

INTERVIEW OF SEAN BLACK

\*\*\*\*\*

Date: March 11, 2005

Held at 10th floor Confederation

**Building, 457 Main Street,**

**Winnipeg, Manitoba**

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1 FRIDAY, MARCH 11, 2005

2 Upon commencing at 12:18 P.M.

3  
4 **SERGEANT GIRARD:** Today is March 11th,  
5 2005. The time is 11:36 a.m. and we are in  
6 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, and also present is Sergeant Con Pearson.  
11 For the purpose of voice recognition, Con, please  
12 voice 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 of Constable Sean Black regarding  
17 Professional Standards Unit file number 05-017.  
18 For the purpose of voice recognition, can you  
19 please identify yourself by full name and badge  
20 number?

21 **CONSTABLE BLACK:** Sean Black, 1758.

22 **SERGEANT GIRARD:** And I remind you,  
23 Sean, that in accordance with service policy, our  
24 conversation is being recorded and for that  
25 purpose today we are using an Olympus DS4000

1 digital voice recorder.

2 You were contacted, I guess in a round  
3 about way, by memo through your supervisors, or  
4 ultimately through the divisional commander and  
5 your supervisors, and requested to attend for an  
6 interview with us. We have talked at least once  
7 on the phone about setting up a date that was good  
8 for everybody and we settled on today.

9 \*\*\*You arrived at our office, I'm not  
10 sure exactly what time, but we got back here I  
11 guess it would have been about maybe five or ten  
12 minutes ago, and you were here waiting for us.  
13 Came into the room, got you some water, and  
14 explained to you how we got involved in this and a  
15 little bit about the witness preamble and, of  
16 course, this is to do with the incident involving  
17 Constable Harvey-Zenk. And then you didn't have  
18 any questions, so we started the recorder.

19 So is that an accurate account of what  
20 has taken place prior to me turning the recorder  
21 on?

22 **CONSTABLE BLACK:** Yes, it is, but I  
23 probably will have questions. I just would have  
24 preferred to have had it on record, that's all.

25 **SERGEANT GIRARD:** Right, and you did

1 say that before I turned the recorder on. Okay.

2 Sorry about that.

3 It is our practice to ensure that  
4 members understand their status when being  
5 interviewed, and I want to remind you that you are  
6 being interviewed as a witness in this matter.

7 **CONSTABLE BLACK:** Right.

8 **SERGEANT GIRARD:** Okay. This  
9 statement may be used in any criminal, civil or  
10 service proceeding, or it may not be used in any  
11 proceeding at all.

12 Were any threats made to you, or were  
13 any promises or hopes of reward offered to you in  
14 relation to providing a statement?

15 **CONSTABLE BLACK:** No.

16 **SERGEANT GIRARD:** Was anything said to  
17 you by anyone that would influence what you might  
18 say to us in the statement?

19 **CONSTABLE BLACK:** No.

20 **CONSTABLE BLACK:** Okay. So we are  
21 obviously here to discuss the overnight of  
22 February 24th to 25th, in which a number of people  
23 from your shift went to Branigan's, and then  
24 subsequent to that apparently some people returned  
25 back to your residence with you.

1                   So, like I explained earlier before  
2                   the recorder was on, we have been asked by the  
3                   East St. Paul Police to assist in just determining  
4                   where Constable Harvey-Zenk was prior to the  
5                   accident and who he was with. So if you can let  
6                   us know, relate to us what you know about this  
7                   matter then?

8                   **CONSTABLE BLACK:** The 24th would have  
9                   been a Thursday, is that correct?

10                  **SERGEANT GIRARD:** I believe so, yeah.  
11                  It says he does the overlap the next day.

12                  **CONSTABLE BLACK:** So the 24th, I got  
13                  off work, we were working evening shift and I got  
14                  off work at approximately 11:30. And then I just  
15                  had some cleanup stuff around the station to do  
16                  and then it ended up there was a plan to go to, or  
17                  a plan to go to Branigan's, and I probably got  
18                  there about quarter to 12:00.

19                  **SERGEANT GIRARD:** Okay.

