

## East St. Paul Police Incident Narrative

Complainant:		Incident Number:	2005-00568
Member:	Sergeant Carter #021		

**NOTES:**

2005/02/25 0738 hrs. Writer received a call from dispatch requesting writers attendance at an MVC located at Hwy 59 and the Perimeter. Dispatch further advised that it was reported that one of the vehicles was split in half.

0800 hrs. Writer arrived at the station where he was requested to wait for Cst Woychuk to attend.

0812 hrs Cst Woychuk attended to the station and advised that he had male subject in the rear of R.M.2 who was involved in the accident that has resulted in one fatality of a female The subect had declined medical attention at the scene and was being transported back to complete a TAR. Information received from Cst Woychuk was that he had detected a slight odor of liquor from this subject enroute to the station.

0814 hrs. Writer and Cst Woychuk attended to R.M. 2 where writer identified himself to a male later identified as Derek Grant HARVEYMORDENZENK.

0815 hrs. Writer and Cst Woychuk escorted the male to interview room # 1. Writer detected a strong smell of liquor on the accused breath. The male was noted to be unsteady on his feet. The male was observed to walk 20 feet on sidewalk 10 feet on carpet and 30 feet on tile floor. The male was identified by way of a valid Manitoba Drivers licence HARVEDG261C1 and a Winnipeg Police picture Identification card in the name of Derek G. HARVEY-ZENK .

0818 hrs. At this time writer formed the opinion that the subject was impaired and subsequently placed the subject under arrest for Impaired Driving cause death/bodily harm or some similar charge in relation to the incident. The male advised writer he understood.

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0820 hrs. Writer read the standard police caution to the subject and again he advised that he understood.

0821 hrs. Writer read the accused the blood demand. He advised he understood and agreed to provide breath samples. The subject was subsequently searched and lodged in interview room # 1. The subject requested a phone book, pen and paper and advised that he wanted to call Richard WOLSON. Writer called WOLSON's law office and was advised that WOLSON was not available but that the on call lawyer would be paged. Writer was then put on hold. At this time writer noted the following observations of the subject: Strong odour of liquor, flushed face, unsteady on feet, glassy/bloodshot eyes. The subject had dried blood on his hand and nose. The subject was wearing blue jeans, a blue Ralph Lauren T-shirt, . Writer noted the subject to be approximately 6'1" and 225 lbs.

0834 hrs. The subject asked writer " I'm sorry, did you give the demand?" Writer answered in the affirmative. Cst Woychuk completed the prisoner log and the subject signed same for his belongings.

0838 hrs. Lawyer Paul COOPER came on the line and writer briefed him before passing the phone to the subject to consult in private.

0855 hrs. Writer noted the subject was finished his call. Writer entered the interview room and removed the telephone and pen from the subject. At this time the subject asked writer what time he had made the call to his lawyer and writer provided him with that time.

0906 hrs. Writer had requested Cst Woychuk escort the subject to the breath room, but subject was heard to say to Woychuk that he did not want to provide breath samples.

0907 hrs. Writer attended to the interview room and asked the subject if he would provide samples, but the subject declined by saying "no". Writer then asked if he understood that he would be charged for refusal and the subject replied " I understand"

0908 hrs. Writer read the accused the refusal demand and then asked if he would provide samples. The subject replied "no"

0909 hrs. Writer again asked the subject if he was refusing and the subject replied " I'm refusing"

0910 hrs. Writer exited the interview room

0915 hrs. Writer impounded the subjects vehicle ( DAX 165) for 60 days as a result of the refusal pursuant to the provisions of the HTA.

0921 hrs. Cst Pedersen called writer to confirm that the deceased is Crystal TAMAN of [REDACTED]. Pedersen advised that the family is at the hospital and requested that the name of the deceased not be released to the press.

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1148 hrs. Katherine BUETI arrived at the station. Shortly after her arrival, S/Cst Olfert advised writer that the subject was banging his hands and head on the wall of the interview room. Writer attended to the interview room to find the subject very upset and crying.

1151 hrs. Katherine BUETI was escorted to the interview room to consult with the subject in private.

Writer also subsequently received a call from the Trauma Unit of WPS ( Paul ISAAC) who advised that he would be attending to the station to see the subject.

1229 hrs. Paul ISAAC arrived and was escorted to the interview room with Katherine BUETI.

1303 hrs. Writer escorted the subject and his lawyer to writers office where he was served a PTA/ Drivers Licence suspension Notice/ vehicle impound notice/ vehicle forfeiture notice and Notice to Seek Greater Punishment. The accused advised that he understood all documents and signed the prisoner log for his belongings. The accused also consented to being fingerprinted/photographed at this time.

1337 hrs. The subject left the station in the company of his lawyer.

