

Public Hearing

Audience publique

Commissioners / Commissaires

The Honourable / L'honorable J. Michael MacDonald,
Chair / Président

Leanne J. Fitch (Ret. Police Chief, M.O.M)

Dr. Kim Stanton

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II
Appearances / Comparutions

Mr. Roger Burrill

Commission Counsel /
Conseiller de la commission

Mr. Robert Pineo

Counsel / Conseiller

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Halifax, Nova Scotia

--- Upon commencing on Monday, March 28, 2022 at 9:32 a.m.

REGISTRAR DARLENE SUTHERLAND: Good morning. The proceedings of the Mass Casualty Commission are now in session, with Chief Commissioner Michael MacDonald, Commissioner Leanne Fitch and Commissioner Kim Stanton presiding.

COMMISSIONER MacDONALD: Hello, and welcome. Bonjour et bienvenue, and welcome to the Participants who are here in the room with us today and, of course, Participant Counsel and members of the public.

We join you from Mi'gma'gi, the ancestral and unceded territory of the Mi'kmaq.

As always, we begin by remembering those whose lives were taken or were harmed, their families and all those affected by the April 2020 mass casualty in Nova Scotia. As public health restrictions have lifted in Nova Scotia, today we welcome members of the public joining us in the room for proceedings. A reminder to members of the public, if you're watching online, you can register on our website to attend in person if you are interested.

So today and over the coming weeks, we will hear from several witnesses. As we do, it would be helpful to remember why this is important and how it can contribute to our approach and our work.

The Commission is hear to answer important questions about the mass casualty, including what happened, why and how it happened and what findings and recommendations can we share to help make communities safer in the future. Our approach includes using Foundational Documents to deliver our mandate in a timely and effective way. The Foundational Documents organize the amount of detailed information gathered by the Commission, so far including interviews of over 150 witnesses.

This means public proceedings creating a factual foundation can be

1 more efficient and more time can be spent focused on exploring why and how the mass
2 casualty occurred. As you can see on the screen, Phase 1 Foundational Documents
3 are progressively building up the big picture of what happened.

4 We still have, as you can see, many more of these documents to
5 share with you during public proceedings in the weeks ahead. The Commission will
6 hear from witnesses to help fill gaps or provide more clarity about the events and
7 information covered in these Foundational Documents.

8 As you will recall from proceedings earlier in the month, the
9 Participants have had an important role to play in helping us identify material gaps and
10 issues that require witnesses and the witnesses that we should hear from, so witnesses
11 will appear at different times and in different ways. The Foundational Documents are
12 interlinked and witnesses, therefore, can be helpful at different points.

13 Over the past two weeks, Commission and Participant Counsel
14 have continued to be in regular contact in preparation for hearing witnesses. This
15 approach seeks to create conditions in which it is more likely for individuals who are
16 experiencing or who have experienced trauma to clearly share what they know,
17 resulting in the best and the most reliable information.

18 Today, the Commission will hear from a witness panel of the first
19 three RCMP officers who arrived on the scene in Portapique on the night of April 18th,
20 2020. Constables Adam Merchant, Aaron Patton and Stuart Beselt will be questioned
21 by Commission Counsel about their individual and shared experiences on the night of
22 April 18th in Portapique.

23 Commission Counsel will not be asking questions as if nothing is
24 known about the witnesses' involvement in the events of the mass casualty. To do so
25 would ignore the evidence already in the record, including statements these witnesses
26 provided both to the RCMP and to the Commission, and they have been included in the
27 three Foundational Documents about Portapique.

28 These statements, as a reminder, are available on our website as

1 source materials to the Portapique April 18th and 19th Foundational Documents.

2 As Commission Counsel has asked their questions, they will -- after
3 Commission Counsel has asked their questions, they will then have a caucus. That
4 simply means a meeting, a meeting with Participant Counsel to discuss what, if any,
5 questions remain to be asked, who counsel proposes will ask those questions and in
6 what order they will be asked. So this is simply to avoid multiple counsel asking the
7 same questions of the witnesses and rereading material that is already covered.

8 And we thank Participant Counsel for continuing to work with the
9 Commission on this approach that ensures the Commission is focused on filling any
10 gaps and correcting inaccuracies in the factual record within the mandate of this inquiry.
11 To be clear, remaining questions relevant to the mandate will be asked.

12 As we move forward in these proceedings, the nature of witness
13 questioning will result in changes in the proceedings, changes in our schedule. That is
14 inevitable. The schedule will continue to be flexible and adapt to the needs of
15 witnesses.

16 Participants and their counsel, while we try to be as efficient as
17 possible with the use of our time and resources, we will try to ensure that we create the
18 space to hear from witnesses and ensuring flexibility so if there are more questions,
19 evidence, experiences to be shared, we can adjust accordingly.

20 As witnesses are added to the schedule, we will hear from them
21 about the relevant material as presented in the proceeding.

22 In the coming weeks, we will also be changing venues for the
23 various public proceedings, and that's simply due to the limited availability of venues.
24 And in all matters, in any event, we will update the schedule on our website accordingly
25 to reflect these necessary changes.

26 So with those introductory remarks, we will now call on Commission
27 Counsel to begin with today's witness panel.

28 Thank you so much.

1 **MR. ROGER BURRILL:** Thank you, Chief Commissioner. I'm
2 Roger Burrill. I'm with the Mass Casualty Commission, presenting counsel here today.

3 The plan, Commissioners, today, is I propose to call three
4 witnesses, propose to call three witnesses in a panel format. The idea is to speak to the
5 context and the gaps that perhaps have arisen in the Foundational Documents. The
6 Foundational Document we'll be focussing on is the first responders' actions in
7 Portapique that was filed as Exhibit 5 in these proceedings.

8 My proposal would be to call the three members of the RCMP to
9 the stage. I then will have them identified, then I'm going to request to the --
10 Madam Registrar to swear them. All of the witnesses has indicated that they are
11 prepared to be sworn in this context. And then I'm going to proceed to question those
12 witnesses, with again, the focus on the Foundational Document.

13 If this is an acceptable procedure to the Commissioners, then I will
14 at this stage request that the three witnesses be called to the stand, Constable Stuart
15 Beselt, Constable Adam Merchant, and Constable Aaron Patton.

16 **COMMISSIONER MacDONALD:** Thanks so much, Mr. Burrill.

17 **MR. ROGER BURRILL:** Thank you. Witnesses, please.

18 Gentlemen, I'm going to ask that you identify yourself. Firstly,
19 Constable Stuart Beselt. Could you spell your last name for the record, please,
20 Constable Beselt?

21 **CST STUART BESELT:** B-E-S-E-L-T.

22 **MR. ROGER BURRILL:** And do us the favour, please, of how it's
23 properly pronounced.

24 **CST STUART BESELT:** Beselt.

25 **MR. ROGER BURRILL:** Beselt. I got it right; thank you.

26 Constable Adam Merchant.

27 **CST ADAM MERCHANT:** Yeah.

28 **MR. ROGER BURRILL:** And spell your last name, please.

1 **CST ADAM MERCHANT:** M-E-R-C-H-A-N-T.

2 **MR. ROGER BURRILL:** And how do we pronounce that properly?

3 **CST ADAM MERCHANT:** Merchant.

4 **MR. ROGER BURRILL:** Thank you.

5 Constable Aaron Patton. Spell your last name, please.

6 **CST AARON PATTON:** P-A-T-T-O-N.

7 **MR. ROGER BURRILL:** And how do we pronounce that?

8 **CST AARON PATTON:** Patton.

9 **MR. ROGER BURRILL:** That's easiest of the bunch.

10 **CST AARON PATTON:** Yeah.

11 **MR. ROGER BURRILL:** All right.

12 I'm going to ask at this stage, then, for the -- Madam Registrar, if
13 she would swear the witnesses at this point.

14 **CST STUART BESELT, Sworn:**

15 **CST ADAM MERCHANT, Sworn:**

16 **CST AARON PATTON, Sworn:**

17 **--- EXAMINATION IN-CHIEF BY MR. ROGER BURRILL:**

18 **MR. ROGER BURRILL:** Thank you, gentlemen. The whole idea
19 here this morning, perhaps this afternoon, is for you to be as comfortable as possible so
20 that we can have as much information as possible with respect to some of the issues
21 that have been raised in the First Responders and Portapique document, and have
22 been raised, particularly, by some of the Participants with respect to information that
23 you may have.

24 So in an effort to do that, I am going to just sort of ask some
25 individual questions of you so that the Participants and the public will get a sense of
26 who you are, and then we'll move on to discuss the Foundational Document a little bit
27 and some points in it. Is that acceptable to you guys?

28 **CST ADAM MERCHANT:** Yeah.

1 **CST AARON PATTON:** Yeah.

2 **CST STUART BESELT:** Yeah.

3 **MR. ROGER BURRILL:** Okay, very good. Let's start, then, with
4 Constable Stuart Beselt. Can you tell us your current position, please, where you're
5 located and what your responsibilities are?

6 **CST STUART BESELT:** I'm still in Bible Hill. I'm the shift
7 supervisor, and -- or one of the shift supervisors, and I've been doing that -- I've been in
8 Bible Hill for -- in my eight year now.

9 **MR. ROGER BURRILL:** Your eighth year?

10 **CST STUART BESELT:** Eighth year, yeah.

11 **MR. ROGER BURRILL:** Okay. Can you give us a sense, then, of
12 your policing experience, just your background generally, Constable Beselt?

13 **CST STUART BESELT:** Sure. I started policing in 1998 with the
14 Moosejaw City Police, and I policed with them for 11 years, and switched over to the
15 RCMP in 2009.

16 **MR. ROGER BURRILL:** Okay. In 2009, were you situated in Bible
17 Hill?

18 **CST STUART BESELT:** No, Port Hawkesbury.

19 **MR. ROGER BURRILL:** Okay. And when again did you go to
20 Bible Hill?

21 **CST STUART BESELT:** In 2014.

22 **MR. ROGER BURRILL:** Okay. You had indicated a shift
23 supervisor?

24 **CST STUART BESELT:** Yeah, I've been a shift supervisor since
25 August 2017.

26 **MR. ROGER BURRILL:** Okay. What's that, please,
27 Constable Beselt?

28 **CST STUART BESELT:** Team leader, shift supervisor, I'm in

1 charge of the guys when they're on duty.

2 **MR. ROGER BURRILL:** Okay. And the guys on duty, would that
3 be known as a "shift"?

4 **CST STUART BESELT:** Yes.

5 **MR. ROGER BURRILL:** All right. Tell me, do you have any
6 special training for that?

7 **CST STUART BESELT:** I've had numerous courses over the
8 course of my career for ---

9 **MR. ROGER BURRILL:** Okay.

10 **CST STUART BESELT:** --- supervision and that sort of thing.

11 **MR. ROGER BURRILL:** Okay; all right. And on April 18th, 2020,
12 was that also your position?

13 **CST STUART BESELT:** Yes.

14 **MR. ROGER BURRILL:** And when you were involved in this
15 matter in Portapique, you were the shift supervisor?

16 **CST STUART BESELT:** I was. Yes, I was.

17 **MR. ROGER BURRILL:** And on your shift, then, can you just for
18 purposes of giving us a sense, who was your on shift at that time?

19 **CST STUART BESELT:** Adam, Aaron, and Vicki Colford was the
20 fourth.

21 **MR. ROGER BURRILL:** Right. So these two gentlemen you know
22 from your shift?

23 **CST STUART BESELT:** Yes.

24 **MR. ROGER BURRILL:** Okay. How long have you worked with
25 these two gentlemen?

26 **CST STUART BESELT:** Well, we worked together for, what, two,
27 three years?

28 **MR. ROGER BURRILL:** Okay, two or three years at the time of

1 April of 2020, or thereafter?

2 **CST STUART BESELT:** No, they've since transferred on, but over
3 the course of the time. At that time, Aaron had been there about two years?

4 **CST AARON PATTON:** Yeah.

5 **CST STUART BESELT:** Two years. And Adam was about ---

6 **CST ADAM MERCHANT:** A year or so.

7 **CST STUART BESELT:** --- a year or so with -- on our team. He
8 was on a different team before.

9 **MR. ROGER BURRILL:** Okay, very good.

10 All right, let me just ask Constable Merchant some questions with
11 respect to his background. Where are you currently located, Constable Merchant?

12 **CST ADAM MERCHANT:** I worked in a plains clothes unit out at
13 Truro right now. Been there for about seven months.

14 **MR. ROGER BURRILL:** Okay.

15 **CST ADAM MERCHANT:** I think.

16 **MR. ROGER BURRILL:** And your rank, please?

17 **CST ADAM MERCHANT:** Constable.

18 **MR. ROGER BURRILL:** All right. And on April the 18th of 2020,
19 your rank and your situation was?

20 **CST ADAM MERCHANT:** Constable. I was general duty with
21 Bible Hill. Been there since 2016.

22 **MR. ROGER BURRILL:** In Bible Hill. Before that, you were?

23 **CST ADAM MERCHANT:** In Antigonish for nine years and some
24 change.

25 **MR. ROGER BURRILL:** Okay.

26 **CST ADAM MERCHANT:** All general duty.

27 **MR. ROGER BURRILL:** Right on. And tell me, then, your total
28 years of police experiencing?

1 **CST ADAM MERCHANT:** Right now, it's coming up on 15. At the
2 time, it was around 13.

3 **MR. ROGER BURRILL:** Okay. And can -- you mentioned the
4 word "general duty". This is something that's come up in the materials. What is general
5 duty?

6 **CST ADAM MERCHANT:** Uniform policing where you're taking --
7 dealing with all the various calls that come up.

8 **MR. ROGER BURRILL:** Okay. Is that different from what you're
9 doing now?

10 **CST ADAM MERCHANT:** Yeah. Now, I'm in an intelligence unit.

11 **MR. ROGER BURRILL:** Okay. So that's a different ---

12 **CST ADAM MERCHANT:** Different.

13 **MR. ROGER BURRILL:** --- type of ---

14 **CST ADAM MERCHANT:** Yeah.

15 **MR. ROGER BURRILL:** --- skill and/or vocation?

16 **CST ADAM MERCHANT:** Yeah.

17 **MR. ROGER BURRILL:** All right, very good. On April 18th, 2020,
18 you were a constable at that time ---

19 **CST ADAM MERCHANT:** Yes, I was.

20 **MR. ROGER BURRILL:** -- engaged in the shift with these
21 gentlemen beside you?

22 **CST ADAM MERCHANT:** Yes, I was.

23 **MR. ROGER BURRILL:** Okay. And I asked Constable Beselt how
24 long that had been going on. How long were you involved with the shift with these
25 gentlemen ---

26 **CST ADAM MERCHANT:** I think I was on their team for a little
27 over a year, probably, but ---

28 **MR. ROGER BURRILL:** Okay.

1 **CST ADAM MERCHANT:** --- I would have worked with them out of
2 the same detachment before that when I was on another team.

3 **MR. ROGER BURRILL:** Okay, we'll get to that in a minute.

4 If I can, now, I'll just ask Constable Patton very similar type of
5 questions. I think you were the junior member of the shift, were you?

6 **CST AARON PATTON:** That's right.

7 **MR. ROGER BURRILL:** Okay. You're currently located where,
8 please, and what's your rank?

9 **CST AARON PATTON:** My rank is constable, and I'm located in
10 Igloolik, Nunavut.

11 **MR. ROGER BURRILL:** Okay. Where's that?

12 **CST AARON PATTON:** That's very far north, in northern Nunavut.

13 **MR. ROGER BURRILL:** Okay. How long have you been there,
14 Constable Patton?

15 **CST AARON PATTON:** I have been there for about a year now.

16 **MR. ROGER BURRILL:** Okay. And on April 18th, 2020, you were
17 at the Bible Hill detachment?

18 **CST AARON PATTON:** That's right, yes.

19 **MR. ROGER BURRILL:** Okay. Constable at this stage as well?

20 **CST AARON PATTON:** Yes.

21 **MR. ROGER BURRILL:** Can you tell us when it was that -- or
22 sorry, how long, what kind of service have you been with the RCMP? How long have
23 been with the RCMP?

24 **CST AARON PATTON:** Right now, I have about four-and-a-half
25 years' service.

26 **MR. ROGER BURRILL:** Okay. So you graduated depo in when?

27 **CST AARON PATTON:** October 2017.

28 **MR. ROGER BURRILL:** Okay. And your colleagues have

1 indicated that you worked together for about a year before April of 2020. Does that
2 sound about right to you?

3 **CST AARON PATTON:** Yeah, I worked on the same team as
4 Beselt for my entire time in Bible Hill, the three, three-and-a-half years, and worked for
5 the -- Adam for about a year ---

6 **MR. ROGER BURRILL:** Okay.

7 **CST AARON PATTON:** --- prior to April 18th.

8 **MR. ROGER BURRILL:** Okay.

9 I'm going to ask you about the shift scheduling and the shift that
10 you guys were on on April 18th, and in particular, a few questions about Bible Hill
11 detachment.

12 Nightshift was it?

13 **CST STUART BESELT:** Yes.

14 **MR. ROGER BURRILL:** Okay. Is that a regular routine for your
15 shift, or is it on and off? Can you ---

16 **CST STUART BESELT:** We ---

17 **MR. ROGER BURRILL:** --- describe for us how this works?

18 **CST STUART BESELT:** We all go days to nights, so we're always
19 doing at least two days, maybe three days, and then three nights.

20 **MR. ROGER BURRILL:** Okay. And on that shift, I think you
21 described, the three of you and Constable Colford?

22 **CST STUART BESELT:** Colford, yeah.

23 **MR. ROGER BURRILL:** Yeah, and that would be four members.
24 Is that the regular complement, or are you able to speak to that for me?

25 **CST STUART BESELT:** Well, we have teams of six ---

26 **MR. ROGER BURRILL:** Yeah.

27 **CST STUART BESELT:** --- but with transfers, ODS, courses, that -
28 - annual leave, that sort of thing, four is our minimum, six is a full team.

1 **MR. ROGER BURRILL:** I really enjoy working with the RCMP
2 because they have so many acronyms and initials and so on.

3 **CST STUART BESELT:** Yeah.

4 **MR. ROGER BURRILL:** ODS you just mentioned.

5 **CST STUART BESELT:** Off duty, sick.

6 **MR. ROGER BURRILL:** Off duty, sick. Okay. Six on a shift and
7 four, I'm just trying to get a sense of what your experience was in Bible Hill. And feel
8 free, all three of you gentlemen, to talk about that because if it's six and it's four and it's
9 five, just how does that work?

10 **CST STUART BESELT:** Well, in policing, whether -- it was the
11 same in Moosejaw. We had teams of eight with minimums of five. You know, like you
12 have so many police officers that you require a minimum for. If you go below that
13 minimum you're looking for overtime, ---

14 **MR. ROGER BURRILL:** M'hm.

15 **CST STUART BESELT:** --- you know, fill them. But, you know.
16 So basically in Bible Hill, we have a 16 -- six-member rotation, or
17 six members on the team, and then your minimums are four. So you try never to go
18 below four.

19 **MR. ROGER BURRILL:** Have you ever gone below four?

20 **CST STUART BESELT:** Well if you can't find overtime,
21 sometimes.

22 **MR. ROGER BURRILL:** Okay. Meaning if you can't find overtime?
23 What does that mean?

24 **CST STUART BESELT:** Well you put out a request for overtime
25 and if you can't find anybody, you run with what you have; right?

26 **MR. ROGER BURRILL:** Okay. So in the year or so that you were
27 working with these gentlemen prior to April 18th, 2020, how often would you run below
28 the four?

1 **CST STUART BESELT:** Before that, never. We would always
2 usually find overtime.

3 **MR. ROGER BURRILL:** Okay. So that wasn't a problem?

4 **CST STUART BESELT:** No.

5 **MR. ROGER BURRILL:** I'm going to ask you the opposite
6 question. Do you ever do more than six? Or is that ---

7 **CST STUART BESELT:** Yes.

8 **MR. ROGER BURRILL:** Okay.

9 **CST STUART BESELT:** Double shifts, we can have up to 12.

10 **MR. ROGER BURRILL:** Okay. And would there be any reason or
11 purpose for that?

12 **CST STUART BESELT:** Wednesdays, Friday nights, we do
13 double shifts. And so it just works the way the schedule works out.

14 **MR. ROGER BURRILL:** Who is in charge of determining who is on
15 the shift and the compliment on the shift in Bible Hill?

16 **CST STUART BESELT:** Like, who -- you know, who puts us on
17 those teams?

18 **MR. ROGER BURRILL:** Yeah.

19 **CST STUART BESELT:** The staffing.

20 **MR. ROGER BURRILL:** Sorry?

21 **CST STUART BESELT:** The staffing in Halifax would assign
22 members and then the District Commander would assign them to a team and ---

23 **MR. ROGER BURRILL:** Okay.

24 **CST STUART BESELT:** --- that sort of thing.

25 **MR. ROGER BURRILL:** If you can, then can you give me a sense
26 of the command chain or whatever in Bible Hill Detachment? How that works? I'm
27 getting the sense that you're a shift of three or four -- or excuse me, four -- four to six.
28 But there's other people involved in Bible Hill ---

1 **CST STUART BESELT:** Yeah.

2 **MR. ROGER BURRILL:** --- policing. Who are they and how does
3 that work?

4 **CST STUART BESELT:** You have your district Commander, which
5 is your staff sergeant. He's in charge of everything. Then you have your Operations
6 NCO, which is your sergeant. He oversees the four teams, general duty teams, and the
7 one plainclothes team. So there's five different teams that he's in charge of.

8 **MR. ROGER BURRILL:** Okay. So the District Commander that
9 you've talked about, would you, as a shift supervisor -- shift member, would you have
10 much contact with him in terms of your daily or nightly work obligations?

11 **CST STUART BESELT:** Well he's in the office Monday to Friday.

12 **MR. ROGER BURRILL:** Yeah.

13 **CST STUART BESELT:** So you'd have -- and then if there was
14 something major that was happening, you would touch base with your supervisors.

15 **MR. ROGER BURRILL:** Okay. In terms of taking instruction with
16 respect to how you conduct your work load or how you conduct your service delivery,
17 would you have any communication or instruction from that District Commander?

18 **CST STUART BESELT:** Not a lot from the District Commander.
19 Moreso from the Operations NCO. If they -- if it's something major, they might come to
20 office or give you direction.

21 **MR. ROGER BURRILL:** How about you, Cst Patton? You have
22 much involvement with the District Commander in Bible Hill when you were there?

23 **CST AARON PATTON:** Not really in general operations.

24 **MR. ROGER BURRILL:** Okay.

25 **CST AARON PATTON:** Monday to Friday, like Stuart said, he'd be
26 in the office.

27 **MR. ROGER BURRILL:** Yeah.

28 **CST AARON PATTON:** So you would see each other quite often,

1 obviously.

2 **MR. ROGER BURRILL:** All right. Any comment on that, Cst
3 Merchant?

4 **CST ADAM MERCHANT:** No, same. It would be -- you would just
5 talk to him in the office. It usually wasn't operational stuff.

6 **MR. ROGER BURRILL:** Okay.

7 **CST ADAM MERCHANT:** For that, you'd talk to the sergeant.

8 **MR. ROGER BURRILL:** Thank you then. Tell me then about
9 operational stuff, Cst Merchant. Who was it that you would be reporting to or taking
10 instruction from?

11 **CST ADAM MERCHANT:** That would be the -- well, Stu, he was
12 the acting corporal, but then above that, that would have been Andy O'Brien, Sergeant.

13 **MR. ROGER BURRILL:** Sorry?

14 **CST ADAM MERCHANT:** Sgt Andy O'Brien ---

15 **MR. ROGER BURRILL:** Okay.

16 **CST ADAM MERCHANT:** --- would have been above Stu.

17 **MR. ROGER BURRILL:** All right. So is that right, Cst Beselt? Sgt
18 Andy O'Brien would have had ---

19 **CST STUART BESELT:** Yeah.

20 **MR. ROGER BURRILL:** --- some role in terms of operations at
21 Bible Hill?

22 **CST STUART BESELT:** Yeah.

23 **MR. ROGER BURRILL:** And would he have any impact with the
24 shift supervisor, in your case, in terms of engagement?

25 **CST STUART BESELT:** Well it's all chain of command; right?