20                  **CONSTABLE BLACK:** And so basically we  
21                  stayed there for a couple of hours, I guess, and  
22                  socialized with some of the people there, and  
23                  agreed to -- my wife and kids -- well, my wife was  
24                  away, she was on a career development day out of  
25                  town, and the kids were with family, so I was home

1 alone that night, and decided that if anybody  
2 wanted to come back to my place that they are more  
3 than welcome to. And so we did, we went back to  
4 my place and basically socialized, talked. It was  
5 very, like I say, it was just sort of a socialized  
6 event where we sat around the kitchen basically  
7 and talked about work. And then that was it  
8 basically. Most everybody was, you know, left at  
9 different times during the night. And I guess the  
10 last person to leave was Derek and -- well, he was  
11 not the last one to leave because Ken Azaransky  
12 stayed, but that's basically it. You probably  
13 have some more questions, obviously.

14 **SERGEANT GIRARD:** Okay. So at  
15 Branigan's, who was all, when you arrived there,  
16 who was all there, or who ended up showing up at  
17 Branigan's?

18 **CONSTABLE BLACK:** Okay. Well, just  
19 how you pose it, like, who was all there? Like,  
20 how do you want to ask that?

21 **SERGEANT GIRARD:** I guess my  
22 understanding is a large number of your shift was  
23 there, was present?

24 **CONSTABLE BLACK:** Right.

25 **SERGEANT GIRARD:** And apparently some

1 people as well from division 11.

2 **CONSTABLE BLACK:** Yeah, yeah, that's  
3 right.

4 **SERGEANT GIRARD:** So, I'm just  
5 wondering if you recall the names of all of the  
6 police officers that were there and sitting with  
7 your group?

8 **CONSTABLE BLACK:** Okay. The reason  
9 why I just kind of wanted to make that clear is  
10 just people arrived at different times.

11 **SERGEANT GIRARD:** Right. And, again,  
12 you know, it is as best as you can remember. I  
13 understand that you may not see everybody coming  
14 in.

15 **CONSTABLE BLACK:** Okay. When I  
16 arrived, basically I noticed that one side of the,  
17 if you will, the south wall of the lounge area was  
18 occupied by numerous people there. And again  
19 there were people that I saw from my shift and  
20 others that were outside of the shift. Who I  
21 remember seeing was Dave Harding -- and that's  
22 what you wanted to know again, right, those  
23 things?

24 **SERGEANT GIRARD:** Yes, please?

25 **CONSTABLE BLACK:** Dave Harding,

1 Christian Guyot, Derek Harvey-Zenk, Ted Michalik,  
2 Al Williams. Again, this is hard because people  
3 are coming and going, and I don't remember if they  
4 were there at the time that I arrived, but I do  
5 recall seeing them there during the evening.

6 **SERGEANT GIRARD:** Okay.

7 **CONSTABLE BLACK:** Kelly McLure.

8 **SERGEANT GIRARD:** And just so you  
9 understand why I'm asking that question, it is  
10 just because basically we want to talk to  
11 everybody that was there, and in previous  
12 interviews we have actually had some names come up  
13 that we didn't realize were there.

14 **CONSTABLE BLACK:** Sure, I understand.  
15 Gord Schneider -- the reason why I'm having a hard  
16 time with this is because I actually never sat at  
17 that table.

18 **SERGEANT GIRARD:** Okay.

19 **CONSTABLE BLACK:** I came in and  
20 noticed that a lot of the seats were being  
21 occupied, and their table and chairs were  
22 basically, if you are standing, were at waist  
23 level or higher up, it is like at a bar setting,  
24 bar stools and stuff. So where I sat was actually  
25 on, it was almost like a love seat with a table



1 and chairs around that. So when I sat, I couldn't  
2 see -- I was basically, you know, at the same  
3 level as their knees.

4 **SERGEANT GIRARD:** Okay. And that  
5 would have been like the area sort of on the east  
6 wall, I guess, where they have like sort of  
7 couches and that --

8 **CONSTABLE BLACK:** Actually, no, that  
9 was on the left side. Have you been inside?

10 **SERGEANT GIRARD:** Yeah.

11 **CONSTABLE BLACK:** Right by where the  
12 fireplace is.

13 **SERGEANT GIRARD:** Okay.

