

October 15th. 2007

Dear Sir;

I'm sure your hope was that you wouldn't hear from me again. However, I get some consolation from writing down my anguished thoughts and feelings, a lot like therapy I guess. I get additional comfort from sharing it with those whom I feel have helped contribute to my anguish. I thank you for taking the time to meet with us, but we found that meeting distressing because of being cut off over and over again with your objection that you could not discuss the case. We were not asking you to discuss the case. We were asking you to look into the conduct of a prosecutor that is under the jurisdiction of your government. In order to show that his conduct was questionable we had to provide some details of what had occurred at the hearings. And I believe all the media articles have indicated that they along with the public also have this perception of conflict and justice gone bad. That should trigger an investigation as this prosecutor was apparently appointed to avoid a concept of conflict. I found it very difficult to express my thoughts because of ideas coming up that tended to cloud the issue at hand. Of all that you said, one thing made a real impression on me. You said that if you spoke out about this case, it could ruin the case forever. But, you did not explain why or how that could happen. How could bringing out the truth ruin the case? We have just heard of a case appealed and overturned because a Judge refused to hear a witness coming forward in the middle of a trial. We were taught to believe that the truth was the very basis of justice. I sincerely hope that was the real reason you refused to speak out about this case, because my lack of faith in human nature is already next to nil. You also mentioned an MLA that did speak out on a case and had to resign. At least it can be said that he stood up for a principle. Political expediency has overruled integrity far too often.

We are all shaped by our experiences. Paranoid fear of Nazism and Fascism have led to the pendulum swinging way to far in the opposite direction. However, we are not in a Nazi or Fascist country, and we have been consistently told that we have a Justice system that provides fairness for all. Through experience we have found that not true. Even those cases you cited like Driscoll, Sophinow, and Milgaard, whether wrongly convicted initially or wrongly exonerated in the end, their cases show that our system is not working as it should. Now lenient sentences for criminals are being dictated by defense lawyers whose main mandate is to defend criminals and they often do that by twisting and manipulating existing laws. Everyone passes the buck and claims nothing can be done by them, someone else is responsible to change the laws. Very often it isn't the law that is the problem, it is the manipulation of that law. In addition, victims are given no rights at all. Apparently, there is a Victim's Bill

of Rights which I just recently became aware of. Even those rights were denied us. We were also denied access to our daughter's autopsy report, so almost three years after her violent death, we still have not received the actual details surrounding her death. I understand this Bill entitles victims to be kept abreast of the proceedings of a case. We were provided with nothing at all when we met with Mr. Minuk and on the day that was scheduled to be a preliminary hearing, we were informed less than 5 minutes in advance that the defendant would be pleading guilty to Dangerous Driving causing Death and 3 more serious charges were being dropped. Our complaint is that this appointed prosecutor took part in manipulating and twisting laws in an attempt to tie the Judge's hands so he would feel forced to render the sentence that these two lawyers were promoting. They did so by falsely claiming that a plea bargain was necessary instead of a simple agreement to a guilty plea because of a preponderance of the evidence. This prosecutor also promoted that idea of a plea bargain by refusing to provide any of that evidence when the Judge requested it. This same prosecutor stood up before a Judge on July 16th, 2007 and stated that the defendant had agreed to plead guilty to Dangerous Driving causing Death because the Crown had 33 Witnesses scaled down to 12 for that preliminary hearing. Then, he simply refused to provide any of those witnesses when the Judge asked for evidence. Any information that could potentially be evidence against this defendant has been effectively suppressed. And suppressing evidence surely obstructs justice. We pray that Judge Wyant has obtained a copy of that specific court transcript since it was stated before another Judge.

We were grateful that Judge Wyant appeared to perceive the improprieties in this case causing him to reserve his decision. However, our concern is that he too may feel backed into a corner by laws that were manipulated to serve certain ends and feel that he is obliged to accept this joint recommendation for a conditional sentence. If that should happen, we as victims are left with no recourse to appeal. That is the main reason that we have been pushing for an investigation before the case is completed. If this case should end like that, it would truly be an example of a case ruined forever. In our discussion at your office I expressed distress over the fact that it appears no one has authority over a prosecutor put in charge of a case, allowed to do whatever he pleases even if those actions are improper or unlawful. You stated that wasn't so. However, you gave absolutely no indication of what could or should be done. That has left us in a complete quandary and feeling that there is no justice that can be accomplished here. It appears so difficult for those who have never experienced it to understand how proper retribution for a violent and reckless crime that destroyed their loved one's life can bring some comfort to victims. As I stated in your office, a lack of punitive action makes our daughter's life totally inconsequential as if she were just a dog on the road that other's do not need to feel obligated to break for.