26 **MR. ROGER BURRILL:** Yeah.

27 **CST STUART BESELT:** So they wouldn't have a lot of -- unless
28 there was something major that, you know, Andy in that case, would have identified, he

1 might talk to them directly, but usually he would go through me, and then I would
2 address the issue.

3 And then same going up the chain of command. I would talk to
4 Andy and address any issue that I had.

5 **MR. ROGER BURRILL:** Okay. We've got the name O'Brien for
6 the NCO. Could you give us the name of the District Commander at that time?

7 **CST STUART BESELT:** It was Al Carroll at the time.

8 **MR. ROGER BURRILL:** All right. How many shifts at Bible Hill?
9 Do you recall? How many shifts total at Bible Hill Detachment?

10 **CST STUART BESELT:** Teams or?

11 **MR. ROGER BURRILL:** Yeah. Teams. Forgive me. Sorry.

12 **CST STUART BESELT:** Yeah, there's four teams.

13 **MR. ROGER BURRILL:** Yeah.

14 **CST STUART BESELT:** And one plainclothes team.

15 **MR. ROGER BURRILL:** Gotcha. All right. Tell me about
16 coverage area for the Bible Hill Detachment, geographically. Where ---

17 **CST STUART BESELT:** We do everything in Colchester County
18 from Tatamagouche, Five Islands, you know, Shubenacadie east there. The entire
19 county, other than the town of Truro and the reserve in Millbrook.

20 **MR. ROGER BURRILL:** Okay. And did that have any impact on
21 service delivery or how that was done?

22 **CST STUART BESELT:** Any impact on service delivery?

23 **MR. ROGER BURRILL:** Yeah.

24 **CST STUART BESELT:** Other than just distance, you know, ---

25 **MR. ROGER BURRILL:** Yeah.

26 **CST STUART BESELT:** Like, it's -- speaking as a former city
27 police officer, you know, not everything is five minutes away; right? Like, you ---

28 **MR. ROGER BURRILL:** Yeah.

1 **CST STUART BESELT:** You've got to drive.

2 **MR. ROGER BURRILL:** I think you're the master of the
3 understatement, ---

4 **CST STUART BESELT:** Yeah.

5 **MR. ROGER BURRILL:** --- Cst Beselt. What -- not everything is
6 five minutes away. What does that mean?

7 **CST STUART BESELT:** Well, you know, depending on where you
8 are in the county, ---

9 **MR. ROGER BURRILL:** Yeah.

10 **CST STUART BESELT:** --- and where you have to go in the
11 county, you can upwards of an hour to getting to your call. And depending on what the
12 roads are like, if -- you know, if you're on the main highways, you can obviously go as
13 fast as possible, but if you get on a secondary road, and some of them you just can't go
14 fast on.

15 **MR. ROGER BURRILL:** Are you able to give us any commentary,
16 all three of your gentlemen, with respect to whether that caused any pressure in terms
17 of your ability to provide services for Colchester County? The distances that we're
18 talking about here?

19 **CST ADAM MERCHANT:** I can remember having a call and
20 having to go up to Tatamagouche, lights and sirens, and then dealing with that very
21 quickly. And then another call came in Stewiacke, having to go lights and sirens. I
22 mean, that's ---

23 **CST STUART BESELT:** It happens all the time.

24 **CST ADAM MERCHANT:** --- close to an hour or whatever ---

25 **CST STUART BESELT:** Yeah.

26 **CST ADAM MERCHANT:** --- that you'd be going, like, fast paced.
27 So yeah. It would put pressure on you sometimes, ---

28 **MR. ROGER BURRILL:** M'hm.

1 **CST ADAM MERCHANT:** --- just the distances. But ---

2 **MR. ROGER BURRILL:** Yeah. You said it happens all the time.
3 What do you mean by that?

4 **CST STUART BESELT:** Well that you're running all over the
5 county; right? Like, you're ---

6 **MR. ROGER BURRILL:** Yeah.

7 **CST STUART BESELT:** You're just trying to get everywhere.

8 **MR. ROGER BURRILL:** Are there times you're not running all over
9 the county, Constable?

10 **CST STUART BESELT:** Oh, sure. You know.

11 **MR. ROGER BURRILL:** Yeah.

12 **CST STUART BESELT:** But, you know. Like it's -- it's so much
13 different than city policing because, ---

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** --- you know, like a 9-1-1 hang up can be
16 a five-minute call in the city, whereas that could almost take two hours by the time you
17 drive somewhere and drive back; right?

18 **MR. ROGER BURRILL:** Yeah.

19 **CST STUART BESELT:** So it definitely spreads you out
20 throughout the county; right?

21 **MR. ROGER BURRILL:** Any comment on that, Cst Patton? Do
22 you ---

23 **CST AARON PATTON:** Yeah, it's very accurate what they said.
24 It's not abnormal to -- or even if there is not a call for service, to proactively be in a
25 different corner of the county ---

26 **MR. ROGER BURRILL:** M'hm.

27 **CST AARON PATTON:** --- and have the call for service come at
28 the opposite end. And lots of calls. We have to respond to impairs. So you're waiting

1 for a member to come from any other part of the county as well. It's -- Colchester
2 County, I don't know the exact size, but it's a very large county. It's -- yeah. It's ---

3 **MR. ROGER BURRILL:** In your view, all three of your gentlemen,
4 have any impact on response times in any fashion or manner?

5 **CST ADAM MERCHANT:** Well of course it's going to be a longer
6 response time the further out it is.

7 **MR. ROGER BURRILL:** Yeah.

8 **CST ADAM MERCHANT:** But, you know.

9 **MR. ROGER BURRILL:** Have you any comment in terms of
10 whether that had any impact on your ability to deliver services?

11 **CST AARON PATTON:** Of course.

12 **MR. ROGER BURRILL:** Yeah.

13 **CST AARON PATTON:** I guess it totally depends on where the
14 call for service ---

15 **MR. ROGER BURRILL:** Okay.

16 **CST AARON PATTON:** --- was taking you.

17 **MR. ROGER BURRILL:** Gotcha. The inquiry is dealing with
18 issues in the sort of southwestern corner on the Parrisboro shore of Portapique, ---

19 **CST AARON PATTON:** Yeah.

20 **MR. ROGER BURRILL:** --- I mean that area, ---

21 **CST AARON PATTON:** M'hm.

22 **MR. ROGER BURRILL:** --- are you gentlemen able to comment
23 with respect to your familiarity with that area geographically, in your experience? How
24 often had you been there?

25 **CST STUART BESELT:** As the senior guy in Bible Hill, I'd
26 probably been there about five or six times ---

27 **MR. ROGER BURRILL:** Okay.

28 **CST STUART BESELT:** --- over the course of my career. But it's

1 not somewhere that we're very often.

2 **MR. ROGER BURRILL:** M'hm.

3 **CST STUART BESELT:** So, like, in six years at that time, it would
4 have been maybe once a year. And -- so you're not there very often.

5 **CST AARON PATTON:** I think you mean Portapique specifically?

6 **CST STUART BESELT:** Yeah.

7 **CST AARON PATTON:** Not that part of ---

8 **CST STUART BESELT:** Yeah. Portapique specifically.

9 **CST AARON PATTON:** We go to that region quite often.

10 **CST STUART BESELT:** Yeah.

11 **MR. ROGER BURRILL:** Okay. But let's talk about Portapique
12 specifically.

13 **CST STUART BESELT:** Yeah. About six times in six years.

14 **MR. ROGER BURRILL:** Would that have been in response to calls
15 for service, ---

16 **CST STUART BESELT:** Yes.

17 **MR. ROGER BURRILL:** --- Cst Beselt?

18 How about you, Cst Patton? Had you been to the Portapique
19 region? Or that area?

20 **CST AARON PATTON:** Yes. If it's Portapique specifically, ---

21 **MR. ROGER BURRILL:** Yeah.

22 **CST AARON PATTON:** --- maybe one or two calls in that specific
23 area.

24 **MR. ROGER BURRILL:** Okay. And that two would have been
25 calls for service?

26 **CST AARON PATTON:** Yeah. Yeah, but Portapique is on
27 Highway 2, ---

28 **MR. ROGER BURRILL:** Yeah.

1 **CST AARON PATTON:** --- and you travel through Portapique to
2 get to any calls, Bass River, Five Islands.

3 **MR. ROGER BURRILL:** M'hm.

4 **CST STUART BESELT:** Yeah, I'm referring to the subdivision.

5 **MR. ROGER BURRILL:** Yeah.

6 **CST STUART BESELT:** Right? Like, that actual subdivision.

7 **CST AARON PATTON:** Okay. Sorry. Yeah. If it's specifically that
8 subdivision, I had never been there for a call ---

9 **MR. ROGER BURRILL:** Oh, really?

10 **CST AARON PATTON:** --- ever. Prior to April 18th.

11 **MR. ROGER BURRILL:** I understand.

12 Okay. How about you, Cst Merchant? What do you say about the
13 Portapique area?

14 **CST ADAM MERCHANT:** Yeah, I don't recall ever going there for
15 a call. I may have. But I know I've gone there just exploring with my wife and kid. But
16 that's -- yeah, I don't recall any calls there.

17 **MR. ROGER BURRILL:** In terms of your work, would there be any
18 occasion or organization to actually go there not for a call? I.e., community
19 engagement? Anything of that nature?

20 **CST STUART BESELT:** We would like to do more.

21 **MR. ROGER BURRILL:** Yeah, what's that mean, Cst Beselt?

22 **CST STUART BESELT:** Well, you know, unfortunately it's -- like, I
23 think Colchester is the second busiest county outside of HRM.

24 **MR. ROGER BURRILL:** M'hm.

25 **CST STUART BESELT:** And, you know, it's -- you'd like to do
26 more community policing. And it just depends on what you have time for. If you're, you
27 know, quite often call to call, you just don't get the opportunity to go and do those sort of
28 things that you'd liked to do.

1 **MR. ROGER BURRILL:** Okay. You have some experience
2 comparatively with urban policing ---

3 **CST STUART BESELT:** That's right.

4 **MR. ROGER BURRILL:** --- and rural policing. Do you have a
5 preference for either, or do you even want to speak to that?

6 **CST STUART BESELT:** There's pluses and minuses with both,
7 you know.

8 **MR. ROGER BURRILL:** Okay.

9 **CST STUART BESELT:** It -- basically, police work is the same.
10 It's just, you know, in the country it takes you a lot longer to get there.

11 **MR. ROGER BURRILL:** Okay. Any other pluses or minuses
12 besides distance?

13 **CST STUART BESELT:** Yeah, availability of backup, you know.
14 Like, the RCMP is nice in that, you know, in a -- and especially in a call like this, you
15 saw members coming from other counties as well to assist; right?

16 **MR. ROGER BURRILL:** M'hm.

17 **CST STUART BESELT:** In a city police, you don't really -- like,
18 what you have on shift, you have on shift, and then you can try and call people in, but
19 that doesn't always work, you know, whether or not people come in or not. And so, you
20 know, the ability to have -- you know, we had the Millbrook people come, we had people
21 from Pictou County, we had people from Cumberland and everywhere come to assist;
22 right? So ---

23 **MR. ROGER BURRILL:** M'hm.

24 **CST STUART BESELT:** --- you know, if it's major, everybody just
25 floods the area; right?

26 **MR. ROGER BURRILL:** Okay. What about specialized
27 resources? I'm thinking of things like forensic identification, dog services, emergency
28 response teams, things ---

1 **CST STUART BESELT:** Well ---

2 **MR. ROGER BURRILL:** --- of that nature?

3 **CST STUART BESELT:** --- Bible Hill is very fortunate. We have
4 those at hand. We have forensic services. We have dogs, major crime, traffic, you
5 know, all those different units right out of Bible Hill.

6 **MR. ROGER BURRILL:** Okay. Constable Merchant, any comment
7 about the type of policing and the demands for rural policing versus urban policing?

8 **CST ADAM MERCHANT:** No, I don't have a comparison really so.

9 **MR. ROGER BURRILL:** Okay.

10 **CST ADAM MERCHANT:** All mine was pretty much rural.

11 **MR. ROGER BURRILL:** Okay. Constable Beselt said there's
12 pluses or minuses. Do you have anything to add in terms of rural policing?

13 **CST ADAM MERCHANT:** No, it's just a lot of driving typically.
14 And, I mean, when you drive out to the call, then you got to wait for the ambulance to
15 show up from -- coming from the city or whatever.

16 **MR. ROGER BURRILL:** You had indicated that you had
17 experience in Antigonish County.

18 **CST ADAM MERCHANT:** Yeah.

19 **MR. ROGER BURRILL:** Antigonish County. How long were you
20 there at that ---

21 **CST ADAM MERCHANT:** Just over nine years, I think.

22 **MR. ROGER BURRILL:** Okay. So you've got some experience
23 there. That too a rural policing type of situation?

24 **CST ADAM MERCHANT:** Well, it's small town policing, but then
25 there's all the rural areas that surround it.

26 **MR. ROGER BURRILL:** Any differences between Antigonish
27 County and Colchester that are identifiable?

28 **CST ADAM MERCHANT:** Oh, huge difference just in ---

1 **MR. ROGER BURRILL:** How do you mean?

2 **CST ADAM MERCHANT:** --- a socioeconomic levels of the people
3 there. I mean, it -- it's a university town with a hospital compared to Colchester, which,
4 you know what I mean?

5 **MR. ROGER BURRILL:** Any comments on socioeconomic
6 concerns in Colchester County?

7 **CST ADAM MERCHANT:** I found when I came to Colchester,
8 you'd get a lot more gun calls, a lot more drugs, things like that.

9 **MR. ROGER BURRILL:** Okay. Constable Patton, your experience
10 is mostly in Colchester except for up north. Do you have any comments with respect to
11 the experience in Colchester County?

12 **CST AARON PATTON:** Yeah, I can't really add anything else
13 other than what these two guys have added ---

14 **MR. ROGER BURRILL:** Okay.

15 **CST AARON PATTON:** --- already.

16 **MR. ROGER BURRILL:** Anything to add, Constable Beselt?

17 **CST STUART BESELT:** Well, just to put it in perspective, I guess,
18 when I was working in Moose Jaw, I would consider if I put a hundred kilometres on my
19 car, I was doing a lot of patrolling that night, and in Colchester, you know, conceivably,
20 you could put up to a thousand kilometres on your car in one shift; right? Just from ---

21 **MR. ROGER BURRILL:** Right.

22 **CST STUART BESELT:** --- you going non-stop; right? So you're
23 just -- it's just a lot more time in the car; right?

24 **MR. ROGER BURRILL:** Okay. Good. I think we've got a sense of
25 the shift situation and the demographics, geography of Colchester County. Anything
26 further you want to say about police resourcing on that in terms of your shift and
27 anything of value for the Commissioners about that situation?

28 **CST STUART BESELT:** No, not really.

1 **MR. ROGER BURRILL:** No. Okay. So remind me again, a shift
2 supervisor is the person who makes the decisions with respect to how things go down
3 on a call and then ---

4 **CST STUART BESELT:** Yeah, the team leader or shift supervisor,
5 yeah.

6 **MR. ROGER BURRILL:** Okay. Team leader, shift supervisor. Any
7 special things that you would be responsible for, Constable Beselt, in that role?

8 **CST STUART BESELT:** So, well, I'm responsible for everything.
9 Like, you know, obviously, member safety, you know, if something isn't being done, it's
10 my job to make sure it gets done. You know, I'm the one that approves their files, puts
11 them forward for court, you know, identifies any investigational deficiencies, and, you
12 know. So some of my work is computer work and some of my work is just having an
13 ear to the radio to see what they're doing and if they need any assistance; right?

14 **MR. ROGER BURRILL:** Okay. Good. How'd you guys get along
15 on shift?

16 **CST STUART BESELT:** It's great shift.

17 **CST AARON PATTON:** Great. Really good.

18 **MR. ROGER BURRILL:** Okay.

19 **CST AARON PATTON:** Great.

20 **MR. ROGER BURRILL:** Okay.

21 **CST STUART BESELT:** Yeah.

22 **MR. ROGER BURRILL:** Is that ever a problem, interpersonal
23 dynamics, friendships?

24 **CST STUART BESELT:** Of course.

25 **MR. ROGER BURRILL:** Sorry?

26 **CST STUART BESELT:** Certainly, yeah.

27 **MR. ROGER BURRILL:** You ever had any experiences with that
28 being a difficulty?

1 **CST STUART BESELT:** I've been very fortunate.

2 **MR. ROGER BURRILL:** Okay. Constable Patton, you seem to
3 agree that interpersonal connections can be an issue?

4 **CST AARON PATTON:** Yeah, of course, you see it -- like,
5 problems arise all the time ---

6 **MR. ROGER BURRILL:** Yeah.

7 **CST AARON PATTON:** --- but I can say the same that I haven't
8 had problems personally with anybody on that shift or any other shift that I've been on
9 since.

10 **MR. ROGER BURRILL:** Great. Constable Merchant, any ---

11 **CST ADAM MERCHANT:** Yeah, same here. I've always had good
12 luck.

13 **MR. ROGER BURRILL:** Yeah. Okay. Very good. All right. I think
14 that covers generally your circumstances in Colchester and your personal
15 circumstances now. I'm going to move now to ask you more about the Foundational
16 Document and what took place and your experiences on April 18th. I want to ask you
17 though, are -- you have read and have become familiar with Exhibit 5, the Foundational
18 Document First Responder's Actions in Portapique?

19 **CST STUART BESELT:** Yes.

20 **CST AARON PATTON:** Yes.

21 **CST STUART BESELT:** Yes, I have.

22 **MR. ROGER BURRILL:** You've had an opportunity to look over
23 that document in terms of what was attended at these proceedings?

24 **CST STUART BESELT:** Yes.

25 **CST AARON PATTON:** Yes.

26 **MR. ROGER BURRILL:** Any comments you want to make with
27 respect to that document? I want to make sure that you have an opportunity to speak to
28 that.

1 **CST AARON PATTON:** I think it was an accurate representation
2 of our involvement, or my involvement.

3 **MR. ROGER BURRILL:** Okay. With respect to its content, the
4 description of the events and the factual characterizations within that document, do you
5 agree with what was recorded in that document?

6 **CST STUART BESELT:** Yeah.

7 **CST ADAM MERCHANT:** Yes, yeah.

8 **MR. ROGER BURRILL:** Okay. Constable Merchant?

9 **CST ADAM MERCHANT:** I mean, there's some stuff that I don't
10 remember happening but ---

11 **MR. ROGER BURRILL:** Yeah.

12 **CST ADAM MERCHANT:** --- yes.

13 **MR. ROGER BURRILL:** I guess my question for you is there an
14 overt objection to any ---

15 **CST AARON PATTON:** Not at all.

16 **MR. ROGER BURRILL:** --- of the content in that documents ---

17 **CST AARON PATTON:** No, no.

18 **MR. ROGER BURRILL:** --- with respect ---

19 **CST AARON PATTON:** Certainly not.

20 **MR. ROGER BURRILL:** --- this is your chance. If there's
21 something wrong on that, we want to get it right.

22 **CST AARON PATTON:** Not at all.

23 **MR. ROGER BURRILL:** Okay. Very good. All right. Then what
24 we're going to do then, Commissioners, is proceed through the Foundational Document
25 for purposes of references to particular areas. I'm going to ask the Registrar to bring up
26 page 36, paragraph 40, so we can speak of this.

27 So, gentlemen, before you, you will see a text of a transcript talking
28 about a 10-04 transmission or a dispatch call from the OCC. And there are some terms

1 and some information therein that I'm going to ask you to clarify, but I'm also going to
2 ask you to comment with respect to your initial response to what you initially were
3 informed by the OCC. So I think I have the ability to play this bit.

4 **[AUDIO PLAYBACK]**

5 **MR. ROGER BURRILL:** Okay, gentlemen, that's paragraph 40,
6 and it's a selected clip from the OCC, and I'm just going to go through a few things here.
7 355, can you tell us what 355 is, please?

8 **CST STUART BESELT:** Dispatch in -- well, at that time, it was in
9 Truro.

10 **MR. ROGER BURRILL:** Okay. Yeah, and can you tell us about
11 what the OCC is?

12 **CST STUART BESELT:** It's the Operational Communications
13 Centre.

14 **MR. ROGER BURRILL:** Okay. And this would be a location that
15 you've had some familiarity with?

16 **CST STUART BESELT:** That's right.

17 **MR. ROGER BURRILL:** All right. Can you give me a sense then
18 of how a dispatch process would work? Say, for instance, you're on the road and you're
19 getting a call. How does that occur in a routine setting?

20 **CST STUART BESELT:** Well, the call comes in to the -- they had
21 two sides. The call came into the call takers ---

22 **MR. ROGER BURRILL:** Yeah.

23 **CST STUART BESELT:** --- and the call takers would put it over to
24 the dispatchers, and dispatchers then -- would then dispatch it to the members.

25 **MR. ROGER BURRILL:** Okay. And how is that a person would
26 decide to take the call, acknowledge the call, not acknowledge the call, how does that
27 work on a shift?

28 **CST AARON PATTON:** Yeah, it's up to whoever's operationally

1 available. So the call's put out to all members that are on the air, and if you're free,
2 you're expected to respond, and advise dispatch that you'd like the file assigned to you.

3 **MR. ROGER BURRILL:** Yeah.

4 **CST AARON PATTON:** And then you attend. And then additional
5 officers can also advise that they're available ---

6 **MR. ROGER BURRILL:** Yeah.

7 **CST AARON PATTON:** --- and they'll also be assigned to the file
8 as your backup.

9 **MR. ROGER BURRILL:** Okay. So in this case, what we heard, I
10 think we've got Beselt acknowledging that this is a call.

11 **CST STUART BESELT:** Yeah.

12 **MR. ROGER BURRILL:** Sound right? That's what you heard?

13 **CST STUART BESELT:** Yeah.

14 **MR. ROGER BURRILL:** Okay. How does this take place,
15 Constable Beselt? Why did you take it, how did you take it? What were your
16 circumstances?

17 **CST STUART BESELT:** Well, it sounded like a pretty big call ---

18 **MR. ROGER BURRILL:** Yeah.

19 **CST STUART BESELT:** --- and I, as the shift supervisor, wanted
20 to be the first one to respond.

21 **MR. ROGER BURRILL:** Is that part of your responsibility, to be the
22 first one to respond?

23 **CST STUART BESELT:** Yeah, sure. Yeah.

24 **MR. ROGER BURRILL:** Okay. All right.

25 How about you, Constable Merchant, Constable Patton? Do you
26 have a recall of this dispatch?

27 **CST ADAM MERCHANT:** Yeah. I -- yeah. We were at a mental
28 health call at the time, and we were just leaving that and following that person to the

1 hospital -- well, Patton was going to, and then the call came in and took a copy after
2 Stu.

3 **MR. ROGER BURRILL:** Okay. What do you mean "took a copy"?

4 **CST ADAM MERCHANT:** Well, it comes down to your computer
5 as a message, so when you say, "I'm going to take a copy", that's when you get
6 attached to the call.

7 **MR. ROGER BURRILL:** Okay. The computer being sometimes
8 referred to as the MW ---

9 **CST ADAM MERCHANT:** MWS.

10 **MR. ROGER BURRILL:** --- the MWS?

11 **CST ADAM MERCHANT:** Mobile Work Station.

12 **MR. ROGER BURRILL:** And take a copy meaning an actual text of
13 the call?

14 **CST ADAM MERCHANT:** Yeah. And then you're attached to the
15 call.

16 **MR. ROGER BURRILL:** Okay. So the document -- Foundational
17 Document indicates that you and Constable Patton were working in Salmon River at
18 that time and you, Constable Beselt, were in Valley at that point.

19 **CST STUART BESELT:** Yeah.

20 **MR. ROGER BURRILL:** When you got the call for Portapique, did
21 you have any idea what it was or where you were going?

22 **CST STUART BESELT:** Well, you know where Portapique is. Like
23 we -- like Aaron said, we passed through it all the time, whether or not we were
24 specifically going there very often. But ---

25 **MR. ROGER BURRILL:** Yeah.

26 **CST STUART BESELT:** --- you know it's -- you know where
27 Portapique is.

28 **MR. ROGER BURRILL:** Yeah.

1 **CST STUART BESELT:** And you know, obviously you get that
2 type of call.