14 **CONSTABLE BLACK:** I was to the left,  
15 sort of just to the northwest of where they were.

16 **SERGEANT GIRARD:** Okay, I got you.

17 **CONSTABLE BLACK:** So I sat down,  
18 because I knew my partner, Ken Azaransky, was  
19 going to be right behind me, or was going to be  
20 there before me, and we were relatively leaving at  
21 the same time. Like I said, there was no room at  
22 those tables and chairs, so I basically sat there  
23 and within minutes others arrived. And then when  
24 I sat down, Jay Nolet actually sat down with me.  
25 I remember him saying something to the effect that

1 I was going to be sitting alone or whatever, so he  
2 sat down beside me. Then Jim Anderson, Norbert  
3 Bauer arrived, Chris Humniski. I don't remember  
4 who exactly was sitting around there. I think  
5 that was pretty much it. I might be missing a  
6 couple of names there.

7 **SERGEANT GIRARD:** Okay.

8 **CONSTABLE BLACK:** As the night  
9 progressed, you know, people were coming and  
10 going, but for the most part that was kind of our  
11 nucleus that was sitting at that table.

12 **SERGEANT GIRARD:** Okay. Now, where  
13 was Derek Harvey-Zenk sitting in relation to where  
14 you were?

15 **CONSTABLE BLACK:** When I first arrived  
16 he would have been, he would have been actually on  
17 the west side of that table somewhere. I think he  
18 was looking towards the south.

19 **SERGEANT GIRARD:** On one of the taller  
20 tables?

21 **CONSTABLE BLACK:** Yeah, yeah.

22 **SERGEANT GIRARD:** Okay.

23 **CONSTABLE BLACK:** I guess he would  
24 have his back to me basically.

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

1 At any point did you notice what he was drinking  
2 or eating?

3 **CONSTABLE BLACK:** No. No, I was --  
4 most of us go there for wings, so I would assume  
5 he had probably been eating chicken wings. But,  
6 drinking, no, no idea.

7 **SERGEANT GIRARD:** Okay. Now, what  
8 time did you leave Branigan's then?

9 **CONSTABLE BLACK:** I think we left  
10 there roughly between 2:00 and 2:30. It took a  
11 while for the girl to ring up the bills but -- I  
12 didn't notice on my watch by any means, but it  
13 took until perhaps between 2:00 or maybe just  
14 shortly before that, and 2:30. Like I said, she  
15 took a long time ringing everyone's bills through  
16 because there were still quite a few people there  
17 at the end.

18 **SERGEANT GIRARD:** Okay. Now, was  
19 there a group tab going, or did everybody pay for  
20 their own, or how did you pay for yours?

21 **CONSTABLE BLACK:** For mine I just paid  
22 on my own.

23 **SERGEANT GIRARD:** Okay. All right.  
24 And then at what point was the decision or the  
25 invitation or whatever to your place, at what time

1 did that come out or how did it come out?

2 **CONSTABLE BLACK:** Originally I talked  
3 to my partner and discussed, you know, that he was  
4 more than welcome to come by. I don't recall if I  
5 invited other people, but it basically came  
6 towards the end of the evening that it was  
7 extended to the group.

8 **SERGEANT GIRARD:** Okay. All right.  
9 And so when you go to your residence, were you  
10 traveling by yourself in your vehicle?

11 **CONSTABLE BLACK:** That's right.

12 **SERGEANT GIRARD:** Okay. Do you have  
13 any idea how other people got there or --

14 **CONSTABLE BLACK:** Well, there was, I  
15 guess there was a bit of a convoy, if you will,  
16 that followed me, and it was evident that others  
17 went on their own as well.

18 **SERGEANT GIRARD:** Okay. Do you know  
19 how Derek got there?

20 **CONSTABLE BLACK:** No idea.

21 **SERGEANT GIRARD:** Okay. So then --

22 **SERGEANT PEARSON:** Did you talk to  
23 Derek when you left the bar?

24 **CONSTABLE BLACK:** Did I talk to him  
25 personally?

1                   **SERGEANT PEARSON:** Yes?

2                   **CONSTABLE BLACK:** I don't recall.

3                   **SERGEANT PEARSON:** He just received  
4 the invitation through word of mouth?