1420 hrs. Inspector Corrine SCOTT called for an update and was provided same.

1500 hrs. M.E. Leslie LEE called and advised that the PM is scheduled for Monday morning at the HSC. She also requested that Cst. Pedersen call her with details on NOK.

Sgt. N. Carter

2006/02/26 2137 hrs. Writer sent Cst Soltys to attend a witness ( Vern STEVENS) residence located at [REDACTED] as he was identified by Chief Bakema as a witness.

2300 hrs. Cst SOLTYS reported that he attended and interviewed Mr. STEVENS who advised that he did not actually see the accident. He advised that he saw the deceased victim in the car after the accident had occurred as he was driving by.

2005/03/01 1137 hrs. writer swore out information before Magistrate V. Erickson in Selkirk, Mb

1230 hrs. Writer and Chief Bakema attended to [REDACTED] to speak with the family of Crystal TAMAN to update them on the progress of the investigation.

Sgt. N. Carter

2006/03/05 1100 hrs. Writer and Chief Bakema attended a press conference in the Council Chambers

2005/03/03 0950 hrs. Writer contacted Cst Chris BLANDFORD at the RCMP Headingly Traffic Services to ask if he was finished inspecting the Dodge Dakota as writer wanted to have a safety done on same. He advised writer that what he was waiting for and would like to be present when the safety is done.

0952 hrs. Writer contacted Paul MARCOUX at Vehicle Standards ( ph. 985-0932) ( fax 954-5319). He will make arrangements to have the safety done and requested a fax request be sent to his office for same. Writer faxed same.

Sgt. N. Carter

2005/03/03 1115 hrs. writer received a call from the crown office to advise that they have received the prosecution package. Writer was requested to send any further information to special prosecutor Marty MINUK at Aiykens, Mccaulley & Thorvaldson 30th floor 360 Main Street R3C 4G1

1130 hrs. Writer received a call from Ken FORD of [REDACTED]. He advised writer that he was the first on scene of the accident and had called it into Police. Mr. FORD works at the Imperial Esso Distribution Plant on Henderson Hwy. Writer advised a member would attend there shortly to speak with him.

1155 hrs. S/cst OLFERT received a call from Denise BUKOWSKI of [REDACTED]. She advised that she was one of the first persons on the scene of the accident. Ms. BUKOWSKI will be available after 6:00 p.m. this evening to speak with Police. She resides [REDACTED]. She advised her house is the [REDACTED].

Sgt. N. Carter

2005/03/03 1330 hrs. Writer received a call from Paul Marcoux at vehicle standards. He advised that Mike WALCHUK and Richard HICKAWAY will be conducting a safety check on the accused's vehicle at 1:30 p.m./ Friday March 4, 2005. He further advised that Cst BLANDFORD, RCMP Traffic Analyst will be attending also.

Sgt. N. Carter

2005/03/04 1540 hrs Received fax results from Paul MARCOUX of results of vehicle safety. The safety indicated numerous defects that were as a result of the accident. Some defects listed were determined not to be accident related. Those defects were as follows: item # 47 Both rear wheel cylinders were leaking brake fluid, Item # 58- Both rear wheel cylinders leaking, item #48 Both rear axle seals were leaking.

2005/03/07 Writer received a statement that Chief Bakema took from Denise BUKOWSKI at the East St. Paul Police Department. In her statement to Police she advised that she and her husband came upon the accident at about 7:10 a.m. She advised that she approached the female in the green car ( BEATTIE) and spoke briefly to her. BUKOWSKI then approached the yellow car and viewed the woman inside ( TAMAN). BUKOWSKI then observed a male come from behind a pickup truck that had been involved in the accident. She asked the male if he was ok and if he had anyone with him. BUKOWSKI advised the male did not respond.

2005/03/08 Writer received a statement from Chief Bakema that he took from Vernon STEVENS at the East St. Paul Police Department. In his statement to Police STEVENS advised that he came upon the accident scene and assisted with directing traffic. He said that he observed a male standing approximately 15 feet west of a Dodge truck that was in the ditch. He advised that this male appeared to be dazed and "out of it". STEVENS yelled at the male from about 15 feet away asking if he wanted to sit in STEVENS truck to warm up. He advised that the male shook his head indicating no. he described the male as having a bloody nose and bleeding right nostril.

2005/03/08 10:00 hrs. Received above noted Certificate of Inspection # L 08204.

1100 hrs. Writer spoke with Ray RIDDOLLS of the East St. Paul Fire Department and requested a copy of his report. He will forward same to writer and upon writer's request will identify if any of his firefighters had any contact with the accused. Chief RIDDOLLS advised that a paramedic in Winnipeg Ambulance Unit 24 out of the McIvor Street Station apparently assessed the accused's physical condition at the accident scene.

