



East St. Paul Police

3021 Bird's Hill Road

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FAX TRANSMISSION COVER SHEET

Date: 2006-04-26

Attention: Martin S. Minuk
Agent for the Attorney General of Manitoba

Fax: (204) 957-4411

Re: Accused: Derek Harvey mordenzenk
ESPP F # 2005-00568

Sender: Chief Norm Carter

YOU SHOULD RECEIVE 16 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL

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Mr. Minuk

Please find attached a 7 page report that you requested I submit to you after our meeting on April 21, 2006. For convenience and reference also find attached an 8 page incident report, completed by myself, of which you already have a copy attached to the crown file.

Chief Norm Carter

EAST ST. PAUL POLICE

ADDRESS ALL CORRESPONDENCE TO THE CHIEF OF POLICE

3021 BIRD'S HILL ROAD
EAST ST. PAUL, MB
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April 25, 2006

Aikins, MacAulay & Thorvaldson
30th Floor-360 Main Street
Winnipeg, Manitoba
R3C 4G1

Attention: Martin S. MINUK
Agent for the Attorney General of Manitoba

Dear Sir:

Re: Accused-Derek Harvey mordenzenk (our file # 2005-00568)

Further to our meeting of April 21, 2006 I submit this report to you with regard to the above noted case.

On February 25, 2005 at approximately 7:10 a.m. Cst. Ken Graham was advised by telephone of a motor vehicle collision that had occurred at a location described as Henderson Hwy and the North Perimeter. Cst. Woychuk and Cst. Pedersen responded in separate vehicles towards that location while Chief Harry Bakema responded in the same Police vehicle as Cst. Graham. There appeared to be some confusion as to the exact location of the accident until Cst. Graham and Chief Bakema located the scene at Hwy 59 and the North Perimeter. Upon arrival at the scene Police observed that there had been a three-vehicle collision involving a 1991 Chevy Sprint convertible, a 1995 Dodge Dakota Pickup and 2000 Hyundai Accent. The 1991 Chev Sprint Convertible had extensive damage and the female driver of that vehicle was not showing any signs of life, according to rescue personal that were also on scene. This driver was subsequently extracted from the vehicle, transported to Condordia Hospital and was pronounced deceased upon arrival. Chief Bakema, Cst. Graham and Cst. Woychuk remained at the scene of the accident while Cst. Pedersen was requested by Cst. Graham to conduct traffic control north of the scene in order to reroute traffic west on to Hwy 101. Cst. Woychuk also assisted with traffic control at the accident location. At this time, Chief Bakema was the senior ranking officer on scene.

At approximately 7:38 a.m. I received a telephone call at my residence from East St. Paul Dispatch. I was advised by Police dispatch that there was a serious motor vehicle collision at Hwy 59 and the Perimeter and one of the vehicles was split in half and that my attendance was required. I arrived at the East St. Paul Police station at approximately 8:00 a.m. but was advised via radio by Chief Bakema to remain at the office and await the arrival of Cst Woychuk who was enroute to the station. At this time I had no details of the incident other than what dispatch had relayed to me by telephone. The accused (Harveymordenzenk) was subsequently turned over me where based upon the information provided to me and my observations I placed the accused under arrest and read him his rights under the Charter and issued the standard Police caution along with the breath demand and later the refusal caution. The accused was later released to his lawyer on a PTA.

Chief Bakema's incident report:

According to the incident report written by Chief Bakema, he attended to each of the vehicles involved in the collision and made observations as to their condition and location. One of the vehicles he attended to was that of the accused, Derek Harveymordenzenk. According to his report, the accused was standing beside the driver's side of the vehicle. Chief Bakema spoke with the accused who confirmed that he had been the driver. According to his report, Chief Bakema observed that the accused had some "minor blood" on his nose and that the driver confirmed that he was "ok". Chief Bakema reports that Harveymordenzenk appeared to be "quite distraught". Chief Bakema writes that he then escorts Harveymordenzenk to Cst Woychuk's police vehicle and that Cst Woychuk later transported Harveymordenzenk to the East St. Paul Police station. Chief Bakema then reports he spoke with a witness on the scene who relates that the Dodge Dakota "flew" by him in the left lane and rear-ended the Chevrolet Sprint, which in turn hit the Hyundai Accent. Chief Bakema reports that both himself and Cst Graham closed down the intersection to preserve the scene while awaiting the arrival of the RCMP traffic analyst.