5                   **CONSTABLE BLACK:** I think he got it  
6 through the word of mouth.

7                   **SERGEANT PEARSON:** Okay.

8                   **CONSTABLE BLACK:** I don't recall if I  
9 spoke to people individually about the invite at  
10 all. I know it was a blanket invite to everybody.

11                   **SERGEANT PEARSON:** Okay.

12                   **SERGEANT GIRARD:** Do you know what  
13 time you guys arrived at your place?

14                   **CONSTABLE BLACK:** No, no, I don't.  
15 Again, I really don't know. It would have been,  
16 let's say 15, 20 minutes after we left there. And  
17 again, I'm just giving the approximate time.

18                   **SERGEANT GIRARD:** Okay. Would it be  
19 fair to say then somewhere between, let's say 20  
20 after 2:00 and 25 to 3:00, 20 to 3:00, something  
21 like that?

22                   **CONSTABLE BLACK:** That I arrived at my  
23 house?

24                   **SERGEANT GIRARD:** Yes, somewhere in  
25 there, you know, give or take whatever, that's

1 fine.

2 **CONSTABLE BLACK:** Honestly, I don't  
3 know what time we left.

4 **SERGEANT GIRARD:** Was it actually  
5 closing time when you left?

6 **CONSTABLE BLACK:** It appeared that  
7 way.

8 **SERGEANT GIRARD:** Okay. All right.  
9 Okay. How many people showed up at your place and  
10 who?

11 **CONSTABLE BLACK:** Okay. Let me try  
12 and remember this. There was Ken Azaransky,  
13 Norbert Bauer, Jay Nolet, Chris Humniski, Jim  
14 Anderson, Derek Harvey-Zenk, Tracy Fudge, Kelly  
15 McLure, TJ, a young guy or our shift, Dave  
16 Harding. I am not sure if I missed anyone, if I  
17 am missing more.

18 **SERGEANT GIRARD:** Can you -- you were  
19 writing the names. Would you mind repeating them?

20 **SERGEANT PEARSON:** Azaransky, Bauer,  
21 Nolet, Humniski, Anderson, Derek, Tracy Fudge,  
22 McLure, TJ and Harding.

23 **SERGEANT GIRARD:** Tracy Fudge you  
24 said?

25 **SERGEANT PEARSON:** Yep.

1                   **SERGEANT GIRARD:** Okay.

2                   **CONSTABLE BLACK:** I think that's who  
3 went but like again --

4                   **SERGEANT GIRARD:** That's fair. One  
5 thing I meant to ask you, when you were leaving  
6 Branigan's, did you notice if anyone that was in  
7 the group I guess that evening, do you remember  
8 anybody being visibly intoxicated?

9                   **CONSTABLE BLACK:** Yeah, Dave Harding  
10 was showing signs.

11                   **SERGEANT GIRARD:** Okay. All right  
12 then. So now back at your place, what was going  
13 on, or what was everyone doing that arrived at  
14 your place?

15                   **CONSTABLE BLACK:** Well, when I arrived  
16 home there was people already there, waiting there  
17 at my front door. I went inside my room by the  
18 rear -- went through the garage. And basically I  
19 ended up getting food ready for everybody. I  
20 ended up bringing some liquor out as well, if they  
21 wanted a drink. And I basically concentrated on  
22 making popcorn and some tortilla chips and salsa  
23 and stuff like that. And for whatever reason, my  
24 popcorn maker wasn't working so I spent a lot of  
25 time trying to get this thing going, and it just

1 wasn't working for me.

2 So after that basically people just  
3 kind of, some people walked around and, you know,  
4 kind of socializing with themselves from what I  
5 gathered, and others for the most part mainly just  
6 kind of concentrated in the kitchen area, and we  
7 sat around and just talked.

8 **SERGEANT GIRARD:** Okay. So you made  
9 like some tortillas and some salsa and that?

10 **CONSTABLE BLACK:** Yes.

11 **SERGEANT GIRARD:** And was there any  
12 other type of food put out? You mentioned popcorn  
13 but then you said that you were having trouble--

14 **CONSTABLE BLACK:** Well, I ended up  
15 getting it going but, you know, I got some sauce,  
16 taco sauce and tortilla chips and stuff.