Sgt. N. Carter

2005/03/16 0950 hrs. Writer received a message to contact Sgt. Roger GERARD ( 986-6079) of the WPS Professional Standards Unit

1040 hrs. Writer called Sgt. GERARD and left a message for him to call.

1050 hrs. Sgt. GERARD called and spoke to writer to obtain an update on any witness interviews. Writer advised him of the interviews of STEVENS and BUKOWSKI. Sgt. GERARD said that the WPS Unit has interviewed 20-25 people. he advised that apparently a number of WPS members went to Brannigans on Leila after work and remained there until closing time. After Brannigans a small group of people went to cst BLACK's residence in East St. Paul for a couple of drinks and food. One person at the gathering was obviously intoxicated and his vehicle keys were taken from him. Cst BLACK

advised that he went to the washroom and when he returned he found that the accused had left the house. Apparently a waitress at Brannigans may be able to identify the accused and believes that he may have had 7-8 beer while he was there. According to Cst BLACK, it was a low key gathering with nothing outstanding occurring during the course of the evening/night.

1715 hrs. Katherine BUETI, of GINDON, WOLSON & SIMMONDS called to inquire if they can retrieve house keys, locker key and clothing or other articles that were in the accused's vehicle. Writer advised that the uniform had been turned over to the Professional Standards Unit and writer would check for the location of other articles. Ms. BUETI was also reminded to have her client attend to complete a traffic accident report.

1730 hrs. Katherine BUETI called to advise that in speaking with Richard WOLSON, they would like to have a copy of the police report forwarded to them prior to completing a TAR. Writer advised that a TAR is required within seven days and that they can obtain a copy of the Police report from prosecutor Marty MINUK.

Sgt. N. Carter

2005/03/17 1150 hrs. Special prosecutor MINUK called writer to advise they will not be giving disclosure until all the material is in.

Received fax letter from special prosecutor Martin MINUK to the accused's lawyer in response to disclosure and to have them instruct the accused to attend to report the motor vehicle accident.

Sgt. N. Carter

2005/03/23 1130 hrs Writer called Bert BRYAN , manager of Selkirk ambulance to have paramedic Ted ROSSER call writer

1400 hrs. Bert BRYAN called and provided writer with ROSSER's telephone number. Writer then called ROSSER and left a message for him to call writer

1405 hrs. Writer called East St. Paul firefighter Dale KASPER and left a message on his answering machine to contact writer.

1410 hrs. Writer received fire report from the East St. Paul Fire Dept.

Sgt. N. Carter

2005/03/24 Writer received witness statement taken by Chief Bakema from Edward John ROSSER, a paramedic from Selkirk Ambulance who had attended the scene.

In his statement to Police, ROSSER advised that about 7:00 a.m. he was dispatched to the scene of the accident. Upon arrival, he observed that Wpg Ambulance was on scene. ROSSER said that he was instructed to examine a male that was sitting in the back of the police vehicle. ROSSER said that he got in the back seat with this male where the male declined treatment or transportation by ambulance. ROSSER advised that he obtained this male's personal and medical history from him. ROSSER advised that the male appeared to be upset and he asked about the lady that he hit. ROSSER advised that he noted a "strong but noticeable" smell of liquor from this male. When ROSSER asked the male if he had anything to drink, the male would not respond.

Sgt. N. Carter

2005/03/29 0517 hrs. Writer received a fax statement from Selkirk Paramedic Roland FONTAINE. In his statement to Police dated Mar 29/05 He advised that he had attended to the scene of a motor vehicle accident on Hwy 59 and 101. He observed that a small yellow convertible was destroyed and the occupant

was deceased. he advised that both he and his partner attended to the Police vehicle and opened the door of the cruiser to examine the male who was seated there. FONTAINE advised upon opening the vehicle door he immediately noted an odor of liquor. FONTAINE advised that the male declined medical care.

Fontaine noted that the male appeared to be very depressed.

2005/03/30 1120hrs. The accused attended to the station with his wife to provide a statement for the traffic accident report. They were escorted to writer's office where writer commenced the report. The accused did provide a written statement but refused to answer any of the questions required to score the accident report advising that he has done hundreds of these reports and the questions writer was asking were redundant as writer could get that information from the Police report.

MORDENZENK also requested return of his personal clothing and keys from his vehicle advising that one of the keys is for his locker at work that he is sure we would want to turn over to Wpg Police.

Sgt. N. Carter

2005/03/31 10:00 hrs. Received Autopsy report from M.E's office. on Crystal TAMAN. Cause of death was due to neck and head injuries. The findings at the autopsy were extensive laceration of neck which lacerated the skin, larynx and soft tissue, hinge fracture at base of skull, fracture of T-1 vertebra, pale internal organs

TAMAN had no alcohol in her blood but did have prescription drugs within therapeutic levels.