3 Now, you know, in 24 years, you -- I don't think I've ever gotten a
4 call like that before where it sounds like somebody's been shot. So you're -- you're just
5 trying to, you know, figure out exactly what's going on, right.

6 **MR. ROGER BURRILL:** Yeah.

7 As the shift supervisor, would you have any engagement in terms
8 of organizing or mobilizing resources at this early stage?

9 **CST STUART BESELT:** Yeah. You know, everybody was pretty
10 much taking a copy of it, though, so I knew all my personnel were going to be en route.

11 **MR. ROGER BURRILL:** Okay. In terms of reviewing the text, it
12 talks about a husband shot and lying on the deck.

13 Constable Merchant, do you recall that -- that verbiage being used?

14 **CST ADAM MERCHANT:** I don't know if I remember that exact,
15 but I remember that someone was shot and -- yeah.

16 **MR. ROGER BURRILL:** So what is it that you're thinking when you
17 get that initial call and what's your reaction like?

18 **CST ADAM MERCHANT:** Well, your adrenaline definitely goes up
19 and then it's just a matter of asking questions to find out more and more about what's
20 actually going on.

21 **MR. ROGER BURRILL:** Okay. Constable Beselt just said -- I think
22 he said something to the effect that not experiencing that type of call. Have you any
23 comment in that regard?

24 **CST ADAM MERCHANT:** Me?

25 **MR. ROGER BURRILL:** Yeah.

26 **CST ADAM MERCHANT:** I've gone to two murders, but not a
27 shooting, no.

28 **MR. ROGER BURRILL:** Okay.

1 **CST STUART BESELT:** Yeah. We've been -- I've been to
2 murders, but ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST STUART BESELT:** --- you know, like when you get
5 somebody who's been shot, like that's -- that's different, right.

6 **MR. ROGER BURRILL:** Okay.

7 **CST STUART BESELT:** It's not in your typical run of your day,
8 let's say.

9 **CST STUART BESELT:** Yeah, I understand. Okay.
10 Constable Patton, anything you have to say about your initial
11 reaction to that call?

12 **CST AARON PATTON:** Yeah, I actually -- I didn't hear the original
13 call. When we had left the call that myself and Adam were on in Salmon River ---

14 **MR. ROGER BURRILL:** Yeah.

15 **CST AARON PATTON:** --- it's normal to have phone call requests
16 related to other files.

17 **MR. ROGER BURRILL:** Yeah.

18 **CST AARON PATTON:** People will call -- will call dispatch and
19 advise that they're looking for an update on the file or it could be anything, so when we
20 left that call, I had a phone call request on my computer, so I'd turned the radio down
21 and was placing a phone call while we were following the -- the person on the file that
22 we were dealing with ---

23 **MR. ROGER BURRILL:** Other case.

24 **CST AARON PATTON:** Yeah, to the hospital.

25 **MR. ROGER BURRILL:** Yeah.

26 **CST AARON PATTON:** And I first became aware that something
27 was going on when Adam passed me with lights and sirens on, so obviously I knew
28 something was going on. And even if I don't take the file, I'll still get a copy to my

1 computer to see the other members that are going to it.

2 **MR. ROGER BURRILL:** Yeah.

3 **CST AARON PATTON:** So the first that I realized of the file was
4 when I opened my computer up and read the file that they were dispatched to and
5 obviously hung up on the person that I was speaking with and began following
6 Constable Merchant.

7 **MR. ROGER BURRILL:** Okay. Did any of you gentlemen have a
8 degree or a sense of the severity of the call from the initial call?

9 **CST AARON PATTON:** Yeah, absolutely.

10 **CST STUART BESELT:** Well, not to the grand spectrum of what it
11 became, you know.

12 **MR. ROGER BURRILL:** Right.

13 **CST STUART BESELT:** Like at that point in time, it was -- you
14 know, it's just called in as a shooting, so ---

15 **MR. ROGER BURRILL:** Okay.

16 **CST STUART BESELT:** --- you know.

17 **MR. ROGER BURRILL:** The words "S-O-C Gabriel" were
18 expressed by the dispatcher over the call. Would that have meant anything to you at
19 this early stage in the -- in the call process?

20 **CST AARON PATTON:** S-O-C stands for Subject of Complaint.

21 **MR. ROGER BURRILL:** Yes.

22 **CST AARON PATTON:** So it was just indicating that the subject of
23 complaint was Gabriel, but we weren't provided with the last name at that point.

24 **MR. ROGER BURRILL:** Okay. Did that help or assist you in terms
25 of your response to the call, having that information?

26 **CST STUART BESELT:** It really doesn't change anything, right.

27 **MR. ROGER BURRILL:** Okay. Tell me about your necessity at
28 the front end for getting information. I'd like to have a sense of what it is that first

1 responders need and how they can be assisted in getting information.

2 **CST STUART BESELT:** We want it all. Like we want to know
3 what we're going into, right.

4 **MR. ROGER BURRILL:** Yeah.

5 **CST STUART BESELT:** Like especially in a situation like this,
6 you're going into a hot zone and information is invaluable, so the more that you can try
7 and figure out what's going on -- and that goes with every call. Like we're always
8 asking if there's any more information or if there's any updates, you know, like whether
9 it be an accident or, you know, somebody's trapped in a vehicle. You want to -- you
10 know, like you want to know are they out yet or, you know, like anything you can -- you
11 can gather which helps, you know, how fast you have to try and drive, right.

12 **MR. ROGER BURRILL:** Sure. But how do you get that
13 information, I guess is my question.

14 **CST STUART BESELT:** Well, that's all through the OCC.

15 **MR. ROGER BURRILL:** Okay. But is that something that's
16 initiated by the first responders or is that something initiated by the dispatch?

17 **CST STUART BESELT:** Well, we'll ask clarifying questions and if -
18 - if they have, you know -- if they have anything to add. You know, sometimes they're --
19 you know, they'll keep the complainant on the phone as long as they can to gather as
20 much information and continue asking questions and feed it down to us.

21 In this situation, the line went dead so we didn't have any further
22 information at that point in time.

23 **MR. ROGER BURRILL:** Okay. Constable Merchant, any
24 comment with respect to information-gathering process at the very front end?

25 **CST ADAM MERCHANT:** No. I mean, some dispatchers are
26 better, too. Like some just flood you with information, like they'll be looking everything
27 up, so yeah.

28 **MR. ROGER BURRILL:** Yeah. Is that good or bad?

1 **CST ADAM MERCHANT:** Oh, no, it's good. Yeah, the more you
2 can get, the better.

3 **MR. ROGER BURRILL:** Okay. Constable Patton, any remarks?

4 **CST AARON PATTON:** Yeah, the same. Yeah, there's a lot of
5 proactive information provided by dispatch, but anything that we ask for, they're always
6 happy to -- to seek it out for us.

7 **MR. ROGER BURRILL:** Okay. In that dispatch, we heard
8 information that the comm said there was an RCMP car in the yard. Are you able to
9 comment at all about that, that particular information, what impact it may have had on
10 you in responding to the call?

11 Anything come to mind, Constable Merchant?

12 **CST ADAM MERCHANT:** Well, you're just wondering why would
13 there be an RCMP car in the car -- in the ---

14 **MR. ROGER BURRILL:** Yeah.

15 **CST ADAM MERCHANT:** --- in the yard there. And I -- Patton
16 called Parrsboro and asked if they had any cars available and, you know, it really
17 makes you wonder, like what -- what's going on here.

18 **MR. ROGER BURRILL:** Yeah. But that information of an RCMP
19 car in the yard, would it have any bearing on your response, Constable Beselt?

20 **CST STUART BESELT:** No, it didn't have any bearing on it
21 because we couldn't place it. We didn't know who it was ---

22 **MR. ROGER BURRILL:** Okay.

23 **CST STUART BESELT:** --- right.

24 **MR. ROGER BURRILL:** Right. The material that has been
25 presented at paragraph 40 highlights a comment by Beselt saying, "Are we able to
26 confirm that somebody is actually shot?" at 10:05:16. That was your voice.

27 **CST STUART BESELT:** Yeah.

28 **MR. ROGER BURRILL:** That strikes me as an attempt on your

1 part to determine exactly what was going on again. And I need to have some
2 understanding of why you might ask that question.

3 **CST STUART BESELT:** It's just a confirmation. Like -- like I said,
4 you know, we get a variety of calls. A lot of times they're mental health calls, and you
5 know, we get all kinds of calls from mental health people that are suggesting that
6 something's happening and you get there and it's not, right.

7 So you know -- which would be far more likely than somebody
8 actually shot, right. I probably go to 100 mental health calls where people are alleging
9 something happened rather than the actual thing, right.

10 So you know, like you're trying to get that information and a
11 confirmation of whether or not that's actually occurred, right.

12 **MR. ROGER BURRILL:** So when you ask that follow-up question,
13 is that for purposes of determining whether it's a potential mental health issue as
14 opposed to a potential legitimate call?

15 **CST STUART BESELT:** Yeah.

16 **MR. ROGER BURRILL:** Okay. Constable Merchant, you heard
17 what Constable Beselt said with respect to mental health calls ---

18 **CST ADAM MERCHANT:** Yeah.

19 **MR. ROGER BURRILL:** --- and the preponderance of them.

20 Do you have any comment with respect to mental health calls in
21 your function as a -- as a service delivery officer?

22 **CST ADAM MERCHANT:** No. I mean, later on I ask, you know,
23 the dispatcher -- I don't know like -- if it was like confirm if this is mental health or
24 anything like that ---

25 **MR. ROGER BURRILL:** Yeah.

26 **CST ADAM MERCHANT:** --- because same as Stu said, you go to
27 a lot of mental health calls where people might be delusional and they think something's
28 happening, so it's just a -- we're just trying to confirm what's going on. Like it didn't --

1 didn't change our speed. We're still flying out there. But you're just trying to understand
2 what's going on.

3 **MR. ROGER BURRILL:** So am I right to assume, and I want to
4 make sure you correct me ---

5 **CST ADAM MERCHANT:** Yeah.

6 **MR. ROGER BURRILL:** --- because assumptions are bad for me,
7 but am I right to assume that that issue of it potentially being a mental health call was
8 something on your mind as your responding to Portapique?

9 **CST ADAM MERCHANT:** Well, it's such a different call than -- like
10 a bizarre call that we normally wouldn't get.

11 **MR. ROGER BURRILL:** Yeah.

12 **CST ADAM MERCHANT:** You start to think, "Well, could this be?",
13 you know what I mean. So just trying to confirm ---

14 **MR. ROGER BURRILL:** Got you.

15 **CST ADAM MERCHANT:** --- whether or not ---

16 **CST STUART BESELT:** You're just keeping all possibilities open,
17 right.

18 **MR. ROGER BURRILL:** Okay.

19 **CST STUART BESELT:** Like you don't want to go in just thinking it
20 might be one thing or anything.

21 **MR. ROGER BURRILL:** Yeah.

22 **CST STUART BESELT:** Like, so often, you know, whether it's
23 mental health or whatever, it's you know, a call. You get something and it sounds like
24 it's going to be something major, and you get to it and it's really relatively nothing.

25 So, you know, not that this didn't sound like it was nothing, but, you
26 know, that was -- all four of us were going, right? So we took it as seriously as we could
27 have, right? Like, we -- you know, other units were questioning whether they wanted --
28 like, Millbrook was saying, "You want us to come?" And I was like, "Okay, well, we don't

1 know what we have just yet. So let's figure that out." And a lot of times you don't figure
2 those things out until you actually have boots on the ground, right?

3 **MR. ROGER BURRILL:** Yeah. This potential for mental health call
4 -- this is an important question -- did it have any impact upon the manner in which you
5 responded?

6 **CST STUART BESELT:** No.

7 **CST AARON PATTON:** No.

8 **MR. ROGER BURRILL:** Okay. Tell me, then, about the manner in
9 which you're responding.

10 **CST STUART BESELT:** I think I said it; I was driving as fast as my
11 vehicle would go.

12 **MR. ROGER BURRILL:** Okay.

13 **CST STUART BESELT:** So we took it as seriously as possible.

14 **MR. ROGER BURRILL:** Okay.

15 **CST STUART BESELT:** And I don't know if anybody's ever driven
16 from, you know, Bible Hill, Exit 17 to Portapique but I think I did it in, like, 20 minutes, so
17 it's ---

18 **MR. ROGER BURRILL:** What does that mean, Cst. Beselt?

19 **CST STUART BESELT:** We were clipping 'er.

20 **MR. ROGER BURRILL:** You were what?

21 **CST AARON PATTON:** He said, "Clipping 'er," but we were going
22 as fast as the cars would go. I mean, we were on the 104 highway travelling almost 180
23 to 200 kilometres an hour.

24 **MR. ROGER BURRILL:** Okay. So the possibility of this being a
25 mental health call have any impact on your speed and your service response?

26 **CST STUART BESELT:** Absolutely not.

27 **CST AARON PATTON:** No.

28 **CST ADAM MERCHANT:** No.

1 **MR. ROGER BURRILL:** Thank you.

2 You had indicated, Cst. Beselt, that this was an unusual call for
3 you.

4 **CST STUART BESELT:** For anyone.

5 **MR. ROGER BURRILL:** Okay. How do you mean, for anyone?

6 **CST STUART BESELT:** Well, we don't live in a place where we
7 have shootings very often. You know, Colchester's had a lot of drive-by shootings in
8 the last couple of years but not necessarily somebody who's been shot. So, you know,
9 this isn't like a big city in the States where you get lot of shootings, right?

10 **CST AARON PATTON:** And then lighting the house on fire.

11 **CST STUART BESELT:** Yeah. It's not something that you -- like I
12 said, in 24 years, and I've worked in busy spots and it's not something you get relatively
13 often.

14 **MR. ROGER BURRILL:** Okay. Tell me, then, about as you're
15 responding, going as fast as you can, do you engage the structure of command in any
16 fashion with respect to what it is you're doing, reporting back?

17 **CST STUART BESELT:** Yeah, 100 percent.

18 **MR. ROGER BURRILL:** Tell me about that, Cst. Beselt.

19 **CST STUART BESELT:** Well, I don't know, at some point in time
20 there in the document, you can -- I just tried to speak to Brian Rehill, who was the Risk
21 Manager at the time.

22 **MR. ROGER BURRILL:** Okay.

23 **CST STUART BESELT:** Brian is invaluable in those situations,
24 and trying to gather as much information, because he's a police officer and he knows
25 what we want to know, you know, on the thing. So I asked Brian to try and figure more
26 things out.

27 As I'm driving out, I'm also -- you know, some sergeants are
28 different than others, right? Andy happened to be a guy ---

1 **MR. ROGER BURRILL:** This is Andy O'Brien.

2 **CST STUART BESELT:** Andy O'Brien happened to be a guy that
3 liked to know if anything major was coming in. He wanted a heads-up; he wanted a
4 phone call. So as I was driving, I'm calling Andy and saying, you know, "This is what we
5 have," you know, just to keep him apprised, right?

6 **MR. ROGER BURRILL:** Okay. And that's dealing with the
7 structure of command, ---

8 **CST STUART BESELT:** Right.

9 **MR. ROGER BURRILL:** --- in terms of your responsibilities as a
10 shift supervisor?

11 **CST STUART BESELT:** Because, like, we have our job, they have
12 their job.

13 **MR. ROGER BURRILL:** Yeah.

14 **CST STUART BESELT:** And, you know, so now I'm putting the
15 ball into motion as to, you know, resourcing and all that sort of stuff, if it's needed, right?

16 **MR. ROGER BURRILL:** Yeah.

17 **CST STUART BESELT:** Like, so they can be apprised of what's
18 going on. They need to know if they need to make additional calls for more resources,
19 right?

20 **MR. ROGER BURRILL:** Okay, very good. Tell me; you had
21 mentioned Brian Rehill's name and Risk Manager.

22 **CST STUART BESELT:** That's right.

23 **MR. ROGER BURRILL:** All right. Tell me, gentlemen, if you
24 would, please, what your understanding of the role of a Risk Manager is, please.

25 **CST STUART BESELT:** The Risk Manager's in the OCC. He's
26 monitoring the entire province at the time for major calls. He's also there to provide
27 guidance to -- you know, there's a lot of detachments that don't -- like, Bible Hill's big
28 enough that we have, you know, a supervisor working all the time, there's always a

1 team leader on. But when I worked in Port Hawkesbury, you know, there wasn't always
2 a team leader on and you have maybe junior constables, you know, people with Aaron's
3 -- that are working in a county by themselves, and they get a question that they don't
4 know, so they can call the Risk Manager and get some guidance from a superior, right?

5 **MR. ROGER BURRILL:** Given the circumstances here, though,
6 Cst. Beselt, with you being the shift supervisor with some considerable experience, ---

7 **CST STUART BESELT:** Yeah.

8 **MR. ROGER BURRILL:** --- why is it that the Risk Manager would
9 be engaged in this call? Are you able to comment on that?

10 **CST STUART BESELT:** Well, it's major. It's a major call, right?

11 **MR. ROGER BURRILL:** Okay.

12 **CST STUART BESELT:** So -- and he has the ability to, you know,
13 be right there, and he's listening to all the information as it comes in and can possibly,
14 you know, filter the important things to you, right?

15 **MR. ROGER BURRILL:** Okay. How about Merchant and Patton,
16 would you have had any contact with chain of command folks while you're responding
17 to Portapique?

18 **CST AARON PATTON:** No, I didn't, no.

19 **CST ADAM MERCHANT:** We leave that to ---

20 **MR. ROGER BURRILL:** Okay. Is the idea to leave that to the shift
21 supervisor at that stage?

22 **CST AARON PATTON:** Like he said, chain of command, so...

23 **MR. ROGER BURRILL:** Yeah, okay.

24 Tell me, then, about your gear or your material that you have in
25 terms of responding. I understand there's hard body armour and things of that nature;
26 carbines? Did you have those that night?

27 **CST STUART BESELT:** Yes.

28 **CST AARON PATTON:** Yes.

1 **MR. ROGER BURRILL:** Yeah. Were they deployed and used, in
2 terms of your response?

3 **CST STUART BESELT:** Yes.

4 **CST AARON PATTON:** Yes.

5 **MR. ROGER BURRILL:** Okay, why were they deployed and used?

6 **CST STUART BESELT:** It's a gun call, right?

7 **MR. ROGER BURRILL:** M'hm?

8 **CST STUART BESELT:** It's a gun call.

9 **MR. ROGER BURRILL:** Yeah.

10 **CST STUART BESELT:** So anytime you have a gun call, you
11 know, most officers don't need to be reminded, but of course I'm -- you know, I'm in
12 charge of their safety so it's usually going to come out of my mouth; "Make sure that you
13 have your hard body armour on," just because, you know that's my job.

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** So in this instance I once again told them,
16 "Make sure you have your hard body armour on for a gun call."

17 **MR. ROGER BURRILL:** M'hm.

18 **CST STUART BESELT:** And the ones -- I don't know any officers
19 that are carbine trained that don't take a carbine with them, right, so...

20 **MR. ROGER BURRILL:** Okay. Did -- Patton and Merchant, did
21 you need the instruction from your shift supervisor with respect to ---

22 **CST AARON PATTON:** Oh no.

23 **MR. ROGER BURRILL:** --- this matériel?

24 **CST ADAM MERCHANT:** No.

25 **CST AARON PATTON:** Firearms call, you put it on for sure.

26 **MR. ROGER BURRILL:** Okay. Is that a routine for you?

27 **CST AARON PATTON:** Oh yeah.

28 **MR. ROGER BURRILL:** Okay, good.

1 **CST AARON PATTON:** Typically you stop beforehand so you're
2 not in the mix, throw it on, and then go. We have soft body armour on all the time ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST AARON PATTON:** --- but any higher calibre rifle or any
5 higher calibre round is going to puncture our soft body armour, so anything with a gun,
6 really, is hard body ---

7 **CST STUART BESELT:** Yeah, the hard body armour it's metal
8 plates, so -- and they're about that thick. It adds about, what, 20, 30 pounds?

9 **CST AARON PATTON:** Twenty (20), 30 pounds.

10 **CST STUART BESELT:** Twenty (20), 30 pounds to your body
11 weight, just lugging.

12 **MR. ROGER BURRILL:** Oh.

13 **CST STUART BESELT:** Because there's plates in the front and
14 the back for all your vital organs, right?

15 **MR. ROGER BURRILL:** Yeah, okay. All right. And the hard body
16 armour is something that's regularly and easily available to responding members?

17 **CST STUART BESELT:** Every member assigned -- when they
18 come to Colchester is assigned their own hard body armour.

19 **MR. ROGER BURRILL:** Okay.

20 **CST STUART BESELT:** So at the beginning of your shift, you're
21 carrying out your duty bag, your carbine, your hard body armour, and any other
22 equipment that you're specifically trained for.

23 **MR. ROGER BURRILL:** Okay. That's what I was going to ask you
24 about. The beginning of your shift, do you take the hard body armour with you
25 routinely?

26 **CST STUART BESELT:** Every day.

27 **CST AARON PATTON:** Every shift.

28 **MR. ROGER BURRILL:** Really?

1 **CST STUART BESELT:** Yeah.

2 **MR. ROGER BURRILL:** Okay.

3 **MR. ROGER BURRILL:** How about this carbine, do you take that
4 with you routinely?

5 **CST STUART BESELT:** Every day.

6 **CST AARON PATTON:** Oh yeah, every shift

7 **CST STUART BESELT:** Yeah.

8 **MR. ROGER BURRILL:** Really? Any exceptions to that?

9 **CST STUART BESELT:** No.

10 **CST AARON PATTON:** No.

11 **MR. ROGER BURRILL:** Okay. Anything else you take with you
12 routinely on your shift?

13 **CST AARON PATTON:** Yeah.

14 **CST STUART BESELT:** I'm a 40-cal operator so I take that. It's a
15 non-lethal 40-cal round, ---

16 **MR. ROGER BURRILL:** Right.

17 **CST STUART BESELT:** --- which is a soft round.

18 **MR. ROGER BURRILL:** Okay. In terms of preparedness, then,
19 from a physical gear point of view, if I can use that expression, how did you feel as you
20 were going to Portapique knowing you were going to a relatively serious call? Did you
21 have the right gear?

22 **CST STUART BESELT:** We had all the gear that we had available
23 to us.

24 **MR. ROGER BURRILL:** Yeah.

25 **CST STUART BESELT:** You know.

26 **MR. ROGER BURRILL:** That's an interesting answer to the
27 question, "Did you have the right gear?"

28 **CST STUART BESELT:** You know, like, it's a cost involvement

1 that, you know, you're going into a dark, and it would be nice to have, you know, night
2 vision but I think right now we have one in the detachment since this. But that wasn't
3 something typical for police detachments to have.

4 **MR. ROGER BURRILL:** Okay. So we've got hard body armour,
5 carbines, but no night vision as you ---

6 **CST STUART BESELT:** No night vision.

7 **MR. ROGER BURRILL:** --- responded to Portapique. Would you
8 have required special training with respect to carbines?

9 **CST STUART BESELT:** Yes.

10 **CST AARON PATTON:** Yes.

11 **CST ADAM MERCHANT:** Yeah.

12 **MR. ROGER BURRILL:** Okay. And all three of you had that, I
13 presume?

14 **CST AARON PATTON:** Yes.

15 **CST ADAM MERCHANT:** Yes.

16 **CST STUART BESELT:** We wouldn't carry it otherwise.

17 **MR. ROGER BURRILL:** Right. Any special training with respect to
18 hard body armour?

19 **CST STUART BESELT:** No, put it on.

20 **MR. ROGER BURRILL:** Put it on. That's special enough.

21 Any special training with respect to night vision, or anything of that
22 nature? No?

23 **CST STUART BESELT:** I've never even seen it. Or I think I've
24 seen it once, but yeah.

25 **MR. ROGER BURRILL:** Okay. All right.

26 I think what we'll do then, is move a little bit further along in the
27 document to get your response to page 38, Madam Registrar, paragraph 46.

28 **(SHORT PAUSE)**

1 **MR. ROGER BURRILL:** So this, gentlemen, is a portion of the
2 Foundational Document where information is attempting to be obtained with respect to
3 what it is, is happening.

4 **[AUDIO PLAYBACK]**

5 **MR. ROGER BURRILL:** There's a lot of information in that audio
6 clip that's come about as you gentlemen are travelling to Portapique. Have I got that
7 right?