17 **SERGEANT GIRARD:** Okay. Now, you said  
18 you put some liquor out?

19 **CONSTABLE BLACK:** Yeah.

20 **SERGEANT GIRARD:** What did you put  
21 out?

22 **CONSTABLE BLACK:** There was a 26 of  
23 rye, and basically a Baileys bottle.

24 **SERGEANT GIRARD:** Okay. Now, how  
25 much, if you can tell me, how much were people



1 consuming?

2 **CONSTABLE BLACK:** I couldn't tell you.

3 **SERGEANT GIRARD:** What about as far as  
4 what kind of, the amounts that were in the bottle  
5 when you put it out as opposed to when you put it  
6 away?

7 **CONSTABLE BLACK:** Well, the bottle I  
8 never did put away --

9 **SERGEANT GIRARD:** Okay.

10 **CONSTABLE BLACK:** -- because it was  
11 consumed, I noticed the next day.

12 **SERGEANT GIRARD:** Okay. Now, at your  
13 place when did people start leaving or if -- and  
14 again, you know, if you can't remember the time,  
15 maybe even just the order if you remember that?

16 **CONSTABLE BLACK:** That's going to be  
17 very difficult because -- I do recall some people  
18 leaving, would you prefer if I answer it that way?  
19 I mean, I can't tell you, again --

20 **SERGEANT GIRARD:** However you remember  
21 it.

22 **CONSTABLE BLACK:** I do recall Chris  
23 Humniski leaving, but I know he lives in the area.  
24 I remember talking to him. TJ, the young guy on  
25 the shift, he left pretty early himself. I do

1 recall the girls leaving and being concerned about  
2 people driving. Obviously, at that point Dave  
3 Harding was a concern. Originally, he was  
4 taken -- I took him downstairs because he was  
5 really showing signs, and I put him on the couch  
6 and I said, you just stay here. And at one point  
7 he came upstairs, he walked upstairs and I guess  
8 he wanted to go. So the girls were going to take  
9 care of him with Jim Anderson. So they all kind  
10 of left together as a group. In terms of Jay  
11 Nolet and Norbert Bauer, they left relatively at  
12 the same time.

13 **SERGEANT GIRARD:** As --

14 **CONSTABLE BLACK:** I'm not making this  
15 very clear here. The girls and Jim Anderson, they  
16 left, I don't know what time. Chris Humniski left  
17 on his own. TJ, he left, I don't know what time,  
18 I think he left on his own. In terms of Jay  
19 Nolet, Norbert Bauer, I don't know what time but  
20 they left relatively together, like I said, and  
21 after the girls had left with Dave Harding.

22 **SERGEANT GIRARD:** Okay. Okay. Now,  
23 you said Ken stayed at your place?

24 **CONSTABLE BLACK:** That's right.

25 **SERGEANT GIRARD:** Okay. Now, what

1 time did Derek leave, or again in the order --

2 **CONSTABLE BLACK:** I do recall -- what  
3 happened was, it was Norbert, myself, Ken, Jay  
4 Nolet and Derek that were all left. We were  
5 together in the kitchen.

6 **SERGEANT GIRARD:** Okay.

7 **CONSTABLE BLACK:** And we socialized  
8 together for some time there, talking back and  
9 forth, exchanging stories. A couple of guys,  
10 whether they phoned or whether they received  
11 calls -- and I recall one of them saying around  
12 6:30, it was around 6:30, and that's the time that  
13 really only sticks out in my mind throughout the  
14 evening, because I was -- because whatever,  
15 someone says, it is getting late, it is 6:30. So,  
16 yeah, it was basically us four or five, or  
17 whatever it is, that were left there.

18 **SERGEANT GIRARD:** Okay. Now you  
19 mentioned earlier that Dave Harding, in your  
20 opinion, was showing signs?

21 **CONSTABLE BLACK:** That's right.

22 **SERGEANT GIRARD:** And he was taken  
23 care of?

24 **CONSTABLE BLACK:** Right.

25 **SERGEANT GIRARD:** Was there anyone

1 else at your residence that, overnight or into the  
2 early morning, that you observed signs or had  
3 concerns about?

4 **CONSTABLE BLACK:** No.

