

INTERVIEW OF PAUL ISAAK

Date: March 22, 2005

Held at 10th floor Confederation

Building, 457 Main Street,

Winnipeg, Manitoba

1 TUESDAY, MARCH 22, 2005

2 Upon commencing at 1:18 P.M.

3
4 **SERGEANT GIRARD:** The date is
5 March 22, 2005, the time is 1:18 p.m. and we are
6 in interview room number one of the Professional
7 Standards Unit Offices on the 10th floor of the
8 Confederation Building, at 457 Main Street in
9 Winnipeg. My name is Detective Sergeant Roger
10 Girard. Also present is Sergeant Con Pearson.
11 For the purpose of voice recognition, Con, please
12 identify yourself by name?

13 **SERGEANT PEARSON:** Con Pearson.

14 **SERGEANT GIRARD:** We are both members
15 of the Professional Standards Unit. This is an
16 interview with Sergeant Paul Isaak regarding PSU
17 file 05-017. For the purpose of voice
18 recognition, can you please identify yourself by
19 full name and badge number?

20 **SERGEANT ISAAK:** Paul Isaak, 1466.

21 **SERGEANT GIRARD:** Okay. I will remind
22 you that in accordance with service policy, our
23 conversation is being recorded and for that
24 purpose today we are using an Olympus DS4000
25 digital voice recorder.

1 You were contacted and requested to
2 attend for this interview today. And you arrived
3 at our office a short time ago, I met you
4 downstairs. We came up together in the elevator
5 as it is a secure building. We came straight into
6 the interview room. Sergeant Pearson was here
7 when we came in. I explained to you a little bit
8 about the process, that we record everything, a
9 little bit about the preamble and basically what
10 we were going to be talking about here today. You
11 didn't have any questions so we started the
12 recorder. So is that an accurate account of what
13 has taken place prior to me turning the recorder
14 on?

15 **SERGEANT ISAAK:** Yes, it is.

16 **SERGEANT GIRARD:** Okay. It is our
17 practice to ensure that members understand their
18 status when being interviewed, and I will remind
19 that you that you are being interviewed as a
20 witness in this matter. This statement may be
21 used in any criminal, civil, or service
22 proceeding, or it may not be used in any
23 proceeding at all.

24 Were any threats made to you, or any
25 promises or hopes of reward offered to you in

1 relation to providing a statement?

2 **SERGEANT ISAAK:** No.

3 **SERGEANT GIRARD:** Was anything said to
4 you by anyone that would influence what you might
5 say to us in a statement?

6 **SERGEANT ISAAK:** No.

7 **SERGEANT GIRARD:** Okay. As I
8 explained before I started the recorder, this of
9 course is regarding the incident involving
10 Constable Harvey-Zenk, the motor vehicle accident.
11 So what we wanted to speak with you about today is
12 if you could just detail your involvement with
13 Constable Harvey-Zenk on that morning?

14 **SERGEANT ISAAK:** Actually, my contact
15 with Harvey-Zenk didn't occur until into the
16 afternoon.

17 **SERGEANT GIRARD:** Okay.

18 **SERGEANT ISAAK:** And it was as a
19 result of receiving a phone call from the
20 president of the Winnipeg Police Association,
21 Lorne Schinkel, who advised me that Constable
22 Harvey-Zenk had been arrested following a motor
23 vehicle accident, and that he was in the custody
24 of the East St. Paul Police.

25 **SERGEANT GIRARD:** Okay.