Chief Bakema writes in his report that Cst Graham attended to the accused's vehicle (Dodge Pickup Truck), observed a uniform on the rear seat and seized it for safekeeping. Chief Bakema also writes in his report that Cst. Graham detected a strong odor of liquor from the interior of the accused's vehicle.

On February 26, 2005 Chief Bakema reports in a supplemental that he attended to the residence of Cathy Beattie who was involved in the accident and obtained a traffic accident report from her. (Note: Cathie Beattie is the wife of a Winnipeg Police Sgt. Chris Beattie)

Chief Bakema submits no further report or supplemental narrative in regard to this incident

Cst. GRAHAM's incident report:

Cst. Graham **does not** submit an incident report on the collision as Chief Bakema's report purportedly covers Cst. Graham's involvement in the incident.

Cst. Graham does submit a short supplemental report on March 3, 2005 in which he only writes that he received a call from a witness identified as Ken Ford who wished to provide a statement. Cst. Graham subsequently attended to Ford's workplace and obtained that statement.

Cst. Graham also submits another short supplemental report on March 31, 2005 in which he writes that he attends Dr. Hook compound and collects the accused's belongings from his vehicle and turns same over to Sgt. Carter

Cst. WOYCHUK's incident report:

According to the incident report written by Cst. Woychuk, he arrived at the accident at approximately 7:22 a.m. and observed the location and positions of the vehicles involved in the collision. Cst. Woychuk writes that he set up traffic cones in the northbound lane of Hwy 59 and directed northbound traffic around the scene. In his incident report, he advised that at 7:42 a.m. Chief Bakema approached him with a male later identified as the accused and places the male in the rear of Cst. Woychuk's police vehicle. Cst. Woychuk writes that Chief Bakema told him that this male was being put in Woychuk's vehicle until he received medical attention. Cst. Woychuk also writes that Chief Bakema instructed him to stay with the male because the male was "distracted" over the accident and to remain with Harveymordenzenk because of his condition.

According to the report, Harveymordenzenk declined medical attention by paramedic Ted Rosser and that Harveymordenzenk did not want to speak with Cst. Woychuk. Cst. Woychuk writes that at 8:08 a.m. he transports Harveymordenzenk to the Police station and that enroute he detects a slight odor of liquor on Harveymordenzenk. In his report, Cst. Woychuk wrote that at 8:12 a.m. Sgt. Carter met him at the rear door to the Police station where he advised Sgt. Carter that Harveymordenzenk had been involved in the collision and was "distracted". Cst. Woychuk writes that he also detected a slight odor of liquor from Harveymordenzenk. In his report, Cst. Woychuk said that Sgt. Carter then escorted Harveymordenzenk into the station and that Harveymordenzenk appeared to be unsteady on his feet and that he observed Sgt. Carter place Harveymordenzenk under arrest for impaired driving cause death and bodily harm. Cst. Woychuk then reports that upon request of Sgt. Carter he escorted Harveymordenzenk to the breathalyzer room where Harveymordenzenk subsequently refused to provide any samples of his breath.

The next entry on Cst. Woychuk's report was a notation of him attending to a residence on Church road to obtain a witness statement from a person identified as Garth Shaw.

The last entry on Cst. Woychuk's report shows that he spoke with a paramedic on March 14, 2005 who had been at the scene. This paramedic identified as Don FOTTI said that he and his partner, Jonathan Hawks had been at the scene, but that Fotti did not have any contact with Harveymordenzenk

Cst Woychuk submits no further report or supplemental narrative in regard to this incident.

Cst KRAWCHUK's incident report:

Cst Krawchuk does not submit an initial incident report as it appears his involvement is relegated to traffic duties at the scene.

Cst PEDERSEN's incident report:

Cst Pedersen reports that she attended to the scene at 7:20 a.m. where she was instructed to divert southbound traffic onto hwy 101 away from the scene. She remained at this post until 8:28 a.m. when Chief Bakema requested that she attend to Concordia hospital to check on the condition of two people who were injured in the collision and had been transported there for treatment. Cst. Pedersen advised she remained at the hospital and spoke with the deceased's family and remained there until 9:43 a.m. Cst Pedersen then returned to the scene and resumed traffic control duties until 12:40 p.m. whereupon she returned to the station. At 1:25 p.m. Cst Pedersen fingerprinted and photographed the accused upon request of Sgt. Carter. Cst Pedersen writes that at 2:37 p.m. she attended to the residence of the deceased with a Victim Services Worker to provide assistance. Cst Pedersen receives a call from the medical examiner at 3:40 p.m. to advise that the autopsy will take place on February 28/05. Cst Pedersen writes in her report that she contacted the family of the deceased on February 26 at 5:00 p.m. to advise that charges are going to be laid against the driver of the vehicle that struck the victim. On February 28, 2006, the victim's son called and wanted the identity and occupation of the accused, but same was not released as charges had not yet been laid.