8 **CST STUART BESELT:** That's right.

9 **MR. ROGER BURRILL:** All right. And in particular, I want to ask
10 you about the information with respect to the RCMP vehicle and what you were thinking
11 in terms of the information that's being provided and what you were responding.
12 Anybody want to comment on that?

13 **CST AARON PATTON:** Yeah. We obviously didn't know what we
14 were going to face as far as the vehicle, but we were open to anything. I mean, it could
15 have been as simple as a white Taurus or a white Crown Vic that resembled a police
16 car, but obviously, we were open to anything.

17 I had switched over to -- because we operate on talk groups ---

18 **MR. ROGER BURRILL:** Yeah.

19 **CST AARON PATTON:** --- on our radio where we can switch to
20 any county in the province. If we wanted to switch to Yarmouth we could speak to --
21 with Yarmouth from Colchester County. So I switched over to Cumberland County's talk
22 group just to ask if anybody had come over the county line into Colchester County to
23 serve -- I mean, they could be over for any reason. It might have been simpler for them
24 that night to drive over to serve a court document instead of sending it to our office to
25 have us drive out. So I checked with Cumberland County, and they had advised that
26 nobody was in -- in our side of the county.

27 **MR. ROGER BURRILL:** All right. So with that information,
28 Constable Patton, that nobody from Cumberland County is there, I presume you had a

1 sense, generally, gentlemen, about whether there was Colchester RCMP vehicles
2 there. What was your understanding of that?

3 **CST STUART BESELT:** We knew there wasn't any Colchester
4 cars there.

5 **MR. ROGER BURRILL:** Okay. So we know there is no Colchester
6 car there, we know there is no Cumberland car there. What did you think, then, about
7 the complaint of there being an RCMP vehicle there? How can you respond to that?

8 **CST STUART BESELT:** Well, you know, like I don't think anybody
9 understood the magnitude of the vehicle that he had at that time; right? Like yeah, we
10 had information that was there, you know, and then later on, we got a number of, you
11 know, updates that it looked like a police car, looked like a police car. Well, that means
12 a lot of different things to different people; right? So you know, we're open to the
13 possibility of anything at that point in time. But were we specifically thinking that he a
14 mocked-up police car that was in every way exactly like a police car? No. Like it just --
15 it was surprising to us, you know.

16 **MR. ROGER BURRILL:** So if you don't think that he has a
17 mocked-up or a replica RCMP vehicle at that stage, can you give us some insight of
18 what you thought the possibilities were with respect to that vehicle?

19 **CST STUART BESELT:** Well, we, we felt like it probably looked
20 like a police car, so we were probably looking for either an old decommissioned police
21 car with possibly -- like you see them driving them around every now and then, where
22 they still have some of the markings on them and -- or some of the reflective tapes on
23 them and sort of thing, but you're open to anything. But basically, that's where we kind
24 of thought ---

25 **MR. ROGER BURRILL:** Okay.

26 **CST STUART BESELT:** --- we were looking for.

27 **MR. ROGER BURRILL:** Okay.

28 Constable Beselt has said "we", speaking for you collectively. Any

1 comment, Constable Merchant, with respect to his observations?

2 **CST ADAM MERCHANT:** I'm with him. Like I think from just doing
3 so many driving complaints and stuff, you get a complaint about a white Civic, you're
4 looking for really a silver or white sedan of some sort, so you're always keeping yourself
5 open to whatever, not locking yourself into one ---

6 **MR. ROGER BURRILL:** So ---

7 **CST ADAM MERCHANT:** --- particular thing.

8 **MR. ROGER BURRILL:** --- I guess the concern that people may
9 have that there was a pretty particular comment from the dispatcher that this was an
10 RCMP vehicle in the yard. I'm going to ask you again, how is it that you responded to
11 that, or what did you think about that specific comment?

12 **CST ADAM MERCHANT:** How do you mean?

13 **CST STUART BESELT:** Well, it's information, but it ---

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** --- once again, it doesn't change
16 anything.

17 **MR. ROGER BURRILL:** Okay.

18 **CST STUART BESELT:** Like you know, our response is the same;
19 right? So we're going out there with the, you know, the expectation that it could be
20 anything; right? Like -- you know, as opposed to narrowing it down, we just kind of
21 stayed broad and tried to, you know, be open to all possibilities; right?

22 **MR. ROGER BURRILL:** Yeah. Including the fact that it could have
23 been a replica RCMP vehicle?

24 **CST AARON PATTON:** Yeah.

25 **CST STUART BESELT:** Yeah, I would have been very surprised if
26 I saw it that night ---

27 **MR. ROGER BURRILL:** Yeah.

28 **CST STUART BESELT:** --- but ---

1 **MR. ROGER BURRILL:** Why would you have been surprised,
2 Constable Beselt?

3 **CST STUART BESELT:** Well, I was surprised the next day, you
4 know.

5 **MR. ROGER BURRILL:** Yeah? How do you mean?

6 **CST STUART BESELT:** Well, like, my wife showed it to me on
7 Facebook the next day, and I was like, "Oh, that's what it must've looked like before
8 they decommissioned it.", and she's like, "No, that's what it looks like now." And I was
9 shocked at the level of ---

10 **MR. ROGER BURRILL:** So are you saying that the next day you
11 had a chance actually to look at the photograph of the replica RCMP ---

12 **CST STUART BESELT:** Yeah.

13 **MR. ROGER BURRILL:** --- vehicle that was involved in this mass
14 casualty ---

15 **CST STUART BESELT:** Yeah.

16 **MR. ROGER BURRILL:** -- and you were shocked, and it didn't
17 occur to you that that could have could have been involved?

18 **CST STUART BESELT:** I never would have dreamed that it was
19 that ---

20 **MR. ROGER BURRILL:** Interesting.

21 **CST STUART BESELT:** --- detailed.

22 **MR. ROGER BURRILL:** Okay. How about you, Constable Patton,
23 do you share the comments of your colleague, Constable Beselt, with respect to that?

24 **CST AARON PATTON:** Yeah. I think it would have been
25 irresponsible of us if we were close-minded to the fact that it could only be an exact
26 replica, and I don't think that any of us believed that it was going to be an exact replica.
27 But if we would've crossed paths with him that night and came upon a identical mark-up
28 -- marked-up vehicle like ours ---

1 **MR. ROGER BURRILL:** Yeah.

2 **CST AARON PATTON:** --- we would have obviously treated it as
3 the threat and been... I mean, it would have been very difficult to take action on it,
4 maybe, feeling like maybe it's a co-worker that's made it in there before us, and I
5 strongly believe that we probably would've been injured as well if we did cross paths ---

6 **MR. ROGER BURRILL:** How do you mean by that?

7 **CST STUART BESELT:** We would have been shot.

8 **CST AARON PATTON:** I think we would have ---

9 **CST ADAM MERCHANT:** One of us.

10 **MR. ROGER BURRILL:** Sorry?

11 **CST STUART BESELT:** We would have been shot; right?

12 **CST AARON PATTON:** I think it would have taken a lot to decide
13 to make that decision that it's not your co-worker if we would have crossed paths with
14 someone dressed just like us in an identical vehicle.

15 **MR. ROGER BURRILL:** Yeah.

16 **CST AARON PATTON:** Because I mean, you're making a split
17 decision of is this a person who's actually in a -- an identical vehicle in an identical
18 uniform ---

19 **MR. ROGER BURRILL:** Yeah.

20 **CST AARON PATTON:** --- or is this somebody that's somehow
21 made it here before us from Cumberland that we're not familiar with ---

22 **MR. ROGER BURRILL:** Yeah. Yeah.

23 **CST AARON PATTON:** --- and you got to make the decision that
24 you're shooting towards your co-worker or towards the threat. And I mean, obviously,
25 I'm sure we would have quickly made a decision once we began taking fire, but like I -- I
26 guess the beginning of my point was ---

27 **CST STUART BESELT:** But that's like you just said, "when we
28 started taking fire." You know, like the thing you have to realise is that, you know, for

1 him it's a target-rich environment because he knows he's the only fake; right? You
2 know, like we had no idea what the level of that car's -- like what it was done up to be,
3 and that day they did, and he still got the jump on two members; right? So you know,
4 had -- you know, had we come across it, you know, it's no doubt in my mind that he
5 would've got the jump on us. Because you know, we don't want to shoot one of our
6 co-workers because we -- like it's just mass confusion at that point in time; right?

7 **MR. ROGER BURRILL:** Yeah.

8 **CST STUART BESELT:** Like you're not going to shoot first,
9 whereas he can shoot first, he doesn't care.

10 **MR. ROGER BURRILL:** Yeah.

11 **CST AARON PATTON:** But if we would've came down the road
12 and gotten -- and found a white Tahoe or a white pickup truck or a -- a white Hyundai,
13 like any vehicle that remotely fit the description of looks like a police car or is a police
14 car, we would have treated it as the threat. I think it's hard for us to decipher exactly
15 what we had decided in our minds what we were going to see as far as that vehicle, but
16 I think we were all open-minded; we hadn't made up our minds that it wasn't anything.

17 **CST STUART BESELT:** We, we -- we pointed our guns at every
18 gun we saw that night.

19 **CST AARON PATTON:** Yeah. Yeah.

20 **CST STUART BESELT:** Right?

21 **MR. ROGER BURRILL:** I understand that, I just wanted to make
22 sure that we're all very clear with respect to that believability issue of it being an RCMP
23 vehicle, and I want to put it to you directly. Did you believe that at the start that it was a
24 RCMP vehicle involved in a murder in Portapique when you were responding?

25 **CST STUART BESELT:** Well, we didn't know any police cars that
26 were in the area, so -- but like I said, we didn't ever imagine it was that detailed.

27 **MR. ROGER BURRILL:** Okay. Okay.

28 Constable Merchant, the ---

1 **CST ADAM MERCHANT:** Can't say.

2 **MR. ROGER BURRILL:** --- your colleagues have ---

3 **CST ADAM MERCHANT:** I can't say it any better than them, so ---

4 **MR. ROGER BURRILL:** Okay.

5 **CST ADAM MERCHANT:** --- I agree.

6 **MR. ROGER BURRILL:** All right, very good.

7 In terms of continuing on, then, with respect to the text, the -- I think
8 you may have answered this, Constable Beselt, earlier about "Is Brian monitoring this?"
9 Is this the Brian Rehill situation?

10 **CST STUART BESELT:** Yeah.

11 **MR. ROGER BURRILL:** And as the shift supervisor, is it your
12 decision to determine whether the risk manager becomes involved?

13 **CST STUART BESELT:** No, it's his.

14 **MR. ROGER BURRILL:** Okay.

15 **CST STUART BESELT:** He ---

16 **MR. ROGER BURRILL:** But why are you asking, I guess is my
17 question?

18 **CST STUART BESELT:** Well, because it's major and, you know,
19 Brian is my first, you know, he's paying attention to all this stuff and he maybe has
20 information that's coming in directly that we don't, and you know, he's a tool for us to
21 utilize, as I asked them to try and, you know, get back in touch with the complainant and
22 gather any further information.

23 **MR. ROGER BURRILL:** Okay.

24 **CST STUART BESELT:** You know, he's coordinating a lot of
25 things in there; right?

26 **MR. ROGER BURRILL:** What kind of information does that risk
27 manager coordinate for you while you're on the road?

28 **CST STUART BESELT:** Well, he's -- you know, on the road, he

1 can provide us with further information. Maybe he has, you know, other knowledge that
2 he can, you know, start moving other units from other counties into the area. You know,
3 whatever it may be; right?

4 **MR. ROGER BURRILL:** Yeah. Okay. Good. With respect to the
5 exchange of information between you and the OCC, as the shift supervisor, did you
6 have any difficulties, any problems that you want to comment, at this stage, on the way?

7 **CST STUART BESELT:** No, it just ---

8 **MR. ROGER BURRILL:** Did it work like it was supposed to?

9 **CST STUART BESELT:** It worked like it was supposed to. It was
10 just, you know, with the unfortunate of how the call came in, there wasn't any further
11 information until the kids phoned in; right?

12 **MR. ROGER BURRILL:** Yeah, okay. Very good. Then I think
13 what we'll do is move to page 40, paragraph 47, in the document, and then ask for
14 some commentary on that.

15 **CST STUART BESELT:** Sure.

16 **MR. ROGER BURRILL:** If you need a break, gentlemen, just let
17 me know. I have a ---

18 **CST STUART BESELT:** We're good.

19 **MR. ROGER BURRILL:** --- tendency to talk on a little longer than I
20 should.

21 **CST AARON PATTON:** No problem.

22 **MR. ROGER BURRILL:** Okay. Very good. Okay. Page 40,
23 paragraph 47. Paragraph 47 and 49.

24 **[AUDIO PLAYBACK]**

25 Once again, there's a lot of information in paragraph 49 that we
26 need to talk about. But in particular, I'm interested in the dispatcher saying to you folks
27 that it's a marked police vehicle at this point.

28 Now, once again, you had said that always information coming in

1 provides you insight on how you react. You're getting information about a marked
2 police vehicle at this point. What's your response and how are you reacting, given that
3 confirmation?

4 **CST AARON PATTON:** Well we haven't slowed down. I mean,
5 we're still coming as fast as we can.

6 **MR. ROGER BURRILL:** M'hm.

7 **CST AARON PATTON:** And I think we're still open minded to all
8 options. I mean, anything -- it could be describing anything.

9 **MR. ROGER BURRILL:** Yeah. But the words being used there,
10 Cst Patton, are it's actually a marked vehicle.

11 **CST AARON PATTON:** Yeah.

12 **MR. ROGER BURRILL:** And I'm interested in the fact that this
13 would be the second, if not the third communication to you, as the first responders,
14 about the marked vehicle. And at this time, 10:19, did it have any bearing on your
15 response? Did it change anything at all what you were doing?

16 **CST AARON PATTON:** No.

17 **MR. ROGER BURRILL:** Okay. All right. Very good. It's
18 responding or comments are being made about a female com. What does that mean, a
19 female com, to you?

20 **CST AARON PATTON:** Another complainant.

21 **MR. ROGER BURRILL:** Another ---

22 **CST AARON PATTON:** Short for -- com is short for complainant.

23 **MR. ROGER BURRILL:** Okay. And this is new information coming
24 from the dispatcher at this time.

25 **CST AARON PATTON:** Yeah.

26 **MR. ROGER BURRILL:** Did this make any difference in terms of
27 your response or your information?

28 **CST STUART BESELT:** Well just that's kind of what -- like, the

1 first one, you know, was the -- obviously the mother, and then the second one was the
2 child. So, you know, it was kind of hard to -- I guess for us to understand the, you know,
3 the second different complainant; right?

4 **CST AARON PATTON:** Yeah.

5 **CST STUART BESELT:** And, you know, like I said, once again,
6 we're open to all possibilities and just trying to confirm, you know, whether or not there's
7 any opportunity that it's mental health; right?

8 **MR. ROGER BURRILL:** So this clip here at 10:19, are you able to
9 say whether you had an understanding of whether there was children involved at this
10 point or not? Do you know?

11 **CST STUART BESELT:** No. No.

12 **MR. ROGER BURRILL:** Okay. Tell me about that please, Cst.
13 Beselt.

14 **CST STUART BESELT:** Well they didn't say anything about the
15 identify of the second complainant.

16 **MR. ROGER BURRILL:** Okay.

17 **CST STUART BESELT:** You know, I would have thought maybe --
18 like, I kind of thought it was an older child; right?

19 **MR. ROGER BURRILL:** Yeah.

20 **CST STUART BESELT:** Like maybe a teenager or something like
21 that.

22 **MR. ROGER BURRILL:** All right. Okay. This is where Cst
23 Merchant uses the MHA expression? That's what you talked about earlier?

24 **CST ADAM MERCHANT:** Yeah.

25 **MR. ROGER BURRILL:** Okay. And this again is an effort to obtain
26 information ---

27 **CST ADAM MERCHANT:** Just try and figure out what's going on.

28 **CST AARON PATTON:** Yeah.

1 **MR. ROGER BURRILL:** All right.

2 **CST AARON PATTON:** It's -- for the MHA part, it's not uncommon
3 for us to get a call anywhere in the county for, like, an active -- I've gone to
4 Tatamagouche, I don't know, half a dozen times, for calls where someone will call in
5 and there's someone actively breaking into their house or the car has come back, and
6 we're getting updates as we're going that they're still there and now they're at the back
7 door. And we're racing to this call as fast as we can get there.

8 **MR. ROGER BURRILL:** Yeah.

9 **CST AARON PATTON:** And we'll show up and nothing has
10 happened, but the complainant will still believe that that person is in the driveway, even
11 if we're there.

12 **CST STUART BESELT:** And like, there's no footprints in the snow.

13 **CST AARON PATTON:** Yeah.

14 **CST STUART BESELT:** There's like no indication that -- we get
15 calls like that all the time; right? So it's ---

16 **CST AARON PATTON:** But with Cst Merchant asking this, and I
17 think I ask it at some point as well too, it's -- I don't want -- it wasn't doubting. It was just
18 we're trying to clear ---

19 **CST STUART BESELT:** Yeah.

20 **CST AARON PATTON:** --- clear some things up just to clarify.

21 Like, it wasn't slowing us down.

22 **CST STUART BESELT:** Like I said, it's far more common for us to
23 go to something like that, ---

24 **CST AARON PATTON:** Yeah.

25 **CST STUART BESELT:** --- than to, you know, a shooting death
26 murder; right? Like, it would ---

27 **CST ADAM MERCHANT:** And if dispatch looked up the history
28 and said, "Oh, yeah, we've been here. We were here last week for a similar thing," then

1 you might be like, "Okay. Well ---"

2 **CST STUART BESELT:** Maybe slow down a little bit; right?

3 **CST ADAM MERCHANT:** Exactly. Yeah, there's ---

4 **CST STUART BESELT:** You know, like, we're driving as fast as
5 we can on the highway ---

6 **CST ADAM MERCHANT:** M'hm.

7 **CST STUART BESELT:** --- and there's a risk involved in that
8 alone; right? So.

9 **MR. ROGER BURRILL:** Okay. I understand. At 10:20:42, Cst
10 Beselt says -- we just -- if you're like me, you love listening to yourself on the audio clip
11 there. It says:

12 "Can you check with [...] the fire dispatch to see if they've
13 got any reports[? I'm sure a] neighbour would see the
14 [fire -- or the] house on fire?

15 Now, my sense at this stage, Cst. Beselt, and please correct me if
16 I'm wrong, is that there's a degree at least on your part of perhaps disbelief with respect
17 to the complaint about a fire at that stage and you're asking for confirmation. Is that a
18 fair characterization?

19 **CST STUART BESELT:** Yeah.

20 **MR. ROGER BURRILL:** Okay. And once again, why would you
21 have that disbelief at this point?

22 **CST STUART BESELT:** You're just looking for confirmation and,
23 you know, any further detail on anything you can try and learn throughout the process;
24 right?

25 **MR. ROGER BURRILL:** Okay. Cst Merchant at 10:21:26 says, in
26 response to the complainants advising that the police car took off, at 10:21:26 says:

27 "[Do] [w]e know what colour it is?"

28 What's that about, Cst Merchant?

1 **CST ADAM MERCHANT:** Still just trying to confirm if it's, you
2 know, a police car or if it's -- like, EHS has cars that have lights on top. You know what
3 I mean?

4 **MR. ROGER BURRILL:** Yeah.

5 **CST ADAM MERCHANT:** So if they're like, oh, well it had blue
6 markings, then maybe we're like, okay, well maybe it's not -- just trying to funnel down
7 on what exactly it is. Whether it's a police car or what have you.

8 **CST STUART BESELT:** We also want to be open to the fact that
9 somebody may be fleeing the scene; right? So if you have an identifier on the vehicle
10 as you're approaching, you're paying attention to the vehicles that are leaving the area;
11 right?

12 **MR. ROGER BURRILL:** Right. Okay. Good. Anything further to
13 say with respect to what you're doing at that stage at 10:21, getting information from
14 and asking questions?

15 **CST STUART BESELT:** And driving.

16 **MR. ROGER BURRILL:** And driving.

17 **CST STUART BESELT:** Fast.

18 **MR. ROGER BURRILL:** Well this is another thing that's important.
19 As you're driving ---

20 **CST STUART BESELT:** Yeah.

21 **MR. ROGER BURRILL:** --- does that impact the manner in which
22 you receive and/or deliver information?

23 **CST STUART BESELT:** Well you've got to imagine you're in a
24 vehicle, you're driving 160 or faster. I think that's as fast as my car would go. You're
25 looking at the MWS. You're trying to pay attention. There's a lot of deer in the area.
26 You know, there's a lot of factors that you're trying -- and meanwhile, you're trying to get
27 updates and, you know, you're juggling a lot of different things there, ---

28 **MR. ROGER BURRILL:** Yeah.

1 **CST STUART BESELT:** --- trying to get there safe, because if we
2 don't get there, we can't help anyone; right?

3 **MR. ROGER BURRILL:** Sorry, I don't know what that means.

4 **CST STUART BESELT:** Well if we crash, then we're not a help to
5 anyone; right?

6 **MR. ROGER BURRILL:** Okay. Gotcha. Okay. And Registrar,
7 could you take me back to paragraph 47, please, at page 40? I'm just going to read this
8 to you, Constables, so that I can get a sense. At 10:15:06, Beselt says:

9 "Unless we get an update in regards to [...] where this
10 [...] suspect [is]..."

11 And then at 10:15:13, Beselt:

12 "Where this suspect might be, I think we're gonna have to
13 [...] approach slowly here, ah, with ah, hard body armour
14 and carbines"

15 Now, you had spoken before about hard body armours being
16 deployed and carbines, but I'm interested in that comment with respect to approaching
17 slowly.

18 And I ask you this because responding, of course, to an active
19 shooter or a murder scene, my intuitive response would think, "Let's not go slowly. Let's
20 get there quickly so we can minimize human loss".

21 Have you any comment you can say to me with respect to
22 approaching slowly and why you would have said that and, more importantly, why you
23 may have actually done that?

24 **CST STUART BESELT:** Well, yeah, 100 percent because you're --
25 if you're walking up to a scene and you're driving right on the front lawn and, you know,
26 it's not like the movies. You know, you could be ambushed, right.

27 And I've -- I've been walking up a driveway with a rifle pointed out
28 the window at me, so you know, you need to approach a -- like you want to get to the

1 area quickly, but you want to approach slowly with cover and concealment as best as
2 you can, and especially, you know, when there's a shooting, right.

3 **MR. ROGER BURRILL:** Methodically.

4 **CST STUART BESELT:** Yeah, methodically. Like you're -- you're
5 tactically trying to approach as quickly as you can, right.

6 **MR. ROGER BURRILL:** Okay. Is that information that you had
7 relayed over the air? That's coming to Constable Merchant and Constable Patton as
8 well.

9 Did you have any difficulty with the approach of approaching slowly
10 at this point?

11 **CST ADAM MERCHANT:** No, because I know when he says
12 "slowly" it's relative, too. Like it's not like we're just dilly-dallying, you know.

13 **MR. ROGER BURRILL:** Yeah.

14 **CST ADAM MERCHANT:** But there was a lot of unknowns still at
15 that point, so you don't where he is. You're still not 100 percent sure what he's driving,
16 who he is, so being cautious is the smart move.

17 **CST STUART BESELT:** His capabilities, you know.

18 **CST ADAM MERCHANT:** Yeah.

19 **CST STUART BESELT:** Like you don't know if he's a
20 sharpshooter or what, right, like.

21 **CST AARON PATTON:** And sharpshooter or not, if we drive right
22 up to -- in front of the house, like Beselt said, it's very easy to pick which part of the car
23 to shoot at because you would aim for the driver's seat. And it's very easy to -- to
24 eliminate all three of us responding very quickly before we would even know where the -
25 - the rounds are coming from. It's dark. It's ---

26 **CST STUART BESELT:** We don't go to any gun call and park in
27 front of the house, right. Like think that there's a gun. You're parking a little ways away
28 and you're approaching cautiously, right. And then, you know, if it's an active shooter,

1 you're going to take steps to stop the active shooter. If it's a barricaded person, you're
2 going to set up a perimeter, right, and then try and contain -- contain the threat, right.

