a plan for how you would address the  
5 room?

6           **A.**    Yes, I had a rough plan to move from closest to me  
7 towards the back side of the kitchen and then into the living  
8 room area.  There are some that are a bit mixed up of things  
9 that we might have noticed later on or items that I initially  
10 didn't mark but then marked later, just in case it had any  
11 evidentiary value.

12          **Q.**    Okay.  So as you go through, do you place your markers  
13 in total and then take photographs or do you place a marker,  
14 take a photograph and so on?

15          **A.**    I place them all and then take photos.  I try to take  
16 an overall photograph of them so you can see them put back into  
17 scene with all the tent markers.

18          **Q.**    Yes.

19          **A.**    Some of them didn't quite work out that way because we  
20 discovered a few things after the fact.

21          **Q.**    Okay.  So that, I assume, is not unusual even with a  
22 thorough investigation or examination of a scene to find other



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1 items that are of evidentiary value as you proceed through the  
2 investigation?

3 **A.** Yes, that's why we generally will do several sweeps of  
4 an area.

5 **Q.** Okay. So photograph number 3 appears to be a  
6 cartridge and it's located near where Shanna Desmond was?

7 **A.** Yes, sort of by where her head was. And these circles  
8 in the diagram are stools in the residence, so it was close to a  
9 stool in the corner by where her head was located.

10 **Q.** All right. And this would have been just on the  
11 floor?

12 **A.** Just on the ground, yes.

13 **Q.** Okay. Number 4 appears to be in the corner of the  
14 room and that's near the stool near Shanna Desmond's head?

15 **A.** Yes, directly in that corner by the stool.

16 **Q.** Okay. And what we're seeing there in photograph  
17 number 4 is what?

18 **A.** It appears to be a chain necklace.

19 **Q.** Okay. Photograph number 5 is a purse?

20 **A.** Yes. Now we're up onto the counter area ...

21 **Q.** Yes.

22 **A.** ... and yes, it's a purse on the side ... well, kind

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1 of in the middle, but the exhibit on that countertop closest to  
2 the French doors.

3 Q. Okay. So in the other exhibit, the bundle of photos,  
4 we saw the photograph of the larger part of the island with all  
5 of those items together, the magazine, the box of shells, the  
6 purse, these items are all, I guess, at that end of the island  
7 are they?

8 A. Yes, and in close proximity to each other.

9 Q. Okay. So photograph number 6 then is what?

10 A. Photograph number 6 is a magazine that was on that  
11 counter. This photograph is the magazine, and it was  
12 photographed in my office, but there are photographs of it on  
13 the counter as well as it was found.

14 Q. Okay. I don't know if we actually have one of those  
15 in this bundle but the magazine appears to have one shell in it.

16 A. Yes, one unspent bullet.

17 Q. Okay.

18 A. Like a full cartridge.

19 Q. And that was all?

20 A. Yes.

21 Q. Okay. And that particular bullet was visible in the  
22 magazine?

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1           **A.**    Yes.

2           **Q.**    Okay.  And it was ... was it visible when the magazine  
3 was on the counter in the home?

4           **A.**    Yes.

5           **Q.**    Okay.  And photograph number 7 is what?

6           **A.**    It's a hunting-style knife that was on the counter as  
7 well.

8           **Q.**    Okay.  And that's ...

9           **A.**    It's just right here in between 6 and 8 by the stove  
10 ...

11          **Q.**    Okay.

12          **A.**    ... but on that risen part of the counter as well.

13          **Q.**    Okay.  And also on the counter then we have photograph  
14 of marker number 8 which is another cell phone?

15          **A.**    Yes.

16          **Q.**    Okay.  Again, near the stovetop on the counter?

17          **A.**    That's correct.

18          **Q.**    Okay.  Marker number 9 is our box of shells?

19          **A.**    Yes.

20          **Q.**    This is taken at your office, is it?

21          **A.**    Yes.

22          **Q.**    Okay.  Again, you said a moment ago that there were

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1 seven, I think, missing from the box?

2 **A.** Yes.

3 **Q.** And those are ... are those visible in this  
4 photograph? I believe they are.

5 **A.** Yes.

6 **Q.** All right. Other than removing the white tray from  
7 the red box, was anything else altered or changed before this  
8 photograph was taken?

9 **A.** No.

10 **Q.** Photograph 10 is the cell phone from the counter, is  
11 it? Or the portable phone, I guess I should say.

12 **A.** Yes, it's a handheld home phone.

13 **Q.** Home phone. Perhaps we can go ahead to number 14.  
14 What is Exhibit 14?