5 **SERGEANT GIRARD:** Okay. So, Norbert,  
6 TJ, you and Ken and Derek were in the kitchen?

7 **CONSTABLE BLACK:** No, TJ is not there.

8 **SERGEANT GIRARD:** Okay. That's right,  
9 he left earlier. Jay Nolet, is that the one?

10 **CONSTABLE BLACK:** Yes.

11 **SERGEANT GIRARD:** Okay. So Norbert  
12 and Jay left at about the same time?

13 **CONSTABLE BLACK:** They did, yeah.

14 **SERGEANT GIRARD:** Okay. And Ken  
15 stayed with you?

16 **CONSTABLE BLACK:** Yeah.

17 **SERGEANT GIRARD:** Derek would have  
18 been the last person to leave then?

19 **CONSTABLE BLACK:** Yes.

20 **SERGEANT GIRARD:** Okay. How much had  
21 you had to drink as far as liquor, at your  
22 residence?

23 **CONSTABLE BLACK:** At my place I had a  
24 couple of drinks. Maybe -- I wasn't drinking  
25 heavy, we had work the next day and we were coming

1 in to do an overlap, so I wasn't interested in  
2 drinking lots there.

3 **SERGEANT GIRARD:** Okay. Now, if you  
4 could just explain the circumstances surrounding  
5 like when Derek leaves?

6 **CONSTABLE BLACK:** Okay. Well,  
7 basically again Norbert and Jay had left. And we  
8 were kind of in the kitchen between Ken Azaransky,  
9 myself and Derek. We came out of the kitchen, and  
10 Derek and I started talking about, I had just  
11 built this house and Derek started talking about  
12 his handy skills, that he was able to do a lot of  
13 things. And so I took him downstairs and I showed  
14 him around the basement that I'm starting to fix  
15 up the basement. So he was expressing that he was  
16 more than interested in helping out, and new  
17 contacts or whatever, and was able to help if I  
18 needed him. Certainly, I certainly appreciated  
19 that. So we came back upstairs, and Ken took me  
20 up on the offer basically to stay the night. And  
21 I basically passed that on to a number of people  
22 throughout the evening before Norbert left,  
23 before, I think pretty much before anyone left, I  
24 told them they were more than welcome to stay the  
25 night if they wanted to. And it is right in the

1 hallway of my home that I said to Derek that he is  
2 more than welcome to stay. As I did that, I  
3 actually went to the bathroom. The other side of  
4 my house is my master bedroom where I have the  
5 ensuite in. So I went to use the washroom, and  
6 when I came back he was gone. I asked Ken about  
7 it and he wasn't sure what happened there either.

8 **SERGEANT GIRARD:** Okay. Now, when you  
9 said that you extended that offer, was it out of  
10 concern for anyone or was it just a blanket offer?

11 **CONSTABLE BLACK:** It was a blanket  
12 offer that I made throughout the evening. It  
13 wasn't concern for intoxication or anything, it  
14 was basically extended to everyone because I knew  
15 where I live, I live out of town, although it is  
16 not a far place, we had all been kind of working  
17 evening shift and a lot of people had long weeks  
18 with overtime, so it was just a concern out of  
19 fatigue.

20 **SERGEANT GIRARD:** Okay. All right.  
21 Now, do you know how much Derek had to drink at  
22 your residence?

23 **CONSTABLE BLACK:** No.

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

25 **SERGEANT PEARSON:** What did Derek look

1 like, his physical appearance when he left?

2 **CONSTABLE BLACK:** To mine?

3 **SERGEANT PEARSON:** Yeah? Did he look

4 like he was fatigued? I understand there was a

5 lot of overtime --

6 **CONSTABLE BLACK:** I think that's very

7 tough to ask, or tough to say. You know, he

8 wasn't sleeping by any -- or falling asleep or

9 anything. It wasn't that obvious.

10 **SERGEANT PEARSON:** How did you feel?

11 **CONSTABLE BLACK:** I was tired, yeah, I

12 was tired. I wanted to get to bed. I had to get

13 to work the next day. And in fact, before, when

14 it was just us guys sitting there, you know, I was

15 kind of cleaning up the kitchen, I was hoping that

16 guys would either stay, you know, like I really

17 wanted to end the night off basically, it was kind

18 of enough.