3 Like there's -- there's a variety of different ways to handle these
4 situations, but you know, like I said, you're not going to be any help if you're dead, right.

5 **MR. ROGER BURRILL:** Right.

6 **CST AARON PATTON:** Slowly was used, but slowly wasn't what
7 we did. We ---

8 **CST ADAM MERCHANT:** Yeah.

9 **CST STUART BESELT:** Yeah.

10 **CST AARON PATTON:** --- hit the ground running and -- and ---

11 **CST STUART BESELT:** It's -- slowly just means cautiously.

12 That's all.

13 **CST AARON PATTON:** Yeah. We all understood ---

14 **MR. ROGER BURRILL:** Okay.

15 **CST AARON PATTON:** --- the context.

16 **MR. ROGER BURRILL:** But when you say slowly and equate it
17 with cautiously, in this context what were you meaning?

18 **CST STUART BESELT:** Well, cautiously. Nobody slowed down.
19 Like it -- like we just -- you know, approach slowly means that we're going to, you know,
20 muster and move in as a team, right.

21 **MR. ROGER BURRILL:** Okay. And did you have any or make any
22 arrangements with respect to mustering or grouping as a team?

23 **CST STUART BESELT:** We hadn't got that far yet. We were, you
24 know -- we were going to, you know, muster close to the area.

25 **MR. ROGER BURRILL:** Okay.

26 **CST STUART BESELT:** But it just kind of -- it just happened so
27 quick, right.

28 **MR. ROGER BURRILL:** All right. Very good.

1 Paragraph 50 on page 41 I think is probably the same type of
2 situation, but I just want to make sure.

3 Paragraph 50:

4 "Cst. Beselt reiterated a cautious approach to the
5 scene using hard body armour and carbines:

6 "PATTON: What's the plan? Are we responding
7 directly to the house here or are we setting up and
8 approaching ah, slowly, Stu?'

9 Constable Beselt then says, "Well, we should set up at -- approach
10 cautiously here. I have no idea what we're going into, so I'd rather be safe than sorry".

11 This is at 10:22. Constable Patton is asking questions about what's
12 the plan.

13 Now, tell me about that. Give me some context what that means.

14 **CST AARON PATTON:** Yeah, I don't know exactly where we were
15 in -- in our response, like how close we were, but I think we were probably getting closer
16 to scene and ---

17 **MR. ROGER BURRILL:** Yeah.

18 **CST AARON PATTON:** --- trying to have our decisions made
19 before we get there. And -- and ---

20 **MR. ROGER BURRILL:** Yeah.

21 **CST AARON PATTON:** --- when you ask a question on the air,
22 everybody's going to hear the response, too, so we're organizing ourselves before
23 arriving so that when we get there, we can deploy. We can have those ---

24 **CST STUART BESELT:** Yeah.

25 **CST AARON PATTON:** --- conversations are ---

26 **CST STUART BESELT:** Basic plan of action at that point in time.

27 **MR. ROGER BURRILL:** But are you looking for direction,
28 Constable Patton, at this point or are you engaging in terms of providing information?

1 **CST AARON PATTON:** I think it's a little bit of both, but I think it's
2 kind of putting that out there so that we're having that conversation again before arriving
3 and ---

4 **MR. ROGER BURRILL:** Okay.

5 **CST AARON PATTON:** --- it cuts down on unnecessary
6 conversations upon arrival and ---

7 **MR. ROGER BURRILL:** All right. Very good.
8 Constable Merchant, anything you have to say?

9 **CST ADAM MERCHANT:** No, same. I agree.

10 **MR. ROGER BURRILL:** In terms of the approach, using the
11 discussion we had about cautiously and slowly, any difficulty at all with that approach at
12 all now that you look back?

13 **CST ADAM MERCHANT:** No, I agree. I think just the wording
14 makes it sound like going slowly, but we weren't planning to go slowly. Like we were
15 just going cautiously. That's ---

16 **MR. ROGER BURRILL:** And can you tell me, does your training
17 that you would have had ---

18 **CST ADAM MERCHANT:** Yeah.

19 **MR. ROGER BURRILL:** --- have any bearing on the manner in
20 which you would have responded to a situation like you did in this regard?

21 **CST ADAM MERCHANT:** Absolutely, yeah.

22 **CST AARON PATTON:** Yeah.

23 **MR. ROGER BURRILL:** Okay.

24 **CST ADAM MERCHANT:** I mean, I think the training drove us, like
25 because, I mean, the training's all scenario-based training and I think that -- I remember
26 running down the road there and the -- my mind, I'm like, all right, we got to keep going,
27 keep going, but in the back of my head I'm just like, "Holy. This is crazy" ---

28 **MR. ROGER BURRILL:** Okay.

1 **CST ADAM MERCHANT:** --- you know what I mean.

2 But I think the training just kind of pushed us.

3 **MR. ROGER BURRILL:** All right. Very good.

4 Commissioners, it's 11 o'clock, and I now propose to get into some
5 of the portions of the document with respect to the actual attendance in Portapique.
6 Perhaps a 10-minute adjournment might be in order at this point.

7 **COMMISSIONER MacDONALD:** Thank you, Mr. Burrill.

8 We'll take -- actually, we'll take a 15-minute break at this time.

9 Thank you.

10 **MR. ROGER BURRILL:** Thank you.

11 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

12 The proceedings are now on break and will resume in 15 minutes.

13 --- Upon breaking at 10:56 a.m.

14 --- Upon resuming at 11:19 a.m.

15 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
16 proceedings are again in session.

17 **COMMISSIONER MacDONALD:** Mr. Burrill?

18 **MR. ROGER BURRILL:** Thank you, Commissioners.

19 **CST STUART BESELT, Resumed**

20 **CST ADAM MERCHANT, Resumed**

21 **CST AARON PATTON, Resumed**

22 **--- EXAMINATION IN-CHIEF BY MR. ROGER BURRILL, cont'd:**

23 **MR. ROGER BURRILL:** Gentlemen, we broke off at a point
24 whereby we were just getting into determinations of what took place at Portapique
25 Beach Road and I want to direct you to page 42 of the Foundational Document,
26 paragraphs 53 and 54.

27 Now, this is a description provided by Commission Counsel with
28 respect to the encounter of Constable Beselt with Andrew MacDonald and the Faulkner

1 family, the details of which are relatively clear in the materials.

2 But I wanted to ask Constable Beselt and perhaps other members
3 here with respect to the engagement with Mr. MacDonald and the Faulkner family gave
4 you a sense that there was a perpetrator within the subdivision or within the community
5 of Portapique? Is that right?

6 **CST STUART BESELT:** That's right, yeah.

7 **MR. ROGER BURRILL:** Okay. Can you explain that for me,
8 Constable Beselt, just for the setting so I get a better sense of what it was?

9 **CST STUART BESELT:** Well, my -- my communication with
10 Andrew was very brief.

11 You know, obviously I recognized him, he recognized me. And
12 anyways, he was like, "Stu, I think I've been shot". And then he felt his arm and he's
13 like, "I was shot".

14 And I'm like, "Who was it?". And he was like, "A guy in a white car".

15 **MR. ROGER BURRILL:** Okay.

16 **CST STUART BESELT:** And there was two cars that had
17 approached us, so the next car was a white car, the Faulkners.

18 And like I was done with Andrew at that point. I was trained on the
19 -- on the white car and they're like, "It's not us, it's not us". It was like they were literally
20 like -- and I could see it was a family, so I ran up to them.

21 They said they heard the shooting and -- and got out of there. And
22 by that time, Adam was beside me and I'm like, "Let's go".

23 So we decided that we would go in on foot.

24 **MR. ROGER BURRILL:** Okay. I'm going to discuss with you the
25 "Let's go" part, but I'm interested about the fact that it would appear to you at this stage
26 that the perpetrator was in a white car.

27 **CST STUART BESELT:** Right.

28 **MR. ROGER BURRILL:** Right. Now, given the fact that the

1 perpetrator, the information you had, was in a -- in a car, he would be mobile ---

2 **CST STUART BESELT:** Yeah.

3 **MR. ROGER BURRILL:** --- I'm wondering about the decisions that
4 you undertook with respect to whether you would go into the community also with a car,
5 keeping in mind that this person would have been mobile and able to manoeuvre with a
6 vehicle.

7 **CST STUART BESELT:** Yeah.

8 **MR. ROGER BURRILL:** It's clear from the document that you
9 made decisions and your team made decisions to go in by foot.

10 **CST STUART BESELT:** Right.

11 **MR. ROGER BURRILL:** But given the fact that the perpetrator was
12 mobile in a car, did that have any bearing on your decisions?

13 And I'll ask all three of you, not just Constable Beselt.

14 **CST STUART BESELT:** Not really. Like you know, we're still
15 trying to be as, you know, tactically and safe as possible ---

16 **MR. ROGER BURRILL:** Right.

17 **CST STUART BESELT:** --- right. Like you know -- and I said it to
18 Aaron later on. Like you know, you have to be very concerned about ambush, right,
19 like. And I've said it on numerous times.

20 Like you're driving a big billboard, right. Like everybody knows
21 you're the police when you're driving in in a marked-up police car, right. It's very easy
22 to be a target in a police car.

23 The safest you can be is outside of your car. It's just the fact of the
24 matter.

25 **MR. ROGER BURRILL:** Did it make any difference that the
26 perpetrator was mobile himself in a car?

27 **CST STUART BESELT:** Well I knew that, like, Vicki was still
28 coming and would, you know, be able to, you know, block off that intersection, which is

1 what we at the time, at that moment in time, believed to be the only exit; right? So, you
2 know, we felt he was ahead of us somewhere; right?

3 And just because he's in a car doesn't mean he's going to stay in a
4 car; right? So.

5 **MR. ROGER BURRILL:** So when Adam, Cst Merchant,
6 approached you, you said a decision was made quickly.

7 **CST STUART BESELT:** Sure.

8 **MR. ROGER BURRILL:** Okay. What was the decision again, just
9 for clarity?

10 **CST STUART BESELT:** Let's go. Let's get in there. Let's ---

11 **MR. ROGER BURRILL:** Okay. And that meant on foot?

12 **CST STUART BESELT:** Meant on foot.

13 **MR. ROGER BURRILL:** Okay. Cst Merchant, do you remember
14 that time? That decision being made?

15 **CST ADAM MERCHANT:** Yeah.

16 **MR. ROGER BURRILL:** And you had been at the scene with Cst
17 Beselt for, I'm going to say, seconds from the documents?

18 **CST ADAM MERCHANT:** Pretty much, yeah.

19 **MR. ROGER BURRILL:** Yeah. Okay. And when that decision
20 was made to go in on foot, what information did you have with respect to the
21 perpetrator's mobility?

22 **CST ADAM MERCHANT:** Yeah, he told me that he was in a car
23 and that he, I think, just said that he went that way or something like that.

24 **MR. ROGER BURRILL:** Okay. So tell me, what do you think, with
25 respect to your mobility itself, being in a car as opposed to being on foot?

26 **CST ADAM MERCHANT:** I agree. It was a closed off -- we
27 thought it was a closed off area. And it's just a lot safer being on foot.

28 **MR. ROGER BURRILL:** Okay. Why ---

1 **CST ADAM MERCHANT:** Imagine trying to get out of a car with all
2 that equipment. You know, your hard body armour, you're out to here. And like, if we
3 engage in a gun fight right there from car to car, I think it would have been bad. But.

4 **MR. ROGER BURRILL:** Okay. Anything from your experience or
5 your training that would give you that conclusion that it would have been more
6 dangerous in a car?

7 **CST STUART BESELT:** Well numerous instances of over the
8 years, you know, like, Moncton shootings, members were shot in their cars. Spirit
9 Wood in Saskatchewan. Two members were shot in their cars. You know, I was
10 involved with the officer involved shooting in Tatamagouche. You know, the cars draw
11 fire. And, you know, so if that's trained me anything, it's -- you know, you're not safe in
12 your car; ---

13 **MR. ROGER BURRILL:** Okay.

14 **CST STUART BESELT:** --- right? And you're trying to listen, and
15 you want to hear. And if you're driving, you can't do those things; right? So you're
16 trying to be safe is basically -- because you can't help anybody if you're dead, again;
17 right?

18 **MR. ROGER BURRILL:** Sounds to me that it wasn't a difficult
19 decision for you to make at that point to go in on foot?

20 **CST STUART BESELT:** No. No, it was just -- I would do it again.

21 **MR. ROGER BURRILL:** Okay. Okay. All right. I'm going to go to
22 page 44. And paragraph 59 in particular. And this is going to speak about Cst Patton's
23 involvement with Andrew MacDonald. Information gained and information provided.
24 Paragraph 59.

25 So Andrew and Kate MacDonald remained on Portapique Beach
26 Road and Cst. Patton spoke to them. At 10:30:21, some information was displayed:

27 **[AUDIO PLAYBACK]**

28 Okay. Perhaps I'll direct my question to Cst Patton, given this is

1 your communication. You're learning some information from Andrew MacDonald and
2 you're relaying it over the air. What's the purpose of relaying it over the air?

3 **CST AARON PATTON:** Just trying to get as much information as
4 we're learning ---

5 **MR. ROGER BURRILL:** M'hm.

6 **CST AARON PATTON:** --- public to everybody else that's on the
7 air.

8 **MR. ROGER BURRILL:** Okay. And the issue with respect to a
9 person named Gabe and he's a denturist? What was the value of that at that point?
10 Why did you provide that information?

11 **CST AARON PATTON:** Yeah, so as I soon as I got with Andrew, I
12 started giving him the information that we had at that point as well. I -- we knew that in
13 the original dispatch, I think it was -- did we have the name Gabe? I'm sorry.

14 **MR. ROGER BURRILL:** Yeah.

15 **CST AARON PATTON:** And I told him that. I said -- but he was in
16 shock. As soon as I got to him.

17 **MR. ROGER BURRILL:** M'hm.

18 **CST AARON PATTON:** At first I was going to address the bullet
19 wound. I cut his sleeve off and the bullet fell out.

20 **MR. ROGER BURRILL:** We'll talk about that in a minute.

21 **CST AARON PATTON:** Sure. And they -- and I was going to
22 attempt to do some quick first aid to him, but he didn't need it.

23 **MR. ROGER BURRILL:** M'hm.

24 **CST AARON PATTON:** He wasn't bleeding. It seemed like the
25 bullet had passed through his arm, ---

26 **MR. ROGER BURRILL:** Yeah.

27 **CST AARON PATTON:** --- but he wasn't losing any sort of blood
28 that was a risk to him.

1 **MR. ROGER BURRILL:** Yeah.

2 **CST AARON PATTON:** So I started to tell him, I said, "Who was
3 this? What happened?" He said, "I don't know." I said, "Well we know it's a name
4 Gabe. Does that sound --" and he said, "Oh my God. Is that who it was?" And then
5 he's talking to with his girlfriend, who is also in shock, and that is who it was. And so he
6 starts to provide me the information that it's a dentist. All of that information ---

7 **MR. ROGER BURRILL:** Yeah.

8 **CST AARON PATTON:** --- that I just relayed there, ---

9 **MR. ROGER BURRILL:** Yeah.

10 **CST AARON PATTON:** --- I'm trying to give that out over the radio
11 as it's getting provided to me.

12 **MR. ROGER BURRILL:** Yeah.

13 **CST AARON PATTON:** And he tells me that he has a house here
14 somewhere along the road.

15 **MR. ROGER BURRILL:** M'hm.

16 **CST AARON PATTON:** And that's it, because around this time,
17 Cst Colford arrives.

18 **MR. ROGER BURRILL:** Yes.

19 **CST AARON PATTON:** I transition him to Cst Colford and then I
20 pour myself into catch up with these guys, who have already headed in.

21 **MR. ROGER BURRILL:** Okay. So that information that you had
22 provided comes from MacDonald at that point? Mr. MacDonald?

23 **CST AARON PATTON:** Yeah.

24 **MR. ROGER BURRILL:** Yeah. All right. And did it have any
25 bearing in terms of what decisions you or the group made as you went into Portapique
26 Beach Road?

27 **CST STUART BESELT:** I'll speak to that.

28 **MR. ROGER BURRILL:** Yes, please.

1 **CST STUART BESELT:** Like, at the beginning, you know, we
2 understand somebody has been shot; right? So that's -- that's one call; right? But now
3 that there's other people that have been shot, it transitions the -- like, the call, to it's not
4 just a shooting, it's an active shooter; right?

5 **MR. ROGER BURRILL:** Okay.

6 **CST STUART BESELT:** So now that kind of changes your thought
7 process and your -- how you're going in there, because you're going in under the IARD
8 principles; right, which is to go in and stop the threat; right?

9 **CST AARON PATTON:** To add to that too, at this point we're still
10 hearing heavy gunfire. Like, there's -- throughout the night, there's a lot of explosions
11 and a lot of times where we couldn't decipher necessarily if it was gunfire we were
12 hearing or if it was explosions, or both.

13 **MR. ROGER BURRILL:** M'hm.

14 **CST AARON PATTON:** But at this point, there's distinct gunfire
15 and it's rapidly being fired.

16 **MR. ROGER BURRILL:** Okay.

17 **CST AARON PATTON:** So it's all of those pieces. We've also just
18 arrived and we can see all of these fires burning. Like, there's a lot happening at this
19 moment.

20 **MR. ROGER BURRILL:** Okay. All right. And Cst Beselt had
21 mentioned a distinction between a shooter situation and an active shooter situation.

22 **CST STUART BESELT:** Yeah.

23 **MR. ROGER BURRILL:** Is that something that rings a bell with
24 you, Cst Merchant? The difference?

25 **CST ADAM MERCHANT:** Oh, yeah, well that's all our IARD
26 training is based on an active shooter situation.

27 **MR. ROGER BURRILL:** Okay. I'm going to get into IARD in a
28 moment, because I want to make sure that we nail that down, ---

1 **CST ADAM MERCHANT:** M'hm.

2 **MR. ROGER BURRILL:** --- specifically with the training. But
3 before we leave this part, how long are we with Mr. MacDonald?

4 **CST AARON PATTON:** I mean, I would be guessing,

5 **MR. ROGER BURRILL:** Yeah.

6 **CST AARON PATTON:** But around the point in the transmissions
7 where I indicate that I'm running in on foot, ---

8 **MR. ROGER BURRILL:** Yeah.

9 **CST AARON PATTON:** --- that's maybe ---

10 **MR. ROGER BURRILL:** Okay.

11 **CST AARON PATTON:** --- 10/15 seconds after I depart.

12 **MR. ROGER BURRILL:** Right. I don't think it was captured in the
13 Foundational Documents. So I wanted to ask you about that bullet.

14 **CST AARON PATTON:** Yeah.

15 **MR. ROGER BURRILL:** You recovered a bullet or something?

16 **CST AARON PATTON:** Yeah.

17 **MR. ROGER BURRILL:** Yeah. Tell me about that, please?

18 **CST AARON PATTON:** Yeah, so when I cut off Andrew
19 MacDonald's sleeve, the bullet fell out into the car, I guess.

20 **MR. ROGER BURRILL:** Yeah. What did you do with it?

21 **CST AARON PATTON:** I took it back to the command. I had it in
22 my pocket and I took it back to the command post.

23 **MR. ROGER BURRILL:** Okay. We'll speak about that when we
24 get to that stage.

25 All right. If we can then, let's go to paragraph 61 -- 65 on page 46.
26 And this talks about the IARD that you mentioned earlier.

27 Cst Merchant, what's IARD stand for?

28 **CST AARON PATTON:** Intermediate Action Rapid Deployment.

1 **MR. ROGER BURRILL:** Right. I didn't ask Cst ---

2 **CST AARON PATTON:** I studied it last night just to remember.

3 **MR. ROGER BURRILL:** All right. Very good. And can you tell us
4 then please, what your understanding about Immediate Action and Rapid Deployment
5 means and how it applies to a situation like this? And this is a question for all three of
6 you, because it's important what you were thinking and what you were activating at that
7 time.

8 Cst. Merchant?

9 **CST ADAM MERCHANT:** It's just how we're trained to respond to
10 active shooters. And the basic premise is you just go in as fast as you can to get to the
11 shooter and stop him.

12 **MR. ROGER BURRILL:** M'hm. And what kind of training did you
13 have in particular with respect to IARD training?

14 **CST ADAM MERCHANT:** I think I went to IARD training probably
15 five times.

16 **MR. ROGER BURRILL:** Okay. and what does IARD training
17 consist of, Cst Merchant?

18 **CST ADAM MERCHANT:** When it first started, they had Salmon
19 River School and you'd go there and it was mostly kind of school-based stuff, because
20 that's when there was a lot of school shootings. And it was all scenario based. They'd
21 have Simunition. And it'd just be like, "Okay. There's a school shooting. You're in your
22 car and you have to drive up to the school and go in and try and track the guy down and
23 stop him.

24 **MR. ROGER BURRILL:** Okay. And the -- would you have done
25 that during your tenure at Bible Hill Detachment?

26 **CST ADAM MERCHANT:** I think that was in Antigonish.

27 **MR. ROGER BURRILL:** Okay.

28 **CST ADAM MERCHANT:** And then since then, they have a

1 training facility that we do IARD training at.

2 **MR. ROGER BURRILL:** Okay. Cst Patton, what about your IARD
3 training? What can you tell us about that?

4 **CST AARON PATTON:** Yeah, I've taken the course once.

5 **MR. ROGER BURRILL:** Yeah.

6 **CST AARON PATTON:** And that was during my initial training at
7 Depot in Regina.

8 **MR. ROGER BURRILL:** Right. And Cst Beselt?

9 **CST STUART BESELT:** Yeah, I've taken it once or twice, and I
10 had -- I had just done the training in 2019, so just -- not even a year before then.

11 **MR. ROGER BURRILL:** Okay, good. Can you please, then,
12 gentlemen, I'd be interested in your comments with respect to what you thought of the
13 training that was provided to you as general members, general duty members on ---

14 **CST STUART BESELT:** Well, the training is great. Like Nova
15 Scotia has phenomenal training. You know, we have a warehouse right now that we do
16 these type of active shooter scenarios in, and like Adam said, we use Simunition and
17 instructors, you know, act the role as the bad guy and you practise your technique and
18 that sort of thing; right?

19 **MR. ROGER BURRILL:** So in 2019, how long would the course
20 have been, Constable Beselt?

21 **CST STUART BESELT:** Well, it's all OSM, so they're, you know,
22 other than firearms they're doing all your baton and your OC spray, and they're
23 re-certing those every two years; right?

24 **MR. ROGER BURRILL:** You did it to me again. OSM?

25 **CST ADAM MERCHANT:** Operational skills and maintenance.

26 **CST STUART BESELT:** There you go.

27 **MR. ROGER BURRILL:** Thank you. Okay, very good. You had
28 comments with respect to the quality of the training, the IR training?

1 **CST AARON PATTON:** It's really good. I mean, we're not --
2 obviously, you take the training and you hope you never have to use it ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST AARON PATTON:** --- but it would have been two-and-a-half
5 years since I took the course ---

6 **MR. ROGER BURRILL:** Yeah.

7 **CST AARON PATTON:** --- and as soon as we got there and we
8 deployed it all comes back. Like they do a very good job of ingraining it in your brain,
9 and the techniques and the methods and the way that we form. And throughout that
10 night, we were constantly reminding each other of all the different pieces and how to --
11 how to approach different situations.

12 **MR. ROGER BURRILL:** Yeah.

13 **CST AARON PATTON:** You might not realise that you remember
14 everything about how to deploy IARD ---

15 **MR. ROGER BURRILL:** Yeah.

16 **CST AARON PATTON:** --- but as soon as you get into that
17 situation it's there. Like it's well taught to you.

18 **MR. ROGER BURRILL:** Constable Merchant?

19 **CST ADAM MERCHANT:** Yeah, I agree. I -- like I thought it was
20 good training to begin with, but then after going through that, looking back, I'm like,
21 "Wow, that" -- it really drove you, you know? So -- yeah.

22 **MR. ROGER BURRILL:** Okay. So when you were attending with
23 Constable Beselt at the head of Portapique Beach Road and a decision is made to go in
24 on foot, did you consciously engage your training or is it something that's even more
25 ingrained than that?