15 **A.** It's a long gun that was found to the left-hand side  
16 of Lionel Desmond. As you can see in the plan drawing, it's in  
17 the centre of the photograph.

18 **Q.** And this is obviously now at your office, is it?

19 **A.** Yes.

20 **Q.** All right. Did you make any observations of the  
21 firearm as you found it at the residence?

22 **A.** The only observations I made of it were that there was

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1 no magazine in it and that the action was closed.

2 Q. All right. And it was positioned in relation to  
3 Lionel Desmond's body as depicted in our plan drawing?

4 A. Yes, that's correct. It was in that general location  
5 in relationship to his body.

6 Q. All right. Now your Occurrence Report ... Occurrence  
7 Continuation Report makes reference to the serial number for the  
8 firearm and it says "recovered empty; cleared and secured".

9 What would be involved in that and who would have done  
10 that?

11 A. I would have taken the firearm out of there but Burns  
12 Anderson would have opened it and cleared it.

13 **(15:52:01)**

14 Q. Okay. You would want to ensure that the firearm, I  
15 take it, was unloaded?

16 A. Yes.

17 Q. All right. So it was Constable Anderson who first, I  
18 guess, took carriage of the firearm and cleared it, is that ...  
19 do I understand that correctly?

20 A. I believe I picked it up ...

21 Q. Okay.

22 A. ... and then just turned it over to him because I

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1 wasn't a hundred percent sure on how to open it. He's more  
2 familiar with firearms than I am ...

3 Q. Okay.

4 A. ... with this type of firearm and he would have opened  
5 it and ensured that it was empty.

6 Q. Do you recall that happening or are you assuming that  
7 happened ...

8 A. I recall ...

9 Q. ... because you made a note of it?

10 A. ... picking it up and I recall not knowing how to open  
11 it.

12 Q. Okay. Right. So the magazine was not ... not in the  
13 firearm obviously when you picked it up?

14 A. No, it was not.

15 Q. And the action you said was closed?

16 A. I believe so.

17 Q. All right. Our next photograph is marker 11. Sorry,  
18 15. And on our drawing, this particular bullet was found where?

19 A. By the foot of the couch on the left-hand side. The  
20 shell casing was kind of ... yeah, just by the foot of the couch  
21 there.

22 Q. Okay. So that's the second that you've now

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1 photographed?

2       **A.** Yes.

3       **Q.** All right. And photograph 15-1 is the same item from  
4 a slightly different perspective and you're trying to get the  
5 markings on the bullet, are you? 15-1.

6       **A.** Yes, this is to show the markings on it.

7       **Q.** And if we could skip ahead to marker number 20. What  
8 is this?

9       **A.** This appears to be a piece of bullet.

10       **Q.** Okay. And it was located where?

11       **A.** It was located between the stool and Shanna Desmond's  
12 head on the ground.

13       **Q.** Okay. Marker number 21 is another bullet?

14       **A.** Yes, it's another casing ...

15       **Q.** Or casing.

16       **A.** ... and it was found in a plant.

17       **Q.** Okay. All right, or top ... top left of our diagram?

18       **A.** Yeah, it's right there.

19       **Q.** Okay.

20       **A.** Yes.

21       **Q.** Marker number 22.

22       **A.** Another bullet casing, this time by the other foot of

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1 the long couch.

2 Q. All right. And there was a stool in front of the  
3 couch there, was there?

4 A. That's correct.

5 Q. All right. So how many ...

6 A. I'm sorry, it's not a stool, it's a laundry basket.

7 Q. Oh okay, all right. So how many bullet casings have  
8 we found to this point?

9 A. Four.

10 Q. All right. Marker 23, where was this located and what  
11 is it?

12 A. So it's another bullet casing and it's on top of the  
13 fridge.

14 Q. Okay. And in the photograph of marker 23, that's  
15 where it was located?

16 A. That's correct.

17 Q. Okay. And then finally we have a marker that's one of  
18 the last two photographs, say, behind bathroom door, they don't  
19 have a specific marker number but there appears to be another  
20 cartridge there?

21 A. Yes, I located this a little bit after the fact and  
22 this is a bullet casing down the hallway and behind the door in



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1 the bathroom.

2 Q. Okay.

3 A. So it's just an overall and then the next one is  
4 closer up of that same ...

5 Q. Of the same ...

6 A. ... bullet casing.

7 Q. All right. So that's ... on top of the fridge is  
8 number five and this is number six?

9 A. That's correct.

10 Q. I appreciate all of those photographs of those  
11 particular exhibits were not taken all at the same time. You  
12 were there for a number of days, is that correct?