1 **SERGEANT ISAAK:** And as is consistent
2 with my role as wellness officer, I will touch
3 base with any of our members when I become aware
4 of circumstances in their lives that may be a
5 source of distress, and would want to ensure that
6 they have the resources that are available to
7 them, that are provided for them by the police
8 service. So my initial intent was to ensure that
9 that was communicated to Constable Harvey-Zenk.
10 And second to that, the question of notification
11 of family members with regards to the
12 circumstances that he found himself in at that
13 time of the conversation with President Schinkel.
14 It was my understanding that his spouse had not
15 been made aware of the circumstances, and I was
16 certainly going to offer to assist in any way that
17 I could to ensure that that notification was done
18 in an appropriate and respectful way.
19 I was given, by Lorne Schinkel, a
20 contact number -- sorry, contact, yes, I think a
21 number, and name of the Sergeant who was in charge
22 of the investigation. And it was a Sergeant
23 Carter. And prior to attending to the East St.
24 Paul Station, I called Sergeant Carter and asked
25 if it was appropriate for me to attend and meet

1 with Constable Harvey-Zenk. I wasn't totally
2 aware of where they were at in the course of their
3 investigation and exactly what stage they were at,
4 and I asked if it was appropriate for me to come
5 and actually meet with Constable Harvey-Zenk. I
6 had indicated to him who I was, what my role was
7 with the Police Service, and he was actually very
8 receptive and very supportive of me attending at
9 that time. There were some concerns already by
10 the involved officers about the level of distress
11 that Constable Harvey-Zenk was sort of displaying
12 with regards to all of the developments over the
13 course, I guess, of the preceding number of hours.

14 **SERGEANT GIRARD:** Right. Okay. Do
15 you remember what time, roughly, that was that you
16 spoke with Sergeant Carter?

17 **SERGEANT ISAAK:** That would have been
18 very close to the noon hour.

19 **SERGEANT GIRARD:** Okay. So it was
20 shortly after that that you attended then?

21 **SERGEANT ISAAK:** Yes.

22 **SERGEANT GIRARD:** And what happened
23 when you attended?

24 **SERGEANT ISAAK:** Actually, it was
25 while I was already enroute that I called Sergeant

1 Carter, and sort of received his permission to
2 attend and that I would in fact have an
3 opportunity to meet with Constable Harvey-Zenk. I
4 arrived there, I think just prior to 12:30 in the
5 afternoon, met both with Sergeant Carter and with
6 Harry Bakema, who was also in the office. And at
7 that point I was advised that he was in an
8 interview room with a representative of his legal
9 counsel, and they were nearing the completion of
10 the formal parts of their investigation and he
11 would be released shortly.

12 There were conversations, I actually
13 had a brief conversation with Ed Humphries from
14 the Association office, and a second conversation,
15 to the best of my knowledge, with Lorne Schinkel.
16 And I was also advised by his counsel at some
17 point, prior to meeting with Constable
18 Harvey-Zenk, that his wife had in fact been
19 notified that he had been involved in an accident
20 and he was being held in East St. Paul Police
21 Station, and that he was going to be charged with
22 a number of offences. And my interest was in
23 ensuring that his wife, [REDACTED] was going to be
24 able to get home from her place of employment and
25 that she wouldn't be left on her own to do that.

1 And I was assured that the principal of the school
2 that she worked at was going to be looking after
3 that. So I was already comfortable with a certain
4 part of what I thought might be my role with
5 respect to that.

6 **SERGEANT GIRARD:** Okay.

7 **SERGEANT ISAAK:** It was around 12:30,
8 approximately 12:30 when I was given the
9 opportunity to meet with Constable Harvey-Zenk.
10 And the entire time that I was in the interview
11 room with him, it was probably just over a half
12 hour, his legal representative, Ms. Bueti, was
13 also present throughout that time. The three of
14 us were meeting together.

15 **SERGEANT GIRARD:** Okay. All right.

16 What can you tell us about Constable Harvey-Zenk's
17 condition when you were talking with him?

18 **SERGEANT ISAAK:** Constable Harvey-Zenk
19 was clearly distressed over the result of being
20 involved in this accident and the death of another
21 individual. He made several comments about having
22 no explanation that could make sense out of the
23 fact that somebody was now dead, and that he was
24 very distressed over not being able to offer that,
25 not being able to offer a husband, a child -- and

1 of course at that point I don't believe he knew
2 what kind of family this individual was part of,
3 or what kind of supports. I certainly wasn't
4 aware if he had been given any of those kinds of
5 details. Anyway, I got the impression that he was
6 just thinking if this person is connected to a
7 husband, and if this is a mother, what would he
8 say to those people who have just lost their loved
9 one, that could somehow make sense. And he was
10 very distressed over not being able to have an
11 answer for that.