26 **CST STUART BESELT:** Well, you're consciously, yeah, like
27 100-percent. You're -- you know, like we didn't run up the middle of the road, we ran in
28 the ditch in the darkness, you know. Like you just -- you're doing all these little things to

1 try and be tactically sound; right? So ---

2 **MR. ROGER BURRILL:** Okay. All right. So being tactically sound
3 at that stage led you make some decisions. What were they, just generally?

4 **CST STUART BESELT:** Like decisions?

5 **MR. ROGER BURRILL:** Where did you go?

6 **CST STUART BESELT:** Well, we went to what we could see first,
7 was like the fire ahead of us; right?

8 **MR. ROGER BURRILL:** Yeah.

9 **CST STUART BESELT:** So -- and with gunshots and knowing that
10 he's mobile, you know, we're going to the sound of gunshots and a fire. Like you know,
11 that's basically, you know, the direction that we went first; right?

12 **MR. ROGER BURRILL:** Yeah, okay. And at that stage, did you
13 have any idea where the perpetrator was?

14 **CST STUART BESELT:** No.

15 **CST AARON PATTON:** No.

16 **MR. ROGER BURRILL:** Okay. You did, though, however, have
17 some understanding that the original complaint had come from 123 Orchard Beach
18 Drive; is that correct?

19 **CST STUART BESELT:** That's right.

20 **MR. ROGER BURRILL:** Yeah, okay.

21 **MR. ROGER BURRILL:** Yeah, okay. So I want to get a sense of
22 what decision-making process you're undertaking as you're going south on Portapique
23 Beach Road and you come to that point where there's an intersection for Orchard
24 Beach Drive ---

25 **CST STUART BESELT:** Yeah.

26 **MR. ROGER BURRILL:** --- and to go straight down Portapique
27 Beach Road.

28 **CST STUART BESELT:** Well ---

1 **MR. ROGER BURRILL:** I need to know what was going on.

2 **CST STUART BESELT:** --- like you're -- obviously, we were going
3 to that call, but you know, there's so many things that can happen. You know, had we
4 seen a vehicle leaving the scene that looked like it, you know, we would've broke off
5 and gone after that vehicle; right?

6 **MR. ROGER BURRILL:** Right.

7 **CST STUART BESELT:** Like ---

8 **MR. ROGER BURRILL:** Right.

9 **CST STUART BESELT:** --- you know -- and especially in an active
10 shooter situation, your main goal is not people that have been shot at that moment in
11 time, your main goal is to prevent further people from being shot, and the only way you
12 can do that is engage your target.

13 So you know, at that point in time, the first three members are
14 target-specific, we're going after the threat.

15 **CST AARON PATTON:** And we had a fire, which turned out to be
16 the Quonset hut, to the southeast, and we had gunfire coming from that fire, that same
17 direction, and that was our point, that was where we were trying to get to.

18 **MR. ROGER BURRILL:** Okay.

19 **CST STUART BESELT:** Well, yeah, once cut through the woods.

20 **MR. ROGER BURRILL:** Right. But as you're travelling south on
21 Portapique Beach Road, my question to you was why is it you didn't go east on Orchard
22 Beach Drive?

23 **CST STUART BESELT:** Well, the -- initially, the fire ahead of us
24 and just the unknown; right? Like you -- you don't really know, it's a big wooded area,
25 right, and you -- all you can hear is shots; right?

26 **MR. ROGER BURRILL:** Okay.

27 **CST STUART BESELT:** So ---

28 **MR. ROGER BURRILL:** In terms of the unknown, it's a good point

1 in terms of the unknown, how are you getting information to eliminate that unknown
2 factor, i.e. get as much information as you can about the geography as possible?

3 **CST AARON PATTON:** I had my phone out. I mean, obviously on
4 the way to the call ---

5 **MR. ROGER BURRILL:** Yeah.

6 **CST AARON PATTON:** --- we could see where we were going to -
7 --

8 **MR. ROGER BURRILL:** Yeah.

9 **CST AARON PATTON:** --- but there was a lot of other information
10 we were digesting at the same time.

11 **MR. ROGER BURRILL:** Right.

12 **CST AARON PATTON:** So I can speak for myself. I don't think I
13 looked at that map and ingrained on my ---

14 **MR. ROGER BURRILL:** You don't -- you looked at what map?

15 **CST AARON PATTON:** Or, sorry, I looked at the map on the
16 computer, but I don't think I ingrained it in my brain, whereas I got out ---

17 **MR. ROGER BURRILL:** Yeah.

18 **CST AARON PATTON:** --- and knew exactly what the layout was
19 right away.

20 **MR. ROGER BURRILL:** Okay.

21 **CST STUART BESELT:** 100-percent, same here. You know, like,
22 A, you're driving, you know, upwards of 150-60 kilometres an hour, you know, so you
23 can't study a map at the same time, you can't do two things at once; right?

24 **MR. ROGER BURRILL:** Yeah.

25 **CST STUART BESELT:** So you're trying to get there safe, you're
26 trying to have a look at this, you're trying to get as much information as you can, ask
27 questions that might help, and -- you know. So when you get there, you know, and then
28 you realise, "Oh, wait, now, it's an active shooter", or what would appear to be an active

1 shooter, now it kind of changes everything again; right? So ---

2 **MR. ROGER BURRILL:** Yeah.

3 **CST AARON PATTON:** There was a few times throughout the
4 night, throughout the totality of the night where we would get into the -- like into a
5 wooded area and get around a phone and try to figure out where we are.

6 **MR. ROGER BURRILL:** Yeah.

7 **CST AARON PATTON:** We would give out civic addresses to
8 OCC ---

9 **MR. ROGER BURRILL:** Yeah.

10 **CST AARON PATTON:** --- and say like, "We're beside civic",
11 whatever number, and they would be able to use that to say, "Okay, I think you're
12 Portapique Beach Road" or, "No, I think you're on Orchard Beach Drive."

13 **CST STUART BESELT:** Yeah. Like we're cutting in and out of the
14 trees; right?

15 **CST AARON PATTON:** Yeah.

16 **CST STUART BESELT:** So having a limited knowledge of the
17 area, and just even in my mind today, I have to kind of try and remind myself which way
18 the houses were. Like ---

19 **MR. ROGER BURRILL:** Yeah.

20 **CST STUART BESELT:** --- you know, because you're cutting
21 through the trees and all of a sudden you come out on a road that's surrounded by
22 trees, and now you've got to try and decide which way to go and where to go, and
23 you're trying to follow the sounds of the gunshots, at the beginning when there was a lot
24 of gunshots, but once those subsided a little bit, you're still kind of -- you know, it's like
25 you've been put in a dryer and then you've got to figure out where you are.

26 **MR. ROGER BURRILL:** Yeah. I'm trying to get a sense, though,
27 from you three about navigational tools you're using because we're going to talk a little
28 bit more later about the conditions you experienced. But can you give me some sense

1 of the technological that you're using to get from Point A to Point B to Point C? Are you
2 able to say anything about that?

3 **CST STUART BESELT:** It would just basically be our cell phones.

4 **CST AARON PATTON:** Google Maps.

5 **CST STUART BESELT:** Google Maps, yeah.

6 **MR. ROGER BURRILL:** Google Maps on your cell phones?

7 **CST STUART BESELT:** Yeah.

8 **MR. ROGER BURRILL:** Are these work-issued cell phones or are
9 these personal cell phones?

10 **CST AARON PATTON:** It was ---

11 **CST STUART BESELT:** I find it easier on my personal cell phone.

12 **MR. ROGER BURRILL:** Sorry?

13 **CST STUART BESELT:** It's easier on my personal cell phone.

14 **MR. ROGER BURRILL:** Why is that, Constable Beselt?

15 **CST STUART BESELT:** It's an Apple. My work phone is a
16 Samsung. I'm just more used to an Apple.

17 **MR. ROGER BURRILL:** Oh, okay. So how about you,
18 Constable Patton?

19 **CST AARON PATTON:** I was using a personal phone.

20 **MR. ROGER BURRILL:** Yeah. Any comment,
21 Constable Merchant?

22 **CST ADAM MERCHANT:** I didn't use my phone. I just mostly
23 keep watch when they would look at ---

24 **MR. ROGER BURRILL:** Okay.

25 **CST ADAM MERCHANT:** --- geography stuff.

26 **MR. ROGER BURRILL:** All right. Any concern or difficulty with the
27 navigational tool you were using at that time?

28 **CST STUART BESELT:** Got us to where we needed to be ---

1 **CST AARON PATTON:** Yeah, it was ---

2 **MR. ROGER BURRILL:** Okay.

3 **CST STUART BESELT:** --- you know.

4 **CST AARON PATTON:** --- it worked.

5 **MR. ROGER BURRILL:** Okay, very good.

6 Paragraph 68, if we could, please, on page 48, Madam Registrar:

7 "Csts Beselt and Merchant proceeded first into
8 Portapique, heading south down Portapique Beach
9 Road. Portapique Beach Road was dark and unlit."

10 Now, all you can do is write those words to say it's dark and unlit,
11 and people have an impression. I'm going to ask you, is that a proper impression for
12 what you experienced at Portapique Beach Road, or do you have any additional
13 comments with respect to that?

14 **CST STUART BESELT:** Well, it was the woods, it was dark, and
15 you might have an occasional house light from one of the houses you pass, but other
16 than the light of the fires from the structure fires ---

17 **MR. ROGER BURRILL:** Yeah.

18 **CST STUART BESELT:** --- that's -- like there's no streetlights
19 there.

20 **MR. ROGER BURRILL:** Yeah. No.

21 Constable Merchant, any comment ---

22 **CST ADAM MERCHANT:** No, it was ---

23 **MR. ROGER BURRILL:** --- on the conditions?

24 **CST ADAM MERCHANT:** It was really dark. I remember when
25 were going along and I heard footsteps coming up behind me, I didn't realise Patton
26 was coming, I drew up and I just saw him kind of emerge out of the darkness. It was
27 dark enough that you couldn't see any distance.

28 **MR. ROGER BURRILL:** Okay. And did that inhibit your manner of

1 movement or your actions at all?

2 **CST STUART BESELT:** Well, you also have to imagine -- like our
3 carbines have flashlights on them ---

4 **MR. ROGER BURRILL:** Yeah.

5 **CST STUART BESELT:** --- but every time you use your flashlight
6 you give up your position. So any use of light gives up your position; right? So you're
7 trying to limit that usage as much as possible.

8 **MR. ROGER BURRILL:** Okay. In terms of those conditions that
9 you've described, when the three of you were together you undertook an IARD
10 formation. Is that fair to say?

11 **CST STUART BESELT:** That's right.

12 **MR. ROGER BURRILL:** I want to be clear what that actually is,
13 gentlemen. Can you tell me what that is physically, an IARD formation?

14 **CST AARON PATTON:** Yeah. So an IARD formation, ideally you
15 have four members in it, but the training is you deploy as many members as available --
16 -

17 **MR. ROGER BURRILL:** Yeah.

18 **CST AARON PATTON:** --- as limited as two, to three, or four.

19 **CST STUART BESELT:** One. Like you go ---

20 **CST AARON PATTON:** Yeah.

21 **CST STUART BESELT:** --- by yourself; right?

22 **CST AARON PATTON:** And so in our case we had three ---

23 **MR. ROGER BURRILL:** Yeah.

24 **CST AARON PATTON:** --- and the formation is always -- so if you
25 have four, it will be three members in front travelling forward ---

26 **MR. ROGER BURRILL:** Yeah.

27 **CST AARON PATTON:** --- and one member in the rear, facing
28 backwards, walking backwards, or running backwards ---

1 **MR. ROGER BURRILL:** M'hm.

2 **CST AARON PATTON:** --- covering behind us.

3 **MR. ROGER BURRILL:** Right.

4 **CST AARON PATTON:** So in our -- our formation had myself and
5 Adam in the front ---

6 **MR. ROGER BURRILL:** Yeah.

7 **CST AARON PATTON:** --- and Stu was in the back, going
8 backwards.

9 **MR. ROGER BURRILL:** All right.

10 **CST ADAM MERCHANT:** And it would change up a bit ---

11 **MR. ROGER BURRILL:** Yeah.

12 **CST ADAM MERCHANT:** --- every now and then.

13 **CST AARON PATTON:** Yeah, sure. Yeah.

14 **MR. ROGER BURRILL:** Okay. In terms of the darkness and the
15 lack of lights, there was also auditory things going on that ---

16 **CST AARON PATTON:** Yeah.

17 **MR. ROGER BURRILL:** --- night. Can you describe for us what
18 those were, please?

19 **CST STUART BESELT:** Well, the shots or the explosions, the
20 radios going in your ear and, you know -- you know, you'd turn the radio down a little bit
21 because we weren't filtering the information back; right? It's not really their job, unless
22 something new or coming about to give me direction; right?

23 **MR. ROGER BURRILL:** Yeah.

24 **CST STUART BESELT:** Because I'm on the ground. I'm the one
25 that's deciding where we're going; right?

26 **MR. ROGER BURRILL:** Yeah, yeah.

27 **CST STUART BESELT:** You know, you're -- but you're trying to be
28 aware of your senses of, you know, situational awareness as well; right? You want to --

1 if you hear a branch crack, then you want to be able to identify, you know, what the
2 cause of that was; right? So ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST STUART BESELT:** --- you know, like, you're focussed on
5 your goal of finding and stopping the threat, and but you do have the radio going off,
6 and you do have the explosions and the -- or gunfire going off as well.

7 **MR. ROGER BURRILL:** Sounds to me like there's quite a few
8 sensory inputs at that stage. How are you ---

9 **CST STUART BESELT:** Certainly.

10 **MR. ROGER BURRILL:** --- able to manage them in this -- at this
11 point?

12 **CST AARON PATTON:** I think you just kept pushing yourself to
13 keep going.

14 **CST ADAM MERCHANT:** You do your best when you're dealing
15 with ---

16 **MR. ROGER BURRILL:** Okay.

17 **CST ADAM MERCHANT:** --- as it happens, yeah.

18 **MR. ROGER BURRILL:** Let me ask you a question more
19 specifically. Do you make any comment about fear?

20 **CST AARON PATTON:** I don't think we had a chance to be fearful.
21 Like, I mean ---

22 **CST ADAM MERCHANT:** Just keep pushing on.

23 **CST AARON PATTON:** --- there's so much adrenaline and there is
24 ---

25 **CST ADAM MERCHANT:** Yeah.

26 **CST AARON PATTON:** --- a clear objective to find the threat and
27 deal with the threat.

28 **MR. ROGER BURRILL:** Yeah.

1 **CST AARON PATTON:** And I don't think it's a sense of we're the
2 three bravest guys that there are because I don't think that's the case. We didn't have a
3 chance to be scared. We were ---

4 **CST ADAM MERCHANT:** You have a job to do.

5 **CST AARON PATTON:** Yeah, we have a job to do.

6 **CST ADAM MERCHANT:** I think it was more in the back of your
7 head just this is crazy.

8 **CST AARON PATTON:** Yeah. But at the end of the night, we had
9 a chance where we no longer had a direction, things were starting -- fires were dying
10 down, there was no real direction of where we needed to go, waiting for the next
11 direction of where to go, and I think that's the first opportunity three hours in where we
12 kind of said, "Holy, like, what -- this is" ---

13 **CST ADAM MERCHANT:** Like, crazy.

14 **CST AARON PATTON:** --- "this is crazy." Like ---

15 **CST ADAM MERCHANT:** Yeah.

16 **CST AARON PATTON:** --- you don't have a chance. You're just --
17 you're set on a goal ---

18 **MR. ROGER BURRILL:** Okay. No, I understand that. And once
19 again, can you tell me about what you were thinking in terms of the original call as
20 you're on Portapique Beach Road with respect to attending at 123 Orchard Beach
21 Drive?

22 **CST STUART BESELT:** Well, even when we talk to the kids, our
23 intent was to go there, but it's, like, we kind of got sidetracked by different things ---

24 **MR. ROGER BURRILL:** Okay.

25 **CST STUART BESELT:** --- throughout the night; right?

26 **MR. ROGER BURRILL:** Okay.

27 **CST STUART BESELT:** Like ---

28 **CST ADAM MERCHANT:** Because your focus is on the threat.

1 **CST STUART BESELT:** It's the threat; right?

2 **CST ADAM MERCHANT:** You're going to that. You kind of got to
3 block everything else out and focus on that.

4 **CST STUART BESELT:** We're -- yeah, we're chasing the sounds;
5 right ---

6 **CST ADAM MERCHANT:** Yeah.

7 **CST STUART BESELT:** --- basically, or later on, when some of
8 the calls came in of different things that -- you know, so then you're going there because
9 you -- we've got that direction; right?

10 **MR. ROGER BURRILL:** All right. So as you're heading down
11 Portapique Beach Road South and you unite at some point south of 200 Portapique
12 Beach Road, tell me about the sounds that you're hearing.

13 **CST STUART BESELT:** Well, you can hear it. Like, I mean, like --
14 -

15 **MR. ROGER BURRILL:** Yeah, what are they? What are they
16 though?

17 **CST STUART BESELT:** Well, explosions, gunfire ---

18 **CST AARON PATTON:** Everything.

19 **CST STUART BESELT:** --- and whatever. It's -- they sound very
20 similar; right?

21 **CST AARON PATTON:** The structures are collapsing all around
22 us. I mean, it's a war zone. There's the -- the smoke from all of these fires is very low
23 in the sky.

24 **CST STUART BESELT:** Yeah.

25 **CST AARON PATTON:** So you've got the glow of the fires
26 reflecting off the smoke. Some fires had been burning for some time and, like, anything
27 that's inside of those houses, gas, barbeques, vehicles ---

28 **MR. ROGER BURRILL:** Yeah.

1 **CST AARON PATTON:** --- and then the gun shots on tops of it,
2 and then us trying to decipher between explosions and gun shots and ---

3 **MR. ROGER BURRILL:** Okay.

4 **CST AARON PATTON:** It was mayhem, yeah.

5 **MR. ROGER BURRILL:** I'm going to ask you a question that
6 perhaps we'll repeat later. There are just three of you at that stage responding in an
7 IARD formation to these shots, and the noises, and what you've described subsequently
8 as crazy, did you feel that was enough of a complement to attend to what it -- you were
9 into, Constable Merchant?

10 **CST ADAM MERCHANT:** I understand that, at that point in time,
11 they were, you know, setting up containment, doing other things, so we had to be the
12 guys that had to do it. You know, there wasn't other people to go in and deal with it.
13 Which I'll just say I was misquoted twice in the last two days about that, so there was a
14 quote that you said that they attributed to me in the paper, so just putting that out there -
15 --

16 **MR. ROGER BURRILL:** So your concern about that misquote is
17 what? Sorry, to be clear?

18 **CST ADAM MERCHANT:** Well, it was something about how I'll be
19 frank, there was three people in there, it was a terrible time. But that was what you said
20 ---

21 **MR. ROGER BURRILL:** Yeah.

22 **CST ADAM MERCHANT:** --- but they attributed it to me in the
23 paper twice now so.

24 **MR. ROGER BURRILL:** I see.

25 **CST ADAM MERCHANT:** Just covering that off; right?

26 **MR. ROGER BURRILL:** Yeah, so in terms of resources ---

27 **CST ADAM MERCHANT:** I understand why there was just three of
28 us there at that point in time ---

1 **MR. ROGER BURRILL:** Yeah.

2 **CST ADAM MERCHANT:** --- for sure.

3 **MR. ROGER BURRILL:** My concern for you is ---

4 **CST STUART BESELT:** There's a number of considering factors
5 there.

6 **MR. ROGER BURRILL:** Yeah.

7 **CST STUART BESELT:** Andy spoke to it and I agree with it. You
8 know, like, with skulking around in the dark, you don't want to have a blue-on-blue
9 situation or officers shooting at each other, because, you know, it's hysteria in there;
10 right? So, you know, would other units be -- you know, if you had other units that could
11 go in and you could know where they are exactly, it would have been beneficial, but we
12 don't have that capability, or we didn't have that capability; right? So, you know -- and
13 plus, the units that are coming in after have a job to do as well; right?

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** Like, if everybody floods the area and
16 nobody's watching the outs, you know, it doesn't matter what call you're going to.
17 You're going to have your inner perimeter and your outer perimeter. Now, it just so
18 happens that we're in the hot zone. The units -- the first couple units that are flooding
19 the area next are setting out your outer perimeter -- or your inner perimeter, and then
20 your outer perimeter is after that; right? So, like, as more members becomes available,
21 you know, and typically, like, if it were a standoff situation, that inner perimeter is going
22 to be replaced by IARD; right? So then they'll fall back, you know. But, like, in an active
23 shooter, obviously, we're going in, those other members that are coming have jobs to do
24 as well; right?

25 **MR. ROGER BURRILL:** Right.

26 **CST STUART BESELT:** And they understood them. They -- you
27 know, they're trying to watch for anybody trying to escape.

28 **MR. ROGER BURRILL:** Yeah, but my question to you is other

1 members coming could also have responded by going in to Portapique Beach Road or
2 Orchard Beach Drive. Wouldn't that have helped the situation?

3 **CST STUART BESELT:** It's more guns to worry about.

4 **MR. ROGER BURRILL:** Ah.

5 **CST ADAM MERCHANT:** It'd have to be executed perfectly.

6 **CST STUART BESELT:** Yeah.

7 **CST ADAM MERCHANT:** Yeah.

8 **CST STUART BESELT:** Yeah, in the dark, in the middle of the
9 night where you don't know where everybody is ---

10 **MR. ROGER BURRILL:** M'hm.

11 **CST STUART BESELT:** --- it'd be concerning for us.

12 **MR. ROGER BURRILL:** Okay. You had said, at that stage, they
13 didn't have the capability, or we didn't have the capability. What ---

14 **CST STUART BESELT:** We still don't. Like, we still don't -- like, if
15 you're outside of your car -- your cars have GPS but there's nothing on the officer ---

16 **MR. ROGER BURRILL:** Okay.

17 **CST STUART BESELT:** --- to do GPS. And so when I gave my
18 initial interview, that was the first time I'd ever heard of radios having GPS capability.

19 **MR. ROGER BURRILL:** Okay.

20 **CST STUART BESELT:** Okay.

21 **MR. ROGER BURRILL:** So as you're going through the
22 community ---

23 **CST STUART BESELT:** Right.

24 **MR. ROGER BURRILL:** --- the three of you together as an IARD
25 team, what's your understanding of your ability to be traced by GPS?

26 **CST STUART BESELT:** We have no ability unless -- you know,
27 unless they can hook onto our cell phones or something like that ---

28 **MR. ROGER BURRILL:** Okay.

1 **CST STUART BESELT:** --- but that's ---

2 **MR. ROGER BURRILL:** What would your ability be to trace other
3 members that are moving through the community ---

4 **CST STUART BESELT:** None.

5 **MR. ROGER BURRILL:** --- at that time?

6 **CST STUART BESELT:** None.

7 **MR. ROGER BURRILL:** Okay. Is that a concern to you,
8 Constables?

9 **CST STUART BESELT:** A hundred percent.

10 **CST AARON PATTON:** Yeah.

11 **CST ADAM MERCHANT:** Yeah.

12 **CST STUART BESELT:** A hundred percent.

13 **MR. ROGER BURRILL:** And why again, just to wrap that up?

14 **CST STUART BESELT:** Well, you don't want to -- you know, you
15 don't want to shoot at another police officer or be shot at; right? Like ---

16 **MR. ROGER BURRILL:** Right. Okay.

17 **CST STUART BESELT:** --- you know.

18 **CST AARON PATTON:** In an IARD response, if there's multiple
19 teams, there would be the component of OCC having an eye on where we are ---

20 **MR. ROGER BURRILL:** Yeah.

21 **CST AARON PATTON:** --- and they can let you know. They could
22 say, "You guys are coming close to each other. You're going to meet up at this point,"
23 so that there's no surprises.

24 **MR. ROGER BURRILL:** Yeah.

25 **CST AARON PATTON:** I mean, because otherwise, you're trying
26 to communicate the best you can to another team ---

27 **MR. ROGER BURRILL:** Right.

28 **CST AARON PATTON:** --- but you might be confused yourself of

1 where you're at and describe it poorly.

2 **CST STUART BESELT:** That's -- and a lot of that stuff is in lit
3 buildings, or, you know, like, you're in the dark; right? Like, you don't -- we don't have
4 the capability of, you know, having the advantage of any light; right? So you're skulking
5 around in the dark and hoping that, you know, you can see him before he sees you.