13 A. That's correct but most of them would have been taken  
14 at the same time.

15 Q. On the 4th of January?

16 A. That's correct.

17 Q. All right. Now on the 4th of January, the medical  
18 examiner's office attended at the scene, did they?

19 A. That's correct, Dr. Mont.

20 Q. And it was Dr. Mont, and there were others with him,  
21 were there?

22 A. Yes, he came with two assistants.

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1           **Q.**    Okay.  So when the medical examiner's office attends  
2  at a scene like this, I take it initially you have to liaise  
3  with them, talk to them, and determine what's going to happen?

4           **A.**    Yes.

5           **Q.**    And what happened here?

6           **A.**    So initially Dr. Mont and I spoke briefly and just he  
7  and I went into the scene together.  I explained to him how I  
8  found the people there and some of the items that I had seized  
9  and where they were located.

10           And then once we had kind of discussed the scene itself,  
11  then he had his assistants come in and they kind of looked over  
12  the bodies and looked at them and their wounds and whatnot and  
13  then made plans for body removal to come and assist them in  
14  removing them.

15           **Q.**    Okay.  The medical examiner's office arranges for  
16  that, do they?

17           **A.**    Yes.

18           **Q.**    All right.  So does your section have any additional  
19  involvement in the work of the Nova Scotia Medical Examiner's  
20  office?

21           **A.**    Yes.  So the medical examiner's office is right across  
22  from our headquarters and Halifax Forensic Services is right

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1 across the street, our headquarters is right across the street,  
2 and their unit is in there. So I arrange for two other forensic  
3 identification specialists to attend the autopsies the following  
4 day ...

5 Q. And is ...

6 A. ... while I was still at scene.

7 Q. Right. And is that common practice to have forensic  
8 identification officers attend at autopsies?

9 A. Yes.

10 Q. And they take photographs there?

11 A. Yes. Sometimes the medical examiner's office has  
12 their own photographer. I don't recall, but around that time I  
13 think that that photographer was away or they didn't have one,  
14 so they may have taken their own photographs or the medical  
15 examiner's photographer. One or the other of them will take  
16 their photographs.

17 Q. Okay. Do the medical examiner's office at scene have  
18 you take specific photographs? Does that ever happen?

19 A. If there's something that the medical examiner notes  
20 and wants me to take photographs of he'll advise me and I'll  
21 take photographs of things that he points out when he's dealing  
22 with the bodies. Because at this time I haven't moved them, so

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1 he'll move them and manipulate them and if there's things that  
2 he notices and wants me to take photographs of I will.

3 Q. Do you recall if that happened in this case?

4 A. I don't recall.

5 Q. Okay. The deceased were removed from the home on  
6 January 4th, were they?

7 A. That's correct.

8 Q. Okay. And do you recall what time or do your notes  
9 indicate what time?

10 A. My notes will indicate what time. It says at 17:11  
11 body removal had all of the bodies to go to Dartmouth.

12 Q. It takes some time ...

13 A. ... 5:11.

14 Q. ... to ... sorry, that's right. It takes some time to  
15 prepare the bodies, does it, for removal?

16 A. Yes, to get them in the bags and whatnot.

17 **(16:02:01)**

18 Q. Okay. Did you do anything additionally at the scene  
19 on January 4th?

20 A. Beyond seizing all of the exhibits. And, as you can  
21 see in my report here, after the bodies were removed markers 19  
22 through 22 are items that we noticed after walking through again

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1 ...

2 Q. Okay.

3 A. ... and then photographed those items, seized them,  
4 and then seized all of the items and turned them over to  
5 Constable Anderson.

6 Q. Okay. And then you're back on scene on January 5th,  
7 2017?

8 A. That's correct.

9 Q. Okay. And the nature of your work on this day was  
10 what?

11 A. The bulk of my work on this day was doing markings and  
12 taking photographs for any possible blood stain analysis after  
13 the fact. I had spoken with the blood pattern analyst, one of  
14 the two previous days. He felt that he was probably not needed  
15 but if he was ... if I thought that he was needed after the fact  
16 I could call him or he could have a look at the file after. So  
17 I needed to take appropriate photographs for that.

18 Q. Okay. All right. So you would consult with your  
19 blood pattern expert and give him, what, a description of the  
20 scene or the nature of the investigation; what would ...

21 A. Yeah.

22 Q. ... what would dictate whether he would come?

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1           **A.**    And a description of the scene and whatnot.  And we  
2  determined together that he was probably not required.