Sgt. N. Carter # 021

2005/03/31 1642 hrs. Received items from Cst GRAHAM who seized same from the accused vehicle at 75 Lawson.

Sgt. N. Carter

2005/04/05 Received original statement form paramedic Roland FONTAINE  
Sgt. N. Carter

2005/05/02 1430 hrs HARVEYZENK called for his keys and vehicle release. He advised he would attend Thursday at 2:00 p.m.

2005/05/13 1210 hrs. HARVEYMORDENZENK (955-9285) called in regard to his missing vehicle keys that were not returned to him by Cst Chudyk on 2005/05/05/

1230 hrs. Writer called HARVEYMORDENZENK and advised that we have located his keys. He advised writer he will call prior to attending, but it will not likely be today.

2005/05/26 0900 hrs HARVEYMORDENZENK called and advised he would be by in a couple hours to get his keys

1028 hrs. HARVEYMORDENZENK arrived and his keys were released to him

2006/06/20 1130 hrs. The victim's father, Mr. S. Svenson attended to the station to meet with writer for an update on the file.

2005/08/04 10:30 hrs Mr. SVEINSON called and left a message for writer to call him after 1400 hrs on Tuesday August 9, 2005 at [REDACTED]

2005/08/08 Writer forwarded witness statements to RCMP analyst Chris BLANFORD

Sgt. N. Carter

2005/08/16 1215 hrs. The victims father S. SVEINSON of [REDACTED] and his wife attended to the station. He advised that he was not communicating with his con in law ( victims husband) due to family problems. He advised that he was not getting any information from the Crown and would like the name and phone number of the prosecutor and writer supplied him same. Mr. SVEINSON also wanted to complete three Victim Impact Statements. Writer advised that I would have the forms delivered to him at his residence.

Mr. SVEINSON advised that he was out in Broken head park area, ministering when he came across someone who claims to have witnessed the accident. Mr. SVEINSON identified this witness as Fred SHRUTWA of [REDACTED]

1300 hrs. The SVEINSON's left the station

Sgt. N. Carter

2005/08/18 Writer received the traffic analyst report. The analyst was unable to determine a speed. The analyst found no evidence to support any attempt by HARVEYMORDENZENK to avoid the collision.

Sgt. N. Carter

2005/08/30 Writer received the WPS professional Standard reports from Chief Bakema. The following subjects were interviewed by professional Standards.

- 1) Sgt. C. HUMINSKI # 1212/13/B1
- 2) P/Sgt. J. Anderson # 1685/13/B1
- 3)Cst. J. KAPKA # 1531/13
- 4)Cst D. Harding# 2343/13
- 5)Cst T.MICHALIK # 1472/13
- 6)Cst. T.J. SPRUYT # 2449/13
- 7)Cst. L. SWANSON # 1684/13
- 8) Cst J. Nolet # 2316
- 9) Cst. K. McLure # 2142/13/B1
- 10) Cst. B. Neumann # 2355/13
- 11)Cst. S. VELDMAN # 1995/13
- 12) Cst. S. Black # 1758/13
- 13) Cst. K. AZARANSKY # 2198/13
- 14) Chelsea Lynn O'HALLORAN- Waitress at Brannigans
- 15) Darcy GERARDY- Shift Manager at Brannigans
- 16)Rodrigo BRAVO- General Manager at Brannigans
- 17) Cst J BUORS #1761/15
- 18) Cst S. HADDAD # 2100/11
- 19) Cst T. FUDGE # 2052/11
- 20) Cst G. SCHNIEDER # 1680/13
- 21)Cst W. TOEWS # 1602/13
- 22) Sgt. Paul Isaac
- 23) Cst N. BAUER # 1804/11
- 24) Cst D. MIKAWOZ # 2444/13
- 25) Cst. C. GUYOT # 2211/13
- 26) Cst. A. WILLIAMS #817/13
- 27) Cst. M NECHWEDIUK # 2227/13
- 28) Sgt. C. Paul # 1466/B4

Sgt. N. Carter

2005/09/13 1155 hrs. mr. SVEINSON attended to the station for three victim Impact statements and the phone number of the special prosecutor. He was supplied with same

Sgt. N. Carter

2005/09/29 0959 hrs. Mr. SVEINSON attended to the station for an update on the file. Writer spoke to him about a complaint from his daughters family about the memorial he placed to his daughter at the scene.

Mr. SVEINSON said that there are family issues about this and he will not remove the memorial unless required. He advised he placed the memorial there with his other daughter cari ENCONTRE of [REDACTED]. He advised that if there is roadwork, he will remove it temporarily

Sgt. N. Carter

2005/12/20 Received Fax from M. MINUK requesting certain documents and possibility of executing a search warrant.

Sgt. N. Carter



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