12 He was distressed over the
13 disappointment that he felt he now was to the
14 people who cared about him the most, including his
15 wife and parents, family members. He described
16 himself as always being someone who was proud of
17 himself, who was someone he knew his parents could
18 be proud of, who his wife could be proud of. And
19 all of these circumstances had changed as a result
20 of this accident. He was certainly more outward
21 focused on the impact that this had than on the
22 implications for him on a personal level. That
23 was certainly what I felt was the source of his
24 distress. He was completely able to articulate
25 himself, talk about some of the specific concerns

1 that I had. His responses would have been
2 consistent with the kind of things that I would
3 have -- I don't know if predicted is the right
4 word -- but they weren't a surprise to me. He
5 made one statement at one point during the half
6 hour that he wished he could trade places with
7 this woman so that it wasn't her family going
8 through all of this.

9 And I specifically talked about the
10 concern for his well-being, given how upsetting
11 this clearly was, and that that was one of my
12 concerns. And I certainly wanted to make sure
13 that he had the supports in his life, and that his
14 wife had the supports for their family,
15 particularly given the fact that she was expecting
16 her first child the focus became very much, this
17 is very unfortunate circumstances that you are
18 involved in and we don't want to -- it would
19 certainly be my hope that the resources that I
20 could offer and perhaps provide for their family
21 wouldn't complicate the tragedy, because we can't
22 change what had happened, but we can certainly
23 equip people to sort of pass through this very
24 difficult set of circumstances.

25 So it was some specific talk about

1 making sure that his wife and him had what they
2 thought were proper resources in place. I
3 certainly got the sense that his family was a
4 fairly close family, just from some of the
5 comments that were made with regards to the
6 relationship that existed between himself and not
7 only his parents but in-laws as well.

8 And the plan that we sort of developed
9 was that Ms. Bueti was going to convey Derek to
10 his home. His wife would have already returned
11 home at that time, and she was going to remain
12 there until I arrived later in the afternoon. And
13 it was certainly my expectation to remain there
14 until his parents, who lived in [REDACTED], arrived.
15 And I already indicated that they were -- I'm not
16 sure exactly when I got that information, but that
17 was eventually the plan, that I remain there until
18 his -- some of his family members were there to
19 sort of be an ongoing support for the next number
20 of hours.

21 **SERGEANT GIRARD:** At any time when you
22 were meeting with him, did you have any concerns
23 of him medically, aside from the obvious
24 devastating impact that this had on him
25 psychologically, any concerns medically at all? I

1 mean taking, of course, into account that you are
2 not a doctor, but was there anything about his
3 behaviour where you thought maybe he should have
4 received medical treatment or anything like that?

5 **SERGEANT ISAAK:** My concerns for his
6 physical well-being actually was something that I
7 addressed when I attended to his home later in the
8 afternoon.

9 **SERGEANT GIRARD:** Okay.

10 **SERGEANT ISAAK:** And it was more to do
11 with the fact that here that was an individual who
12 was up for an awful lot of consecutive hours,
13 having experienced something very distressing. I
14 think at one point Derek made reference to the
15 fact that he saw this image of this car, and I
16 didn't know what that meant, but he couldn't sort
17 of -- it was a very distressing image that he kept
18 seeing. And just from some of the experience that
19 I have had in the past 18 months in working with
20 Dr. Davis, how important it is for people to get
21 some good rest, to help them, actually to position
22 them to be able to make good decisions about what
23 needs to happen in their future. And I thought at
24 that point that it was important that in the event
25 that -- for Derek to get into a good sleep, he may

1 need some medication to assist him to do that.
2 And so I actually pursued what I felt was a
3 medical need to allow him the opportunity to get a
4 good night's rest.

5 **SERGEANT GIRARD:** Okay.