3           He was open to being called later to attend if I felt that  
4  things had changed and he was required.  And just so that he  
5  could potentially look at and analyze the evidence later I  
6  basically marked off the areas of blood patterning on the walls  
7  and ceiling that I thought might be useful to his investigation  
8  later and seized some swabs and things from that.

9           **Q.**    Okay.  So in addition to photographing the pattern  
10 that the blood may do, it also takes swabs of blood?

11          **A.**    Yes.

12          **Q.**    Okay.  And that would be for analysis ...

13          **A.**    For their investigation or for the blood pattern  
14 analyst as well.

15          **Q.**    Okay.  All right.

16          You had some contact, did you, with N/West in relation to  
17 the firearm?

18          **A.**    Yes.  I spoke with Sergeant Mike Willett N/West who  
19 wanted to have a look at the firearms, and then I advised him  
20 that I'd be available probably the following week just because I  
21 wasn't done at the scene yet.  So he was going to meet me at  
22 Port Hawkesbury detachment and have a look at the firearm.

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1           **Q.**    Okay.  Now I note in your Occurrence Report on January  
2 5th, I believe it was on the 5th that you photographed the Dodge  
3 truck outside?

4           **A.**    Yes, the red truck.

5           **Q.**    All right.  So in our first set of photographs, which  
6 is Exhibit ...

7           **THE COURT:**       29?

8           **MR. MURRAY:**       ... 29?

9           **THE COURT:**       The first set I think are Exhibit 29.

10          **THE CLERK:**       Mr. Murray, is that what you were looking  
11 for?

12          **MR. MURRAY:**       29, yes.

13          **THE CLERK:**       Yes.

14          **MR. MURRAY:**       And photograph 24.  Okay.  What is depicted  
15 in photograph 24?

16          **A.**    So this is the Dodge truck that was parked parallel to  
17 the back deck of the residence.

18          **Q.**    Mm-hmm.

19          **A.**    And as you can see in this photograph, both driver's  
20 side tires are flat, and so we found there are stab or slash  
21 marks in the tires to cause them to become flat.  So I just  
22 photographed those markings like with a ruler and stuff so I

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1 could see the size and whatnot of them and then I took a sample  
2 of each of those tires and marked them I believe as K1 and K2.

3 Q. A sample of?

4 A. The tire.

5 Q. Of the actual rubber from the tire?

6 A. Yes.

7 Q. Okay. What can you do with that?

8 A. I can send it to the lab and if it's found, say, on a  
9 weapon or something, like if somebody stabbed it with a knife  
10 and they find the residual of that on that knife, they can  
11 compare the composition of that against the composition of the  
12 tire itself and see if they came from the same source.

13 Q. Okay. All right. And we can just have a look at ...  
14 there's a couple more of these photographs that are of the Dodge  
15 Ram truck. Photograph 25 is what?

16 A. Yes, so that's the front driver's side tire.

17 Q. Okay. And the degree to which that tire is flat, I  
18 guess, or deflated, that's how you saw it on that particular  
19 day? That accurately reflects the degree to which it was  
20 deflated?

21 A. Yes.

22 Q. All right. Now in photograph 26, do we see the actual



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1 slash mark?

2       **A.** Yes, so just above the "S" at the centre of the photo  
3 you can see kind of a jagged darker line ...

4       **Q.** Mm-hmm.

5       **A.** ... and that's what we felt was probably the stab or  
6 slash mark.

7       **Q.** Okay. And that's the front ... is that the front  
8 driver's side tire?

9       **A.** Yes.

10       **Q.** Okay. And in photograph 27 you're measuring it, I  
11 guess, are you?

12       **A.** Yes, it's the same kind of slash area with my markings  
13 and a scale.

14       **Q.** Okay. And then photograph 28 is the back driver's  
15 side tire?

16       **A.** Yes.

17       **Q.** Okay. And, again, you were able to identify a slash  
18 mark in that tire?

19       **A.** Yes.

20       **Q.** And photograph 29?

21       **A.** Yes. So in this again in the center kind of running  
22 across the top and the middle portion of that "S" you can see a

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1 slightly jagged dark line and that's what we believe to be the  
2 slash mark there as well.

3 Q. Okay. And then again, in photograph 30, we have a  
4 scale to measure that slash mark?

5 A. That's correct and my markings.

6 Q. All right. While we're looking at these, the other  
7 vehicle which you photographed, which was the Acura, do you  
8 recall when you photographed that vehicle?

