

STATEMENT OF AGREED FACTS

1. The R.M. of East St. Paul has operated a Police Service for approximately 50 years. Prior to 1995, policing services provided by the East St. Paul Police Service were secondary to police services provided by the Royal Canadian Mounted Police. Since 1995, the East St. Paul Police Service has been the primary provider of policing services to the residents of the R.M. of East St. Paul.

2. David Grant was the Chief of the East St. Paul Police Service from May 1, 1994 until October 31, 2003. His contract expired and was not renewed.

3. In January, 2003, Council of the R.M. of East St. Paul retained the services of Robert M. Tramley, Policing Services Consultant, to conduct a managerial and operational review of the East St. Paul Police Service. Mr. Tramley is a retired Superintendent from the Royal Canadian Mounted Police. Prior to his retirement, Mr. Tramley was in charge of the RCMP Subdivision in Truro, Nova Scotia. He joined the RCMP in 1958. Mr. Tramley retired in 1995. Mr. Tramley has acted as a policing services consultant since his retirement. He has conducted audits of various police forces.

4. Mr. Tramley reported to Council in February of 2003. He made fifteen formal recommendations, several observations/informal suggestions to Council which, in his opinion, if implemented, would improve the overall efficiency and performance of the East St. Paul Police Service.

5. Sergeant Norman Carter assumed the position of Acting Chief of Police until a qualified replacement could be hired to replace David Grant. He held the position of Acting Chief from November 5, 2003 until April 4, 2004.

6. After receiving Mr. Tramley's February, 2003 report, Council of the R.M. of East St. Paul took steps to implement Mr. Tramley's recommendations with a view to improving the overall performance of the East St. Paul Police Service.

7. In or about December, 2003, the Council of the R.M. of East St. Paul retained the Harris Consulting Corporation ("the Consultant"), an independent consulting firm, to assist it in locating and hiring a qualified person to replace David Grant as Chief of the East St. Paul Police Service.

8. The consultant advertised the position and solicited applications for the position of Chief of Police for the East St. Paul Police Service.

9. The consultant received numerous applications which, in its judgment, warranted further detailed consideration.

10. The consultant interviewed six candidates who had applied for the position of Chief of Police of the East St. Paul Police Service. One of those candidates was Harry Bakema.

11. Following the Consultant's interview of the narrowed list of candidates, Council of the R.M. of East St. Paul engaged the services of Harry Bakema as Chief of Police of the East St. Paul Police Service.

12. Harry Bakema became Chief of Police of East St. Paul Police Service effective April 15, 2004. Approval of his employment was evidenced by Resolution No. 310/2004 of the Council of the R.M. of East St. Paul dated June 16, 2004.

13. By late 2005, members of Council of the R.M. of East St. Paul and its CAO had received information from outside sources which led Council to undertake a further review of the operation of its Police Service under the leadership of Chief Harry Bakema. The reasons motivating Council to request the review were completely unrelated to the investigation by the East St. Paul Police Service of the motor vehicle accident involving Derek Harvey-Zenk and Crystal Taman which led to the death of Crystal Taman which had occurred on February 25, 2005.

14. In December, 2005, the Council of the R.M. of East St. Paul again engaged the services of Robert M. Tramley to conduct the review. Mr. Tramley reported to Council of the R.M. of East St. Paul in January of 2006. Based on information then available to him, Mr. Tramley declined to make any recommendations regarding Chief Bakema's tenure and/or continuing employment as Chief of Police.

15. Later in January 2006, Robert Tramley conducted a further review of the overall operation of the East St. Paul Police Service. Mr. Tramley was assisted in this undertaking by his associate, Robert Wass. Mr. Wass is a retired Superintendent from the Royal Canadian Mounted Police. Prior to his retirement, Mr. Wass was in charge of the RCMP Calgary Subdivision. He joined the RCMP in 1962. He retired in 1997. Mr. Wass has acted as a policing services consultant since his retirement. He has conducted audits of various police forces. His function was to perform an operational audit of the East St. Paul Police Service. Mr. Tramley's function was largely to audit administrative performance of the East St. Paul Police Service.

16. This follow up 2006 managerial review was commissioned by the R.M. of East St. Paul due to concerns brought to the attention of the Municipality's CAO regarding management of the East St. Paul Police Service by Chief Bakema. As part of the operational review, Mr. Wass reviewed various files. At the specific request of the Municipality's CAO, Mr. Wass reviewed the file concerning the charges brought against

Derek Harvey-Zenk following the traffic accident which caused the death of Crystal Taman. Mr. Wass reviewed the East St. Paul Police Service file number 2005-00568 on January 16, 2006. The notes prepared by Mr. Wass as a result of his review are shown on page 21 and 22 of a March 29, 2006 report to Council. The remaining comments on page 22 and 23 of the report are authored by Mr. Tramley. Pages 21, 22 and 23 of the report appear in Volume P-1.82 at pages 2182, 2183 and 2184 of the documents disclosed to parties granted standing by counsel to the Taman Inquiry.

17. By Resolution No. 89/2006 dated February 22, 2006, the Council of the R.M. of East St. Paul formally terminated the employment contract of Chief of Police Harry Bakema.

18. On January 26, 2006, Constable Kenneth Graham was relieved from duty with pay pending an internal investigation of a complaint made against him. The complaint was completely unrelated to his role in the investigation of the Crystal Taman fatal accident. On March 13, 2006, Constable Graham resigned from the East St. Paul Police Service.

19. Municipal elections were held in Manitoba in October, 2002. Phillip Rebeck was elected Reeve of the R.M. of East St. Paul. Elected Council members were Tom Hallett, Lawrence Morris, David Gera and Brian Sarna. Mr. Sarna's election was

declared invalid in January, 2003. In a by-election held in February, 2003, Michael Wasylin was elected as a Councillor.

20. Municipal elections were held again in Manitoba in October, 2006. Reeve Rebeck and Councillor Hallett did not run for re-election in October, 2006. As a result of the 2006 Municipal election, Lawrence Morris was elected Reeve. The elected Councillors were Michael Wasylin, Doreen Negrich-Lazinski, Rolfe Kajpust and Charles Posthumus.