6 **SERGEANT ISAAK:** So that's the only
7 issue that I ever --

8 **SERGEANT GIRARD:** So there was no,
9 like apparent injury, physical injury to him or
10 anything like that, or anything where you
11 thought --

12 **SERGEANT ISAAK:** I didn't see
13 anything. He didn't have any lacerations or
14 anything like that, no.

15 **SERGEANT PEARSON:** When you first saw
16 him, did he look okay to you, at that time? Let
17 me put it this way, I know you are not -- haven't
18 got formal training, but he was obviously
19 distressed when you saw him and legal counsel was
20 there. Did it look like he could make proper
21 decisions for himself at that point in time or was
22 he --

23 **SERGEANT ISAAK:** That would be a
24 hard -- that would be a hard question for me to
25 answer. What I can say is that he was distressed

1 over the incident. There is nothing that I
2 observed that I couldn't attribute to that event
3 alone. Could there be other contributing factors
4 to what I observed, as far as his level of
5 distress, his -- I mean, his state of emotion?

6 **SERGEANT PEARSON:** Can you describe
7 that for us?

8 **SERGEANT ISAAK:** Well, he was at
9 different times clearly upset. I wouldn't say he
10 was crying, but he was -- there were tears in his
11 eyes. This is somebody who I would say was
12 displaying signs of deep remorse about having been
13 involved in something as horrible as an accident
14 where someone's life was lost as a result of that
15 accident. That's what I observed. Whether --
16 whether there was an injury on top of that, if he
17 had banged his head, he didn't complain of any
18 injury, and I didn't ask him specifically about
19 whether or not he had been injured. I was there
20 focusing really on his emotional well-being.

21 **SERGEANT PEARSON:** Did you notice if
22 there was any blood on his clothing?

23 **SERGEANT ISAAK:** No, I didn't.

24 **SERGEANT GIRARD:** All right. I think
25 what Con was getting at before, was there anything

1 in his behaviour that you saw that made you think
2 that it would affect his ability to make certain
3 decisions? And I know you mentioned earlier that
4 you wanted to make sure that --

5 **SERGEANT ISAAK:** I wasn't prepared to
6 let this man just sort of be on his own. I was
7 concerned for his well-being. I wanted to make
8 sure that this person isn't so distraught and in
9 such a state of despair that he may make decisions
10 that -- I mean, I was concerned for his
11 well-being. I was concerned that this person was
12 suicidal. I actually asked him specific questions
13 about that. I said this is what my concerns are.

14 **SERGEANT PEARSON:** Let me ask you, did
15 he care about his own well-being at that point in
16 time?

17 **SERGEANT ISAAK:** He wasn't focused on
18 himself, he really wasn't. And in that sense he
19 didn't say or do anything that actually gave me
20 the concern that he was going to take his own
21 life. It was more just seeing how despairing he
22 was.

23 **SERGEANT GIRARD:** Correct me if I'm
24 wrong here, it sounds to me that -- earlier you
25 had mentioned that he was very outward, like

1 outward thinking, he didn't really --

2 **SERGEANT ISAAK:** Yes.

3 **SERGEANT GIRARD:** Do you think at that
4 point -- is it safe to assume that he really
5 didn't care what happened to him at that point?

6 He was more concerned with how this was going to
7 impact everybody but himself?

8 **SERGEANT ISAAK:** I wouldn't say that
9 he didn't care, I just think he wasn't thinking
10 about that, and that may be a fine line.

11 **SERGEANT GIRARD:** I can see the
12 distinction there, yeah. Okay. Now, when you
13 were with him, did you smell any liquor on him?

14 **SERGEANT ISAAK:** I certainly never --
15 I didn't get close enough to really smell his
16 breath or anything like that, no, I didn't.

17 **SERGEANT PEARSON:** At this point in
18 time he had been up for many, many hours already,
19 by 12:30.

20 **SERGEANT ISAAK:** I had no idea really
21 even when the accident occurred, or any of the
22 details related to that.

23 **SERGEANT PEARSON:** Do you happen to
24 know who told you about the woman dying in the
25 accident?