9 A. The other vehicle in the yard?

10 Q. Yes.

11 A. The same evening, on the 5th.

12 Q. It was also on the 5th?

13 A. Yes.

14 Q. Okay. So photograph 31, can you identify that  
15 vehicle?

16 A. Yes, so that was ... there was quite a few vehicles  
17 parked in the yard there. So after my examination of the  
18 residence, I went outside and just had a look and did a cursory  
19 examination of the vehicles that were out in the yard when we  
20 arrived and this was one of them.

21 Q. Okay. Was there anything of note in this vehicle or  
22 about this vehicle?

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1           **A.**    I don't believe so.

2           **Q.**    It was I think probably ... I'll direct you to  
3 photograph 32.

4           **A.**    Oh, it was this vehicle. Okay, yeah, there was a .22  
5 just leaned up like how you see it in the front passenger's side  
6 compartment. I believe it was a .22 Cooley.

7           **Q.**    Okay. And photograph 32 is ... depicts the firearm  
8 where you saw it in the vehicle on that occasion?

9           **A.**    That's correct.

10          **Q.**    Okay. Photograph 33 are markings on the firearm, are  
11 they?

12          **A.**    Yes, it's the serial number.

13          **Q.**    And then photograph 34 gives us the make and model  
14 does it ...

15          **A.**    Yeah.

16          **Q.**    ... of that? A Cooley .22 calibre, model 82?

17          **A.**    Yeah.

18          **Q.**    Okay. There were other vehicles in the yard I  
19 believe. Did you have occasion to examine those vehicles and  
20 did you find anything of interest?

21          **A.**    Yes, there were several other vehicles in the yard  
22 there. I would have taken overall photographs of them and just

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1 had a cursory look inside and there was nothing further of note.  
2 There was just the one firearm in the one vehicle.

3 **Q.** Okay. And did you have occasion to do anything else  
4 or make any other observations on January 5th, 2017?

5 **A.** On January 5th was probably the clearest day that we  
6 were there. On the 3rd I had arrived in the evening, the 4th  
7 was a blizzard, and the 5th was a much more clear day so that's  
8 when I took the other outside photographs of the residence,  
9 around the outside of the residence and from the road and  
10 whatnot that you have seen.

11 **Q.** Okay. So any of the outside daylight photos that  
12 we've seen in the package here would have been taken on the 5th  
13 of January?

14 **A.** That's correct.

15 **Q.** Okay. And that was the extent of your involvement on  
16 the 5th of January?

17 **A.** Yes.

18 **Q.** Okay. At some point another vehicle was located,  
19 specifically the Ford Escape. What do you recall of that?  
20 Where that was located?

21 **A.** To the best of my recollection it was recovered on  
22 either a back or a cut line road behind the property.

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1 Q. Mm-hmm.

2 A. I'm not too sure by whom. We were just advised that  
3 it had been towed to Antigonish detachment and that we were to  
4 examine it.

5 Q. Okay. You didn't see it at the scene?

6 A. No, I did not.

7 Q. Okay. And did you or one of your colleagues do an  
8 examination of the Ford Escape?

9 A. Yes, Constable Septon attended Antigonish detachment  
10 and examined that vehicle.

11 Q. All right.

12 **MR. MURRAY:** Your Honour, I'm wondering, are we going to  
13 go to 4:30 today?

14 **THE COURT:** All right. So if this is a convenient place  
15 to stop we can take a break now.

16 **MR. MURRAY:** I don't think we're going to complete  
17 Sergeant McNeil's evidence today.

18 **THE COURT:** Sergeant, you were planning on being here  
19 for tomorrow as well?

20 A. I'm here 'til Friday, Your Honour.

21 **THE COURT:** You're here 'til Friday? Oh good.

22 So let's break for the afternoon, we'll come back tomorrow

1 morning at 10 o'clock. Sergeant, if you would come back at that  
2 time.

3 And so we'll adjourn the proceedings. I'm going to ask  
4 that the room be cleared and I'm going to have a conversation  
5 with counsel, okay. Thank you.

6 **MR. MURRAY:** Thank you.

7 **A.** Thank you, Your Honour.

8 **THE COURT:** Thank you.

9 **WITNESS STANDS DOWN**

10

11 **COURT ADJOURNED (16:15 HRS)**

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**CERTIFICATE OF COURT TRANSCRIBER**

I, Margaret Livingstone, Court Transcriber, hereby certify that I have transcribed the foregoing and that it is a true and accurate transcript of the evidence given in this matter, **re Desmond Fatality Inquiry**, taken by way of electronic digital recording.



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Margaret Livingstone

(Registration No. 2006-16)

**DARTMOUTH, NOVA SCOTIA**

**January 30, 2020**