Cst CHUDYK's incident report:

Cst. Chudyk's only involvement in this case was on May 5, 2005 in which he releases a number of items to Harveymordenzenk. Cst Chudyk documents this as required with an incident narrative attached to the report.

S/Cst OLFERT's incident report:

S/Cst. Colleen Olfert looks after the front office at the station and her only involvement was on February 28, 2005 in which she writes that she received a call from the traffic analyst, Chris Blanford requesting the location of the accused's vehicle and that same be secured until the completion of his investigation.

Sgt. CARTER's incident report:

My initial incident report is contained within the file submitted to you and as such there is no need to repeat my involvement again in this particular report although I have attached a copy of my original incident report to this for easy reference.

We scheduled a meeting on February 17, 2006 but due to other circumstances I was unable to make that meeting and alternate date of February 20, 2006 was set. Unfortunately I had to cancel that meeting also, and a February 24, 2006 date was set. On February 24, 2006 we did meet and discussed the case. At this time I had no knowledge that there were any serious issues in regard this investigation other than the time it took from the time of detention of the accused to the time of the arrest and Charter, which was brought up to you. We also discussed Chief Bakema's role as senior officer on scene. At this meeting you made some requests of me and advised that you would be away for a period of time conducting an inquiry in northern Manitoba.

There had rumors floating around the Police Department that Cst Woychuk was going to take the brunt of it in court due to the delay in the arrest and subsequent Charter of the accused owing to the actions of Chief Bakema and Cst Graham. I did not know what these actions were and I was not in a position to question the Police Chief(Bakema)

Upon leaving your office on February 24, 2006, I had Cst. Jason WOYCHUK pick me up and transport me back to my office in East St. Paul. Woychuk knew through casual conversation that I had been at a meeting with you this date in regard to the file. While driving back to East St. Paul, Cst Woychuk disclosed that the notes he made on the incident weren't his notes. This surprised me and when I questioned him about this, Cst Woychuk said that he wrote what the Chief told him to write in order to coincide with the Chief's notes and Cst Graham's notes. Cst Woychuk also disclosed that Chief Bakema told him at the scene that Harvey mordenzenk was "pissed". Cst Woychuk said that he was just a new constable at the time, had never handled something like this and was just taking instructions from the Chief of Police. He advised he should have known better, but was only doing as he was instructed to do. I did not question Cst Woychuk any further but did advise Cst. Woychuk that this would have to be disclosed to you. There was no further discussion and Cst Woychuk did not offer any further details.

It should be noted that the investigation was turned over to me to complete, but that Chief Bakema did continue to give direction and take an active involvement of sorts in parts of the investigation. After listening to Cst Woychuk's disclosure, I re-examined the file, reports and officer notes contained therein. Chief Bakema obtained statements from witnesses Denise BUKOWSKI, Vernon STEVENS, and Edward ROSSER but did not document the taking of

these statements in his incident report. There is a number of photos from a digital camera that Chief Bakema turned over to me that he said was taken at the scene. There is no notation in either his incident report or Cst Graham's incident report, both of whom were at the scene, about the taking of the photos or who took them. In comparing a copy of Chief Bakema's notes to his written incident report, there are details that have been left out of the report that he had contained in his notes, most notably that Harveymordenzenk identified himself as a cop to Chief Bakema. As Cst. Graham did not do an incident report, there is nothing to compare his notes to. There is no notation in either Graham's or Bakema's report as to what occurred with the uniform after it was seized by Cst Graham. In fact Cst Graham's notes do not even reflect that he seized the uniform. The only reference as to where the uniform went was contained in a report by Detective Sgt. R. Girard of the WPS Professional Standards Unit. In that report, he advised he received the uniform from Chief Bakema

A comparison of Cst Pedersen's incident report and her notes appear contain the same detail and do not differ substantially

A comparison of Cst. Woychuk's incident report and notes appear to contain the same details and do not differ substantially

A comparison of Graham's and Bakema's notes appear very similar in content and wording to each other. And neither are very detailed for the type of investigation

Cst Woychuk's notes indicate that I met him at the back door of the office when in fact Cst Woychuk attended inside the station (leaving the accused in the Police vehicle by himself) to speak with writer in the back room to brief me and advise me that he had a Police officer in the back seat of the Police vehicle. I asked Cst Woychuk if he had been chartered and cautioned and he said no. Cst Woychuk advised that Chief Bakema told him that I was being instructed to take this investigation over and do it because I was more experienced.