6 **MR. ROGER BURRILL:** Then let me ask you point blank then, as
7 you're moving around Portapique Beach Road and in through those woods and out onto
8 Orchard Beach Drive, would you have preferred to have another team in there or not,
9 given what you've described?

10 **CST AARON PATTON:** It's a hard question.

11 **CST ADAM MERCHANT:** Yeah, it's ---

12 **CST STUART BESELT:** It's -- if I knew where they were ---

13 **MR. ROGER BURRILL:** Yeah.

14 **CST STUART BESELT:** --- I would love to have another team in
15 there.

16 **MR. ROGER BURRILL:** Yeah.

17 **CST STUART BESELT:** If I don't know where they are and I have
18 an opportunity that we're going to, you know, run into each other, then no.

19 **MR. ROGER BURRILL:** Yeah, understood.

20 **CST ADAM MERCHANT:** I don't have -- and without having a plan
21 for it, I think it could have been a real mess.

22 **CST STUART BESELT:** Yeah.

23 **CST ADAM MERCHANT:** Like, maybe if they put one team here
24 and one team here, and if something came up, send that team out, or send that team
25 out, but having two teams running around in there, I think it could have been disastrous.

26 **CST STUART BESELT:** Yeah.

27 **MR. ROGER BURRILL:** Okay. Paragraph 73, Madam Registrar, I
28 just want to make a quick reference to. That's on page 50 and 51.

1 So at,
2 "10:40:47 [...], Cst. Beselt broadcast to [...] Patton
3 that he and [...] Merchant were "just around [the]
4 corner, on foot." [...] Beselt broadcast: " ... first
5 burning house, there is a white Taurus in the driveway
6 there, but we heard shots coming from further down
7 the road so we're continuing on." "

8 Do you have a recollection of this point in the evening?

9 **CST STUART BESELT:** Yeah.

10 **MR. ROGER BURRILL:** Yeah?

11 Sorry?

12 **CST STUART BESELT:** I'll never forget it.

13 **MR. ROGER BURRILL:** Yeah, of course.

14 The white Taurus, what was the significance of transmitting that?

15 **CST STUART BESELT:** Well, we didn't know if that was possibly
16 the car or what, you know. Like you're just -- once again, you're just open to all
17 possibilities, right.

18 **MR. ROGER BURRILL:** Yeah. Okay.

19 Those shots are coming from what direction? Are you able to say,
20 gentlemen?

21 **CST AARON PATTON:** Southeast.

22 **MR. ROGER BURRILL:** Okay. And you then decided to go
23 through the woods. Now, that's an interesting decision, to me.

24 Why is it that you went through the woods and how did you manage
25 that given the darkness that we're talking about?

26 **CST AARON PATTON:** It was the most direct route. At first, it
27 was just -- and it's thick -- I guess it's hard to describe. It's thick woods there. And at
28 first, we just broke into the woods ---

1 **CST STUART BESELT:** Well, we could see the smoke ---

2 **CST AARON PATTON:** Yeah, we ---

3 **CST STUART BESELT:** --- over the trees from the -- what was the

4 ---

5 **CST AARON PATTON:** Quonset hut.

6 **CST STUART BESELT:** --- Quonset hut, right.

7 **MR. ROGER BURRILL:** Okay.

8 **CST AARON PATTON:** And that was our most direct route to
9 where we believed that the threat was.

10 So we started off in just woods, like climbing over fallen trees and
11 trying to break our way through -- through the woods.

12 **MR. ROGER BURRILL:** Yeah.

13 **CST AARON PATTON:** Luckily, eventually -- like within a few
14 moments of getting into the woods, we came upon like a ---

15 **CST STUART BESELT:** Cut trail.

16 **CST AARON PATTON:** --- like a cut trail that we were able to use,
17 and it -- it led directly to the ---

18 **CST STUART BESELT:** The back of the Quonset hut.

19 **CST AARON PATTON:** --- the back of the Quonset hut.

20 **MR. ROGER BURRILL:** Okay. So what I'm going to do now is
21 play for you an audio clip from page 52.

22 (AUDIO PLAYBACK)

23 **MR. ROGER BURRILL:** Now, this is a situation whereby the words
24 get put down on the page, but when you listen to the audio, you hear a tone of voice.

25 I want to ask you about what the tone of voice is that you hear there
26 and can you give us an impression of what you're thinking about and experiencing at
27 the time?

28 **CST STUART BESELT:** Well, we couldn't get anywhere close to

1 that -- that structure fire. Like it was -- it was so hot. And right -- there was some very
2 heavy explosions coming out of there.

3 Like I know we wanted to stay as far away from that possible with
4 just having the explosions. Like you don't know what's in there, right, so ---

5 **MR. ROGER BURRILL:** Yeah.

6 **CST STUART BESELT:** But you're just -- you're -- it's almost
7 disbelief. Like Adam said, it's like a war zone in there. Like you've never seen anything
8 like it, so.

9 **MR. ROGER BURRILL:** Okay. Constable Merchant, any
10 comment with respect to the tonality of the voices and what you were thinking,
11 experiencing at the time?

12 **CST ADAM MERCHANT:** Well, I don't know. I just remember
13 coming -- we came from the woods and it was just dark and then you come out to that
14 and it's just white, hot, huge fire and it -- yeah, it was crazy. And just explosions and
15 gunshots, so yeah, I'm sure there was some anxiety or, you know, but -- yeah.

16 **MR. ROGER BURRILL:** Constable Patton, anything to say?

17 **CST AARON PATTON:** Yeah, I echo the same things. I mean,
18 like the fires were all infernos. They were large houses burning just like daylight near
19 the houses, but we had -- like we mentioned the vehicle, the Taurus.

20 **MR. ROGER BURRILL:** Yeah.

21 **CST AARON PATTON:** We came upon this vehicle backed into
22 the driveway of the first house. It had reflective tape around the perimeter of it like our
23 cars. It seemed like it could be a vehicle that looked like a police car, so it was difficult,
24 too, to determine -- because we had activity happening south of us ---

25 **MR. ROGER BURRILL:** Yeah.

26 **CST AARON PATTON:** --- with gunfire, but we're also trying to
27 determine is the threat here. Like there's a lot of things actively happening throughout
28 the whole -- whole time that ---

1 **MR. ROGER BURRILL:** Yeah. Given the conditions that you were
2 experiencing at that time, I'm interested in how you felt that you might be able to
3 capably confront an active shooter. We've got conditions of darkness. We've got
4 conditions of a white-hot or red-hot fire at that point, lots of smoke.

5 How did you feel you were able to capably deal with or confront an
6 active shooter?

7 **CST ADAM MERCHANT:** Your job. It's -- like you know, you --
8 that's what you got to do ---

9 **MR. ROGER BURRILL:** Yeah.

10 **CST ADAM MERCHANT:** --- so ---

11 **CST AARON PATTON:** We're at a clear disadvantage, for sure.

12 **CST ADAM MERCHANT:** Yeah.

13 **MR. ROGER BURRILL:** Yeah. Tell me about that. What's the
14 disadvantage that you were feeling at that point?

15 **CST AARON PATTON:** I mean, like geographically, we're not
16 super familiar with the area.

17 **MR. ROGER BURRILL:** Yeah.

18 **CST AARON PATTON:** We're coming through these areas that
19 are essentially daylight, but as soon as you get past the radius of the -- of the glow ---

20 **MR. ROGER BURRILL:** Yeah.

21 **CST AARON PATTON:** --- you're back into complete darkness, so
22 there could be someone 50 metres down the road from you that you have no idea that
23 they're standing in the middle of the road. Meanwhile, they watch the three of us walk
24 through the fire area and -- and they could be -- they could have a massive advantage
25 on us at that point.

26 **CST STUART BESELT:** Well, plus, to him everyone's a target.
27 You know, we have one target and we're target specific, right, so he can shoot whoever
28 he wants, right, like, or -- and did.

1 **CST AARON PATTON:** Yeah.

2 **CST STUART BESELT:** You know, we -- we are trying to focus on
3 the one target and identify that target before we shoot, right.

4 **MR. ROGER BURRILL:** Okay. Comment in the -- in the brief clip
5 there is from Sergeant O'Brien, "If there's no reason to think there's anybody else at risk
6 in there, do not approach". Beselt's response, "I don't know, Andy. Things are blowing
7 up or they're shooting. I'm not sure".

8 Do you remember that exchange with the Sergeant?

9 **CST STUART BESELT:** Yeah.

10 **MR. ROGER BURRILL:** What were you thinking? What were you
11 experiencing at that time, Constable?

12 **CST STUART BESELT:** I'm just -- I guess I'm just trying to explain
13 things to him, right.

14 **MR. ROGER BURRILL:** I detected a tone of frustration, perhaps.
15 Would ---

16 **CST STUART BESELT:** Well ---

17 **MR. ROGER BURRILL:** --- that be an accurate description ---

18 **CST STUART BESELT:** Yeah.

19 **MR. ROGER BURRILL:** --- of what you were feeling?

20 **CST STUART BESELT:** Sure. Yeah.

21 **MR. ROGER BURRILL:** Why is that?

22 **CST STUART BESELT:** Well, it's just, you know, we're -- we know
23 what we're doing, what we're trying to do.

24 **MR. ROGER BURRILL:** Yeah.

25 **CST STUART BESELT:** And so -- I don't know. It just -- you just
26 try -- you're focused on a goal. It -- you know, it -- I didn't need the direction at the time.

27 **MR. ROGER BURRILL:** Okay. How about you, Constable
28 Merchant? Any frustration in that regard?

1 **CST ADAM MERCHANT:** No, I -- I get what he's saying. There
2 were some times where, you know, they were giving us direction on stuff we clearly
3 knew, but they're also, you know, worried about us, so I don't think it's ---

4 **MR. ROGER BURRILL:** Okay.

5 **CST STUART BESELT:** Yeah.

6 **MR. ROGER BURRILL:** Constable Patton, any remarks in that
7 regard?

8 **CST AARON PATTON:** Yeah, I -- same as what they've said.

9 **MR. ROGER BURRILL:** With respect to intervention from
10 command at that point, were you expecting any guidance or instruction while you were
11 conducting your IARD process?

12 **CST STUART BESELT:** No. Basically, as I was going through this
13 whole experience, I was radioing back to command ---

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** --- to paint the picture for them, you know.
16 Like this house is on fire, this is the plate number of the car, people are coming out.
17 This is -- you know, like -- so that they can go on their -- whatever they're doing, if
18 they're looking at a map and make, okay, these people came out, we contacted them,
19 dah, dah, dah, dah.

20 And you're -- you're making a log, basically, on the radio as ---

21 **MR. ROGER BURRILL:** Yeah.

22 **CST STUART BESELT:** Because all that's going to be recorded
23 and so they can go back and identify exactly what you're doing, when you're doing it,
24 you know, for something like this, right.

25 **MR. ROGER BURRILL:** Okay.

26 **CST STUART BESELT:** So it's painting a picture for people to
27 follow up with after the fact.

28 **MR. ROGER BURRILL:** Right. So with respect to getting

1 expectations of guidance or instruction while you were conducting an IARD modality at
2 that time, were you expecting anything at all?

3 **CST STUART BESELT:** No.

4 **MR. ROGER BURRILL:** Okay. Very good.

5 Let's move to page 54, paragraph 78. And I'm going to read for
6 you the quotation from 10:48:41 from Constable Colford.

7 Constable Colford transmitted at 10:48:41:

8 "Mill Brook [sic], if you guys want to have a look at the
9 map we're being told there's a road, kind of a road
10 that someone could come out, before here. Ah, if they
11 know the roads well."

12 Did you hear that transmission?

13 **CST STUART BESELT:** I don't remember it, personally, no.

14 **MR. ROGER BURRILL:** Constable Patton?

15 **CST AARON PATTON:** Yeah, I -- I'll be honest. When I read that
16 in the Foundational Documents, I was surprised.

17 **MR. ROGER BURRILL:** Okay.

18 **CST AARON PATTON:** I don't remember.

19 **MR. ROGER BURRILL:** Constable Merchant?

20 **CST ADAM MERCHANT:** I don't remember hearing it, but I think
21 the thing is that we're focused on what we're doing and we're kind of leaving the
22 containment aspect up to other ---

23 **CST AARON PATTON:** Yeah.

24 **CST ADAM MERCHANT:** --- people.

25 **CST STUART BESELT:** That's that second wave. Like that's
26 more for the second wave. That's not really for us because as far as we were
27 concerned, this was active, right.

28 **MR. ROGER BURRILL:** Right.

1 **CST STUART BESELT:** You could hear things going popping off
2 and -- and buildings that weren't on fire the first time you saw them were now on fire.
3 You know, like as far as the whole night, it's -- you know, we considered that he was still
4 there.

5 **MR. ROGER BURRILL:** Right.

6 **CST AARON PATTON:** And when we're in there, I really didn't
7 have any perspective of how many members were out on the road at that time because
8 there's lots of people talking, there's lots of people trying to arrange the containment ---

9 **MR. ROGER BURRILL:** Right.

10 **CST AARON PATTON:** --- but we were also trying to deal with
11 what we were dealing with in real time, and so ---

12 **MR. ROGER BURRILL:** Would it have made any difference to you
13 three in terms of your operation to know that there was an alternate way out of
14 Portapique at that point?

15 **CST STUART BESELT:** No, because -- like it's good information
16 to have for that second wave coming in so that they can try and plug the holes, if you
17 will.

18 **MR. ROGER BURRILL:** Yeah.

19 **CST STUART BESELT:** But for us, we're in it. Like we're -- we've
20 got a job to do and we were doing it.

21 **MR. ROGER BURRILL:** Okay. Constable Merchant, anything
22 further?

23 **CST ADAM MERCHANT:** No.

24 **MR. ROGER BURRILL:** No? All right.

25 Good. Page 56, paragraph 83, the Foundational Document
26 describes how you make your way through the cut trail to the address at 136, what
27 we've described as the Quonset or the warehouse, and then attend at Orchard Beach
28 Drive. And there's a communication over the radio at 10:49, "355, looks like we have

1 one deceased here.” That’s from Cst. Beselt.

2 Does this discovery make any difference to you in terms of your
3 methodology of conducting your operation?

4 **CST STUART BESELT:** No, it just confirms that that’s what we’re
5 looking at, right?

6 **MR. ROGER BURRILL:** Okay. Did you have any expectation that
7 you were going to find a deceased at that location?

8 **CST AARON PATTON:** No.

9 **CST STUART BESELT:** No.

10 **MR. ROGER BURRILL:** No. And your reaction, your experience,
11 your feelings at that stage were what?

12 **CST STUART BESELT:** Well, it’s just confirmation that we were
13 dealing with an active shooter.

14 **MR. ROGER BURRILL:** Okay. Did you have any sense of who
15 this person was and how that may have impacted upon what was going on at
16 Portapique?

17 **CST AARON PATTON:** We had no idea. We quickly checked to
18 make sure it wasn’t self-inflicted, that there was no chance that this was our threat.

19 **MR. ROGER BURRILL:** Yeah.

20 **CST AARON PATTON:** And we continued on.

21 **MR. ROGER BURRILL:** Okay. Now, at that stage, I want you to
22 tell me, if you can, about your knowledge of the children at 135 Orchard Beach Drive.
23 Did you have a sense, any of you, what was going on at that location in the red A-frame
24 house?

25 **CST STUART BESELT:** No.

26 **CST ADAM MERCHANT:** I think we just ended up there after
27 finding Mr. Ellison. And I believe there was some contact with Dispatch, mentioning the
28 kids there and that it was 135. And then we were like, “Oh, well, we’re right here, right

1 now.”

2 And I think that Dispatch might have said that there was banging on
3 the door and they asked if it was us banging on the door.

4 **MR. ROGER BURRILL:** Okay, okay. What I’ll do then is go to
5 page 58, paragraph 85. And we’ll play this portion here.

6 **(AUDIO PLAYBACK)**

7 **MR. ROGER BURRILL:** No, Cst. Beselt has just indicated in
8 response to a complaint about the kids, or kids -- that you weren’t involved in that over
9 there. And I’m trying to determine exactly what knowledge you had about the kids.

10 **CST STUART BESELT:** Yeah. I don’t remember why we
11 specifically went to that house. I think the kids heard a lot of the explosions from the --
12 you know, like even later on in the night they thought somebody was in the house with
13 them.

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** The concussion from the explosions, like,
16 you know, the one time we were -- like, as we were approaching the back of the
17 warehouse, it was -- we were probably still 150 feet away and, like, you could feel the
18 vibration from that explosion, right?

19 So I think the kids were right across the street from it and that’s -- it
20 probably would have shook the house. Like, it -- you know.

21 **MR. ROGER BURRILL:** Yeah.

22 **CST STUART BESELT:** So that’s what they were hearing at that
23 point in time.

24 **MR. ROGER BURRILL:** Cst. Merchant, Cst. Patton, did you have
25 any knowledge of the kids at that point?

26 **CST AARON PATTON:** Well, we were learning from Dispatch, and
27 we were using our phones as a map.

28 **MR. ROGER BURRILL:** Yeah.

1 **CST AARON PATTON:** We would have had 135, and I think it's
2 just shortly after finding Mr. Ellison that we realized through maps that the house is
3 here, and we'll go there directly.

4 **MR. ROGER BURRILL:** Had you realized or had a sense that
5 there were children involved at 135 Orchard Beach Drive, would that have had an
6 impact on the way in which you conducted your IARD operation there?

7 **CST STUART BESELT:** No.

8 **CST AARON PATTON:** No, not at all. IARD operation ---

9 **CST STUART BESELT:** I just remember knocking on the door and
10 being surprised that there was four children there, you know?

11 **MR. ROGER BURRILL:** Okay.

12 Cst. Merchant, any response to that question?

13 **CST ADAM MERCHANT:** Whether it would impact...?

14 **MR. ROGER BURRILL:** Yeah.

15 **CST ADAM MERCHANT:** No. We still had a job. Again, we had
16 to focus on that.

17 **MR. ROGER BURRILL:** Okay, very good.

18 Madam Registrar, page 59, paragraph 87, if you would, please?
19 I'm going to play a short clip here.

20 **(AUDIO PLAYBACK)**

21 **MR. ROGER BURRILL:** Now, there's a fundamental decision
22 made at this point with respect to what it is you decide to do; and that is, move on. Are
23 you able to provide us any insight into why that decision was made to move on, keeping
24 in mind the kids were at that house?

25 **CST STUART BESELT:** Well, it's a super-hard decision. Like, it
26 would have been easy to stay there and protect the kids. Right? But if you think people
27 are dying down the street and you could have prevented that, then -- you know, and
28 that's the basic principle of IARD is, you know, stop the threat, right? Like, it doesn't

1 matter if he kills the whole subdivision and you've kept the kids safe; like, he's gone on
2 doing what he was going to do.

3 So, you know, it's not an easy decision, obviously. Of course you
4 want to protect the kids, but, you know, you try and make them as safe as possible and
5 keep going, right? You just keep going towards the sound of what you think are
6 gunshots.

7 **CST AARON PATTON:** Yeah, I'll echo that, too.

8 I mean, it was the single hardest decision that we made that night
9 but if we take a step back and look at the IARD training, the fundamentals of IARD
10 wouldn't even have had us responding to the kids at all. I mean, we went to the kids'
11 house because it was a concern of ours, but there was nothing to indicate, really, that
12 the threat was at that house, necessarily. And we were still -- I mean, we didn't
13 necessarily have a direct place to go at that point, but we're focused on trying to find the
14 threat and deal with the threat.

15 But we -- it wasn't a very easy decision for us in the moment either,
16 to come up with the conclusion that we were going to leave the kids in the house, and
17 we worried nonstop after leaving the house that something was going to happen to
18 those kids. We were fearful that the threat may come to the house; the house may get
19 lit on fire. These were all major concerns of ours.

20 And yeah, we didn't want to leave the kids by themselves, but we
21 still had an objective to try to meet.

22 **MR. ROGER BURRILL:** Yeah. Cst. Merchant, do you have
23 anything to add to the comments of your colleagues, with respect to that decision to
24 leave the kids?

25 **CST ADAM MERCHANT:** No, nobody wanted to leave the kids.
26 You know, we're dads; you know what I mean? I've got a kid the same age; we didn't
27 want to leave them.

28 **MR. ROGER BURRILL:** In terms of efforts to protect the kids,

1 keeping in mind you've made the decision to leave and go towards the threat, what was
2 done for those kids?

3 **CST STUART BESELT:** Well, at that point in time we just -- we
4 told them to hide in the basement and, you know, not answer the door or anything like
5 that.

6 **MR. ROGER BURRILL:** Right.

7 **CST STUART BESELT:** You know.

8 **MR. ROGER BURRILL:** You'll recall from the clip, Cst. Beselt, that
9 you had indicated that:

10 "…two of the kids are from the neighbour's house;
11 [and] they said their parents are dead down the road."

12 **CST STUART BESELT:** Right.

13 **MR. ROGER BURRILL:** That's what we just heard? Did that have
14 any bearing on where your next actions or your next movements would be, keeping in
15 mind you had this knowledge now from the kids?

16 **CST STUART BESELT:** Well, at one point in time, we did try to go
17 towards what we thought was that residence, you know, but immediately leaving after
18 there is when we first encountered Mr. Ellison.

19 **MR. ROGER BURRILL:** Okay.

20 **CST STUART BESELT:** Right?

21 **MR. ROGER BURRILL:** All right.

22 **CST STUART BESELT:** So...

23 **MR. ROGER BURRILL:** Well, let's move on to that, then.

24 Madam Registrar, page 59, 60, paragraphs 88 and 89.

25 I want to play for you what will involve the engagement of Mr.
26 Ellison.

27 **(AUDIO PLAYBACK)**

28 **MR. ROGER BURRILL:** Okay, gentlemen. Once again, I'm

1 noticing a tone of tension in that exchange. You would agree with me on that?

2 **CST STUART BESELT:** Yeah, we were getting ready to shoot
3 someone.

4 **MR. ROGER BURRILL:** Pardon me?

5 **CST STUART BESELT:** We were getting ready to shoot someone.

6 **MR. ROGER BURRILL:** What does that mean, Constable?

7 **CST STUART BESELT:** We were getting ready to shoot him.

8 **MR. ROGER BURRILL:** Yeah, and how did that have any bearing,
9 in terms of what you were thinking and doing at that stage?

10 **CST STUART BESELT:** Well, it's not a fun -- you know, of course
11 if you're thinking it's the threat, but that's why you're trying to rule out any other
12 possibilities.

13 **MR. ROGER BURRILL:** Right. So with respect to, "Is there
14 anybody else in here with us, identify yourself right now," what was that directed
15 towards?

16 **CST STUART BESELT:** You just want to make sure it's not
17 another police officer, right?

18 **MR. ROGER BURRILL:** Is this is a concern for what you had
19 expressed earlier about blue on blue?

20 **CST STUART BESELT:** Yes, of course.

21 **MR. ROGER BURRILL:** Or potential blue on blue?

22 **CST STUART BESELT:** Of course. Like, you know, we're target-
23 specific but, you know, like, we don't want to shoot somebody that, you know, isn't the
24 target, right, so...

25 **MR. ROGER BURRILL:** Yeah, okay. Paragraph 89 attributes a
26 quote to you in an interview with the RCMP investigators in which you say:

27 *And so anyways we prone out...we take*
28 *positions,...we're waiting for it to, 'cause it's still quite*

1 a ways in the distance. And ah, we're kind of just like,
2 you know kind of waiting,...like we feel this is probably
3 him, right, so, um, I come on the radio, I'm like is
4 there any other fucking members in the area, 'cause
5 you know we're about to light this guy up."

6 **CST STUART BESELT:** Right.

7 **MR. ROGER BURRILL:** Are you able to explain what that
8 expression means?

9 **CST STUART BESELT:** Just slang.

10 **MR. ROGER BURRILL:** Slang for what?

11 **CST STUART BESELT:** Shoot him, right?

12 We're in a prone position. So, like, shooting from a prone position
13 is basically laying down to make yourself as small a target as possible for fireback.
14 And, you know, like we can see him in the distance and all we can see -- like, I can't
15 even see anything about him other than it's just, like, a flashlight kind of bopping down
16 the road.