1 **SERGEANT ISAAK:** No idea.

2 **SERGEANT PEARSON:** Obviously, you
3 already knew when you got there?

4 **SERGEANT ISAAK:** Yes. Well, my
5 understanding was that he was already aware of
6 what he was being charged with. So if they have
7 identified the charges, I mean, there is fairly,
8 you would know what the circumstances, or at least
9 some of the elements of what has happened.

10 **SERGEANT GIRARD:** Okay. And the only
11 other direct question that I want to ask is, when
12 you were with him did he seem impaired?

13 **SERGEANT ISAAK:** No.

14 **SERGEANT GIRARD:** By liquor or
15 anything else?

16 **SERGEANT ISAAK:** No. Again, what I
17 saw was a distressed man, emotional and
18 distressed. And everything that I saw, I
19 attributed to that reality for him.

20 **SERGEANT GIRARD:** Okay.

21 **SERGEANT PEARSON:** Do you know if and
22 when he received any medical treatment?

23 **SERGEANT ISAAK:** I attended to the
24 Concordia Hospital with him later on in the
25 evening, and I remained with him until he was seen

1 by the attending physician. And at that point,
2 all the information that was really provided to
3 the attending physician is this was an individual
4 who had been up for a number of hours, partly as a
5 result of his work, and then in the morning he was
6 involved in a motor vehicle accident and someone
7 had died as a result of that. And it has been
8 very distressing for him and upsetting, and what
9 he needs is some prescription that would assist
10 him in getting to sleep, because that's an
11 important piece. And they were fully supportive
12 of that, just from the conversations that we had.

13 **SERGEANT GIRARD:** Okay. So that was
14 the reason for taking him to Concordia, it wasn't
15 medical or anything?

16 **SERGEANT ISAAK:** That was the only
17 reason, the prescription was written out and he
18 returned home, and that was the sole purpose of
19 it.

20 **SERGEANT GIRARD:** Okay.

21 **SERGEANT ISAAK:** I had specifically
22 called my own -- Derek and his wife don't have a
23 family physician here in Winnipeg, and I called my
24 own family physician and briefly described the
25 circumstances and asked what his recommendations

1 were. And he actually recommended a physician
2 that was in the area where Derek and Carly live.
3 And I couldn't -- he called for me to see whether
4 or not he was in the office. It was Friday
5 afternoon now, about 5:00 o'clock. And he called
6 me back saying he just, this other physician had
7 just left Victoria Hospital, and he recommended
8 that he be seen there and that he should go
9 through a proper assessment for getting some kind
10 of sedative to assist him.

11 **SERGEANT GIRARD:** This is Victoria,
12 because originally you said Concordia?

13 **SERGEANT ISAAK:** No, sorry, everything
14 that I did happened at the Victoria.

15 **SERGEANT GIRARD:** You said Concordia.

16 **SERGEANT ISAAK:** I apologize.

17 **SERGEANT GIRARD:** That's all right.
18 Okay. I don't know if there is anything else that
19 you wanted to add to that, Con?

20 **SERGEANT PEARSON:** I don't think so.

21 **SERGEANT GIRARD:** Is there anything
22 else about this that you think is important that
23 we haven't covered, something that we have
24 overlooked that --

25 **SERGEANT ISAAK:** No.

1 **SERGEANT GIRARD:** Okay. Is there
2 anything else that you wish to say before we stop?

3 **SERGEANT ISAAK:** No.

4 **SERGEANT GIRARD:** Okay. Well, the
5 time is 1:42 p.m. and this interview is concluded
6 and the recorder is being turned off.

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2 OFFICIAL EXAMINER'S CERTIFICATE
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6 I, CECELIA REID, a duly appointed Official
7 Examiner in the Province of Manitoba, do hereby
8 certify the foregoing pages are a true and correct
9 transcript of an audio recording of the above
10 interview of Sergeant Issak to the best of my
11 skill and ability.
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15 -----
16 Cecelia Reid

17 Official Examiner, Q.B.
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