Since this incident, Cst Graham has resigned his position as of March 13, 2006 amid an internal investigation, several LERA investigations and two Criminal investigations into allegations of excessive force.

In addition, since this incident Chief Harry Bakema has been dismissed from his position as Police Chief on February 22, 2006, as a result of a Departmental audit of the East St. Paul Police Service. This audit had identified a number of management, competency and credibility issues in relation to Chief Bakema. An investigation will be commenced shortly in regard to a speeding ticket that Chief Bakema is alleged to have "pulled" after fellow off duty Winnipeg Police Officer received it from an East St. Paul officer.

On April 10, 2006 I had Cst Woychuk attend to my office and I again asked him what occurred at the Harveymordenzenk accident scene. Cst Woychuk again confirmed that Bakema told him that Harveymordenzenk was pissed and had further directed Cst Woychuk at the station how he should write his notes. Cst Woychuk maintained that he did not detect a strong smell of liquor on Mordenzenk because he had a cold and could not smell properly because he was stuffed up.

Cst Woychuk said that in retrospect he knew he knows this was wrong and he should not have done this, but that he was instructed by the Chief of Police

On April 20, 2006 I received a letter from your office advising that you will be back in Winnipeg on Friday April 21/ 2006

On April 21, 2006, I did attend to your office and disclosed to you what Cst Woychuk had disclosed to me. After returning to my office on April 21, 2006, I spoke with Cst Woychuk and advised that I had disclosed the information that he provided. Cst Woychuk said that he did have intentions of speaking with me again about this. Cst Woychuk did not feel that Chief bakema was intentionally trying to cover up or assist Harveymordenzenk. He feels that Chief Bakema and Cst Graham were just too "chicken shit" to deal with this themselves because Harveymordenzenk was a cop and they had concerns about what certain other police officers would think about them. I again told Cst Woychuk that we would have to see you about this and urged him to tell the complete truth. I have not had any further conversation with Cst Woychuk about this since Friday April 21, 2006.



Norman D. Carter
Chief of Police

SGT CARTER'S NARRATIVE

East St. Paul Police Incident Narrative

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

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 subject 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.

0819 hrs. Writer advised the male of his right under the Charter. Again the subject advised writer he understood and wanted to exercise his rights to contact legal counsel.

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 4055 Lorne Hill Road. Pedersen advised that the family is at the hospital and requested that the name of the deceased not be released to the press.

0934 hrs. Cst Pedersen called writer and advised that the M.E. had been contacted by the hospital and that the driver of vehicle # 1 (Beattie, Cathy) has been released from hospital after being treated.

1004 hrs. Writer made contact with the crown's office and spoke with duty Crown Russ RIDD to brief him on the incident. he advised that as the accused is a police officer that they will contact a special prosecutor.

1035 hrs. Writer received a call from Special prosecutor Marty MINUK who was briefed on the incident. Based upon the information, MINUK authorized charges of Refusal/ Impaired cause death/ dangerous cause death and Criminal negligence cause death. Writer was also advised that the subject can be released on a PTA for Courtroom 301-408 York.

1052 hrs. Heather Reay of Richard WOLSON's law office called to ascertain if the subject was still in custody. Writer also received a call from Jim POOLE of the Professional Standard Unit of the WPS.

1110 hrs. Writer and Cst Krawchuk escorted the subject to the washroom

1114 hrs. The accused was escorted back to the interview room where writer asked he wanted to call his wife or call the Association. The subject advised writer that he wanted to do so. The subject was asked if he wanted to speak to writer about the incident, but the subject declined.

1117 hrs. Writer then exited the interview room. writer received subsequent telephone calls from Jim POOLE of professional Standards and Loren SCHENKEL of the WPS Police Association.

1128 hrs. Writer received a call from WOLSON's law office advising that lawyer Katherine BUETI is enroute to the station

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 45 Pierson Dr in Tyndall 268-3676 as he was identified bt 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 dribing 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 thats 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, Mccauley & 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 sitting 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 writers 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 Lella 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 cruise 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 [REDACTED] 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 victims 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 222-8570

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 Carl ENCONTRE of [REDACTED] [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