19 **SERGEANT PEARSON:** Okay. So I guess

20 it is safe to assume that Derek was probably

21 feeling the same thing, you know, he had been up

22 all night too. He didn't sleep while he was at

23 your house?

24 **CONSTABLE BLACK:** No, that's correct.

25 The only one that went down there, like I said, I

1 took Dave Harding down. He was lying on my couch,  
2 I gave him a blanket, and I went back down there  
3 at another point in time and saw him, and he  
4 looked like he was actually sleeping. So if  
5 anyone was sleeping, it just, it would have been  
6 him, that I noticed.

7 **SERGEANT PEARSON:** I thought he was  
8 taken home, he was driven home and so on?

9 **CONSTABLE BLACK:** That's what I was  
10 told too.

11 **SERGEANT GIRARD:** I don't think I have  
12 any more questions, Con.

13 **SERGEANT PEARSON:** When you came back  
14 from the washroom and Derek was gone, was Ken  
15 still up?

16 **CONSTABLE BLACK:** Yeah, because I  
17 asked him where Derek was.

18 **SERGEANT PEARSON:** And you didn't see  
19 where Derek went?

20 **CONSTABLE BLACK:** Pardon me?

21 **SERGEANT PEARSON:** You didn't see  
22 where Derek had gone?

23 **CONSTABLE BLACK:** No, he said that he  
24 didn't know.

25 **SERGEANT PEARSON:** Okay. And when did



1 you last see Derek at the house?

2 **CONSTABLE BLACK:** Right at -- like  
3 basically, because my dining room and livingroom  
4 are kind of joined, it would be right in the  
5 hallway, it is not really a hallway but it is  
6 right in the middle between there.

7 **SERGEANT PEARSON:** And in your view,  
8 did it look like Derek was impaired?

9 **CONSTABLE BLACK:** No.

10 **SERGEANT PEARSON:** I have no more  
11 questions.

12 **SERGEANT GIRARD:** I think that pretty  
13 much covered it. Do you have knowledge of any  
14 other information that we haven't covered, maybe  
15 something that we have overlooked that you think  
16 might be important?

17 **CONSTABLE BLACK:** No. You know,  
18 certainly if I could turn back the clock, I  
19 certainly would. And I just feel absolutely awful  
20 that this occurred, you know, lost a lot of sleep,  
21 but, you know, that is it I think, it is just a  
22 terrible tragedy here.

23 **SERGEANT GIRARD:** Agreed.

24 **CONSTABLE BLACK:** And like I said  
25 that's -- I guess that's it.

1                   **SERGEANT GIRARD:** Okay.

2                   **CONSTABLE BLACK:** Just one question,  
3 and this is something outside of the matter here,  
4 but, like I'm being kind of brought here as a  
5 police witness or as a witness?

6                   **SERGEANT GIRARD:** As a witness.

7                   **CONSTABLE BLACK:** Okay.

8                   **SERGEANT GIRARD:** Yeah.

9                   **CONSTABLE BLACK:** Okay.

10                  **SERGEANT PEARSON:** We have been asked  
11 by East St. Paul to conduct these inquiries on  
12 their behalf.

13                  **CONSTABLE BLACK:** Okay.

14                  **SERGEANT PEARSON:** So they will be  
15 getting the information that we got.

16                  **CONSTABLE BLACK:** Okay.

17                  **SERGEANT GIRARD:** And whether it is  
18 just because of logistics, because they only have  
19 seven people and there is basically three times  
20 their staff to interview sort of.

21                  **CONSTABLE BLACK:** Okay.

22                  **SERGEANT GIRARD:** All right. Anything  
23 else you want to say, Sean?

24                  **CONSTABLE BLACK:** No, that's it.

25                  **SERGEANT GIRARD:** All right. This

1 interview is concluded, the time is 12:05 p.m. and  
2 the recorder is being turned off.

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1  
2 OFFICIAL EXAMINER'S CERTIFICATE  
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4  
5

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 Constable Black to the best of my  
11 skill and ability.  
12  
13  
14

15 -----  
16 Cecelia Reid

17 Official Examiner, Q.B.  
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