17 **MR. ROGER BURRILL:** Yeah.

18 **CST STUART BESELT:** So, you know, we're waiting for him kind
19 of to get within the capabilities of our own flashlights to identify him; right? And then,
20 you know, like my line in the sand at that point of time is if -- because I want to
21 challenge him; right? I want to say, "Please don't move;" right? And hopefully the
22 person gives up. But in, you know, a scenario, if he's going to run, my line in the sand if
23 he runs, I'm going to shoot; right? Because I want to stop this threat.

24 So as he approached, you know, you're trying to do everything you
25 can to identify if this is your suspect and go from there; right?

26 **MR. ROGER BURRILL:** Yeah.

27 **CST STUART BESELT:** So yeah, we're getting ready to shoot
28 him. Like, we think it's the suspect.

1 **MR. ROGER BURRILL:** How close did Clinton Ellison come to
2 being shot that night?

3 **CST STUART BESELT:** Probably 25 feet, 50 feet.

4 **MR. ROGER BURRILL:** How close psychologically though, from
5 your point of view, were you from ---

6 **CST STUART BESELT:** Yeah.

7 **MR. ROGER BURRILL:** --- making off that shot?

8 **CST STUART BESELT:** Well if we -- if he would have got to the
9 point where we had our flashlights been effective, if he would have ran, we would have
10 shot him.

11 **MR. ROGER BURRILL:** Okay. Any comments, Cst Merchant, Cst
12 Patton, with respect to that particular engagement with Mr. Ellison?

13 **CST AARON PATTON:** Yeah, I mean obviously we would have
14 assessed the situation as well. I mean, once the -- this person with the flashlight
15 coming down the road got into our view, ---

16 **CST STUART BESELT:** Yeah.

17 **CST AARON PATTON:** --- we would have taken other things into
18 consideration too, like was there a weapon in his hand? Was there -- like, I don't think
19 that Stuart is trying to say that we would have blindly just ---

20 **MR. ROGER BURRILL:** Yeah.

21 **CST AARON PATTON:** shot this person.

22 **MR. ROGER BURRILL:** Yeah.

23 **CST AARON PATTON:** We would -- there would have been a lot
24 of other ---

25 **CST STUART BESELT:** Yeah.

26 **CST AARON PATTON:** --- situational factors that came into play.
27 But we -- just based on the totality of all the different things that had been happening in
28 that moment, we felt that we were hot on the track of the suspect ---

1 **CST STUART BESELT:** Yeah.

2 **CST AARON PATTON:** --- and we felt that if someone was
3 wandering down the road -- because at this point it seems like someone has been going
4 from house to house and it seemed very plausible that this was our person coming up
5 the road to us.

6 **MR. ROGER BURRILL:** Yeah. When that person's light goes out
7 and disappears into the woods, what is it that you're thinking at that point?

8 **CST AARON PATTON:** They saw or heard us and ---

9 **MR. ROGER BURRILL:** They saw what?

10 **CST AARON PATTON:** They've seen us on the lawn.

11 **MR. ROGER BURRILL:** Yeah. Yeah.

12 **CST AARON PATTON:** Or they've heard us trying to transmit on
13 the radio.

14 **MR. ROGER BURRILL:** Yeah.

15 **CST AARON PATTON:** And they're getting away. Like, they're
16 trying to avoid us.

17 **MR. ROGER BURRILL:** What did you think about that person
18 being the active shooter?

19 **CST STUART BESELT:** Oh, we 100 percent thought that it was
20 the active shooter. I know that I changed my position, because Aaron was looking
21 down the road, so I changed my position to look to the back of the house, or that yard,
22 in case he was coming around to try and flank us.

23 **MR. ROGER BURRILL:** Yeah.

24 **CST STUART BESELT:** So, you know, like, you're just worried
25 about where he went and, you know, you know, ---

26 **CST AARON PATTON:** I think it shows how dark it was, really,
27 because as soon as the flashlight went out, ---

28 **MR. ROGER BURRILL:** Yeah.

1 **CST AARON PATTON:** The Quonset house -- the Quonset that
2 was burning directly beside us, across the street, ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST AARON PATTON:** --- it gave a glow for a decent perimeter
5 around this house.

6 **MR. ROGER BURRILL:** Yeah.

7 **CST AARON PATTON:** But as soon as the woods blocked that,
8 we couldn't see anything down the road to the south on ---

9 **MR. ROGER BURRILL:** Yeah.

10 **CST AARON PATTON:** --- Orchard Beach.

11 **MR. ROGER BURRILL:** Yeah.

12 **CST STUART BESELT:** We never saw him at all.

13 **CST AARON PATTON:** And when he was coming with the
14 flashlight, he must have been, I don't know, 100 yards away or less.

15 **CST STUART BESELT:** Yeah.

16 **CST AARON PATTON:** And the flashlight went out and there was
17 no silhouette, there was no person that we could see.

18 **MR. ROGER BURRILL:** Okay. And tell me then, given -- keeping
19 in mind the IARD principles to pursue the threat and your perception at this time that the
20 flashlight was the threat, or the person with the flashlight, did you pursue that threat at
21 that point?

22 **CST AARON PATTON:** Yeah, we did.

23 **MR. ROGER BURRILL:** All right. Tell us about that, please?

24 **CST AARON PATTON:** Well at first we remained on the ground
25 prone.

26 **MR. ROGER BURRILL:** Yeah.

27 **CST AARON PATTON:** And we were talking amongst ourselves,
28 trying to figure out what's going on, and "Do you see anything?"

1 **MR. ROGER BURRILL:** Yeah.

2 **CST AARON PATTON:** “Anything happening?” And then
3 eventually, we were all pretty well in a line along the ---

4 **MR. ROGER BURRILL:** The fence?

5 **CST AARON PATTON:** --- northern side of the McCully residence.

6 **MR. ROGER BURRILL:** Yeah.

7 **CST AARON PATTON:** Around -- there’s a tree there that we
8 were also using. And I turned -- so I was the furthest to the south of the three of us.

9 **MR. ROGER BURRILL:** Yeah.

10 **CST AARON PATTON:** And I told the other guys, “I’m going to
11 turn my flashlight on my gun and see if we can see something, but be ready.” Because
12 we didn’t know if this person was still there. So we turned the flashlight on and directly
13 in line with where the flashlight had turned out, maybe 20/30 feet ahead of us was Ms.
14 McCully’s body. So that’s the point where we located her. And it took us a few minutes
15 to -- maybe not a few minutes, but it took us a couple seconds to figure out, is this
16 related to the flashlight we just saw? I mean, we didn’t hear gunfire, but is it somebody
17 playing possum and ---

18 **CST STUART BESELT:** Yeah.

19 **CST AARON PATTON:** Like, we don’t know. Like, it’s ---

20 **CST STUART BESELT:** Every ---

21 **CST AARON PATTON:** --- chaos; right?

22 **CST STUART BESELT:** The times that we saw bodies, we
23 approached them cautiously, ---

24 **CST AARON PATTON:** Yeah.

25 **CST STUART BESELT:** --- because we didn’t know if it was the
26 suspect just ---

27 **CST AARON PATTON:** So we ---

28 **CST STUART BESELT:** --- playing possum; right?

1 **CST AARON PATTON:** Yeah. So we assessed -- determined that
2 it obviously wasn't and we pressed on down the road to the south to try to basically put
3 ourselves on the line to lure this guy out. And obviously we didn't make it all the way
4 down the road.

5 **CST STUART BESELT:** Well I stopped us. Like, chasing the
6 suspect into the woods ---

7 **MR. ROGER BURRILL:** Yeah.

8 **CST STUART BESELT:** --- with, you know, with no way of
9 knowing, all he'd have to do is turn around and wait for us. And, you know, it would be
10 suicide because he could completely ambush us. So.

11 **MR. ROGER BURRILL:** Okay. So that's what I'm wondering
12 about. That decision at that point to not go into the woods seems almost
13 counterintuitive or counter-responsive to the IARD principles ---

14 **CST STUART BESELT:** Yeah.

15 **MR. ROGER BURRILL:** --- that you've discussed earlier. Are you
16 able to explain that to me, gentlemen, in terms of why that decision was made to not go
17 into the woods?

18 **CST STUART BESELT:** It's just self-preservation really at that
19 point ---

20 **MR. ROGER BURRILL:** Okay.

21 **CST STUART BESELT:** --- in time.

22 **MR. ROGER BURRILL:** Okay.

23 **CST STUART BESELT:** We decided to go back to the house to
24 where the kids were and make sure, you know, whether or not we set up there for a
25 short time ---

26 **MR. ROGER BURRILL:** Yeah.

27 **CST STUART BESELT:** --- to just make sure he doesn't come
28 back to the kids.

1 **MR. ROGER BURRILL:** Yeah.

2 **CST AARON PATTON:** We did press down the road ---

3 **CST STUART BESELT:** A little bit.

4 **CST AARON PATTON:** --- further.

5 **CST STUART BESELT:** Yeah.

6 **CST AARON PATTON:** Yeah.

7 **CST STUART BESELT:** Yeah, we got about two steps into the

8 trees and I said, "No. This is suicide."

9 **CST AARON PATTON:** We ---

10 **MR. ROGER BURRILL:** Was that the decision of the shift

11 supervisor?

12 **CST STUART BESELT:** Oh, yeah.

13 **MR. ROGER BURRILL:** The team leader at that point?

14 **CST STUART BESELT:** One hundred (100) percent. I said, "This

15 is suicide.

16 **MR. ROGER BURRILL:** Right on. Now what about you, Merchant

17 and Patton? What did you think about that decision made by the team leader/shift

18 supervisor at that point?

19 **CST ADAM MERCHANT:** When the flashlight incident happened, I

20 was to the rear of them. And I don't know if there was a bush or something, so I totally

21 missed seeing the flashlight.

22 **MR. ROGER BURRILL:** Right.

23 **CST ADAM MERCHANT:** So we went prone and I don't think I

24 was as convinced that it could -- like, I thought it could be someone else walking around

25 too.

26 **MR. ROGER BURRILL:** Yeah.

27 **CST ADAM MERCHANT:** So I wasn't as convinced about

28 shooting in this su.

1 **MR. ROGER BURRILL:** Yeah.

2 **CST ADAM MERCHANT:** But also, he saw it. So, ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST ADAM MERCHANT:** --- you know what I mean? Like, ---

5 **MR. ROGER BURRILL:** Right.

6 **CST ADAM MERCHANT:** I think afterwards, he was -- you were
7 kind of worried afterwards, like, "Did I let him go?" Like, at the end of the night.

8 **MR. ROGER BURRILL:** Oh, yeah.

9 **CST STUART BESELT:** Yeah, so.

10 **MR. ROGER BURRILL:** And that's what I want ---

11 **CST STUART BESELT:** Yeah.

12 **MR. ROGER BURRILL:** --- to ask about, ---

13 **CST STUART BESELT:** Well that ate me up for two days after.

14 **MR. ROGER BURRILL:** Tell us about that, please, Constable?

15 **CST STUART BESELT:** Well it's just, you know, like, the regret or
16 the whatever. You know, knowing that you could have prevented the next day had you
17 taken the shot. And realizing now that it wasn't the suspect, obviously very thankful I
18 didn't shoot. You know, like -- but, you know, that was -- you know, the next day,
19 thinking that I could have prevented the Sunday, that ate me up a lot. I was pretty
20 distraught about that, until I found out that it was Mr. Ellison.

21 **MR. ROGER BURRILL:** Okay. And when did you find out it was
22 Mr. Ellison that you did not shoot?

23 **CST STUART BESELT:** We kind of had an informal debriefing on
24 the Monday, ---

25 **MR. ROGER BURRILL:** Okay.

26 **CST STUART BESELT:** --- where some of the guys involved got
27 together and I was talking to Dion Sutton, the dog man, ---

28 **MR. ROGER BURRILL:** Yeah.

1 **CST STUART BESELT:** --- and, you know, he's like, "No." And
2 then it kind of fell into place that that made sense and I realized there was nothing else I
3 could have done differently.

4 **MR. ROGER BURRILL:** You made the right decision?

5 **CST STUART BESELT:** One hundred (100) percent. Yeah.

6 **MR. ROGER BURRILL:** Yeah. Okay. Okay. Page 60, paragraph
7 91 is a description in the Foundational Document of at 10:59, the IARD members
8 located a second deceased. And I think you've just touched on that, Cst Patton, with
9 respect to the body of Ms. McCully that was discovered.

10 Did this discovery provide any further insight into your actions
11 upcoming at that point? Or was it the same as with respect to the first deceased you
12 discovered?

13 **CST STUART BESELT:** Same as the first.

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** Right.

16 **MR. ROGER BURRILL:** Okay. Given the fact that now you have
17 discovered a second body, did that have any impact on your thinking with respect to
18 resources or getting more people into Portapique? This is kind of a similar question I'd
19 asked you before, but I think it's important to have it contextualized to the time.

20 **CST STUART BESELT:** No. Because at that point in time, we
21 also felt like there was other bodies there as well because the other two children had
22 mentioned that their parents were dead next door.

23 **MR. ROGER BURRILL:** Yeah.

24 **CST STUART BESELT:** So we were trying to figure out basically
25 how many casualties we had ---

26 **MR. ROGER BURRILL:** Yeah.

27 **CST STUART BESELT:** --- and, you know, you know, keep going
28 forward; right?

1 **MR. ROGER BURRILL:** Okay. Page 62, paragraph 94 of the
2 Foundational Document describes in narrative form the IARD members return to 135
3 Orchard Beach Drive to the children after the Clinton Ellison incident. I don't have the
4 tape of that, or the clip of that, other than for me to say to you when you, went back to
5 the children at that point, was that an abandonment of IARD principles to keep going
6 towards the threats or can you ---

7 **CST STUART BESELT:** Well ---

8 **MR. ROGER BURRILL:** --- give us a better sense of why you went
9 there?

10 **CST STUART BESELT:** So you can basically go from active
11 shooter to non-active shooter, you know, throughout an incident; right?

12 **MR. ROGER BURRILL:** Yeah.

13 **CST STUART BESELT:** So active shooter is, press forward; you
14 know, non-active shooter is set up containment; right?

15 **MR. ROGER BURRILL:** Yeah.

16 **CST STUART BESELT:** So like I said, at that point in time, some
17 of the -- what we thought were gunshots were, we weren't hearing as much anymore,
18 and so we pulled back to, you know, try and protect the kids.

19 **MR. ROGER BURRILL:** Okay. At that point, did you have a
20 destination in mind when you pulled back to the kids? Was there another place that
21 possibly you should be attending?

22 **CST AARON PATTON:** Not at that point.

23 **CST STUART BESELT:** Not at that moment in time.

24 **MR. ROGER BURRILL:** All right. In terms of the gunshots and the
25 noise, you say that it attenuated or had been reduced a little bit at that point?

26 **CST STUART BESELT:** We weren't hearing them as frequently.

27 **MR. ROGER BURRILL:** Okay, all right. Then let me ask you this
28 question, specifically, then, were any thoughts made at that point to go to 123 Orchard

1 Beach Drive to deal with the Blair family?

2 **CST STUART BESELT:** After we talked to the kids the second
3 time ---

4 **MR. ROGER BURRILL:** Yeah.

5 **CST STUART BESELT:** --- that was our, I believe our intention
6 was to go ---

7 **MR. ROGER BURRILL:** Okay.

8 **CST STUART BESELT:** --- to go there ---

9 **MR. ROGER BURRILL:** All right.

10 **CST STUART BESELT:** --- and then that's when they called us
11 back because -- or they called back saying that they thought they had heard somebody
12 inside. So ---

13 **CST AARON PATTON:** And in that moment, the -- there was a -- I
14 don't know the civic, but there was a house further to the north on Orchard Beach that
15 was fully ablaze, and I believe all of us, but I can speak for myself, that we believed that
16 was the Blair house burning. Because they had said that it had been lit on fire, and we -
17 --

18 **CST STUART BESELT:** The Blair house is set back off the road
19 as well, and with tree cover, so you know, it wasn't on fire, the house at the time, right,
20 but we could see other houses on fire. So you know, we started down the road and
21 then, like I said, the kids called us back, so we returned.

22 **MR. ROGER BURRILL:** Right.

23 I've been longer than I thought I would be with you, Constables, but
24 I want to ask you this final question, perhaps before lunch, and that is with respect to
25 the southern portion of Portapique Beach, sorry, Portapique area, in particular,
26 Cobequid Court. We now know that there was murders at 41 and 46 Cobequid Court.
27 When you are conducting your operation in Portapique, did you have any knowledge of
28 anything going on at Cobequid Court?

1 **CST AARON PATTON:** None.

2 **CST STUART BESELT:** None.

3 **MR. ROGER BURRILL:** No.

4 **CST STUART BESELT:** No.

5 **MR. ROGER BURRILL:** When you were in Portapique at that time,
6 did you know where Cobequid Court was?

7 **CST STUART BESELT:** I had been there before.

8 **MR. ROGER BURRILL:** Did you know where Cobequid Court was
9 when you were there?

10 **CST STUART BESELT:** I didn't -- it wasn't something that came
11 across my mind. We were chasing the sound of gunfire ---

12 **MR. ROGER BURRILL:** Yeah.

13 **CST STUART BESELT:** --- or got sidetracked with things like the
14 kids or ---

15 **MR. ROGER BURRILL:** Okay.

16 **CST STUART BESELT:** --- that sort of stuff; right?

17 **MR. ROGER BURRILL:** When you were going south towards the
18 flashlight for that brief moment of time, did you ever consider continuing going south
19 towards the Cobequid Court area?

20 **CST AARON PATTON:** Well, not long after that was when we got
21 the call to -- at the end of Portapique Beach Road ---

22 **CST STUART BESELT:** Faris.

23 **CST AARON PATTON:** --- Faris Lane, that there was somebody
24 in the -- the information we had received was there was someone in the yard, the
25 neighbour's house had just been lit on fire, and I believe there was a vehicle pulling into
26 the caller's driveway.

27 **MR. ROGER BURRILL:** Yeah.

28 **CST AARON PATTON:** And that took our attention. That gave us

1 our new... Where Stu said like the ---

2 **CST STUART BESELT:** Goal.

3 **CST AARON PATTON:** --- you go from containment to IARD and
4 it's fluid ---

5 **MR. ROGER BURRILL:** Yeah.

6 **CST AARON PATTON:** --- that turned us back into IARD and it
7 gave us a direction to go, and that was where we headed next.

8 **MR. ROGER BURRILL:** Okay.

9 Commissioners, as I indicated, it's -- I think it's 12:30; I'm surprised
10 by that.

11 **COMMISSIONER MacDONALD:** Just wondering logistics,
12 Mr. Burrill, how much longer do you expect to be because it might be wiser to keep
13 going and then ---

14 **MR. ROGER BURRILL:** As you please. I ---

15 **COMMISSIONER MacDONALD:** --- using the break, you know, to
16 combine lunch with an opportunity for the caucus as well. But if that's not feasible, then
17 ---

18 **MR. ROGER BURRILL:** Yeah. No, I think I can -- if I may, I'd be
19 quite happy to proceed given the time constraints that we're aware of here. I might be
20 half an hour to an hour.

21 **COMMISSIONER MacDONALD:** Yeah. Yeah, why don't you
22 continue on, then, and see how far ---

23 **MR. ROGER BURRILL:** Thank you.

24 **COMMISSIONER MacDONALD:** --- you can get.

25 **MR. ROGER BURRILL:** All right. Gentlemen, we have -- I had
26 asked you pointed questions with respect to your attendance at the children's residence
27 and why you were there, and then I understand there was a call to the north, and you
28 responded to that call. Is that -- is that right?

1 **CST AARON PATTON:** To the south.

2 **MR. ROGER BURRILL:** Okay, to the south. Tell me about that,
3 Constable Patton?

4 **CST AARON PATTON:** Yeah. So there was a call, and I can't
5 recall who made the complaint, that their neighbour's house had been lit on fire, there
6 was a vehicle in the driveway, then I think maybe it was pulling out possibly.

7 **CST STUART BESELT:** Somebody was pounding on her door.

8 **CST AARON PATTON:** And somebody was pounding on her
9 door, that was the other piece.

10 **MR. ROGER BURRILL:** Okay.

11 **CST AARON PATTON:** And it seemed to fit the bill of what we'd
12 been chasing.

13 **MR. ROGER BURRILL:** All right. I want to turn to page 64,
14 paragraph 98. At 11:16, Merchant is saying:

15 "What's that shooting?"

16 "Stu – Adam, there's something happening to the
17 north of us right now."

18 "355 ah; members on Orchard Beach road, we've got
19 a female on the line [there]...she believes her house is
20 about to catch fire."

21 Is this of significance to you in terms of moving to the north? Do
22 you recall this, Constable Merchant?

23 **CST ADAM MERCHANT:** Yeah. I remember when we were
24 leaving the kids and then that call came up.

25 **MR. ROGER BURRILL:** Okay.

26 **CST ADAM MERCHANT:** So we started heading up that way, and
27 then just as we were getting up that's when dispatch said that the kids were saying that
28 the -- there was someone in the house.

1 **MR. ROGER BURRILL:** Okay. And what happened then?

2 **CST ADAM MERCHANT:** Then we booted it back as fast as we
3 could.

4 **MR. ROGER BURRILL:** Right. Okay.

5 **CST ADAM MERCHANT:** And then we got in there, searched the
6 place, and, like Stu said earlier, it was just the sound of the explosions still.

7 **MR. ROGER BURRILL:** Okay. I'm going to try to move on now to
8 paragraph 100. And I've skipped over -- just one moment, please. Paragraph 100, at
9 page 65, 11:16.

10 **[AUDIO PLAYBACK]**

11 **MR. ROGER BURRILL:** Emergency broadcast that we can make.
12 That was Constable Beselt indicating that. What did you mean by that, and what was
13 the context of that?

14 **CST STUART BESELT:** Just thinking out loud, really. Like we
15 never really put out emergency broadcasts for anything like this in the past, but I just
16 wondered if there was something we could put out.

17 **MR. ROGER BURRILL:** Would there be any part of your training
18 that would have been the impetus for you to make that request?

19 **CST STUART BESELT:** No.

20 **MR. ROGER BURRILL:** No?

21 **CST STUART BESELT:** Just thinking out loud.

22 **MR. ROGER BURRILL:** Okay. But you say thinking out loud. Did
23 you get a response at all through parties with respect to that?

24 **CST STUART BESELT:** Well, just Brian came back saying that
25 they were using the 9-1-1 map to ---

26 **MR. ROGER BURRILL:** Okay. What's the 9-1-1 map,
27 Constable Beselt?

28 **CST STUART BESELT:** Well, I -- my assumption is that -- well,

1 when we get 9-1-1 calls, they come up on a map with, you know, the different -- whose
2 phone it is and all that sort of stuff.

3 **MR. ROGER BURRILL:** Yeah.

4 **CST STUART BESELT:** So obviously, my perception of that was
5 that they're identifying houses from the map to notify as many of the occupants as
6 possible.

7 **MR. ROGER BURRILL:** When you -- it was indicated to you that
8 there was a 9-1-1 map being used, did that mean anything to you?

9 **CST STUART BESELT:** Well, I guess it meant that they were
10 taking care of it or looking after some aspect of that.

11 **MR. ROGER BURRILL:** Okay.

12 Constables Patton and Merchant? Anything at all about a -- an
13 emergency broadcast of some kind that could be undertaken? Did you have any
14 involvement with that?

15 **CST ADAM MERCHANT:** No, I thought it was a good idea. I didn't
16 know anything about a 9-1-1 map ---

17 **MR. ROGER BURRILL:** Okay.

18 **CST ADAM MERCHANT:** --- that's more of a dispatch thing.

19 **MR. ROGER BURRILL:** Right. Let me ask you more pointedly,
20 then, gentlemen, the Alert Ready System, did you have any knowledge of that with
21 respect to how it works, when it works, how it's requested, who requests it, and was it
22 part of your thinking at this time?

23 **CST AARON PATTON:** No.

24 **CST STUART BESELT:** Not really.

25 **CST ADAM MERCHANT:** That's way up the pay grade.

26 **CST STUART BESELT:** It had never really been used for anything
27 like this before, so I -- it was just a thought process.

28 **MR. ROGER BURRILL:** Okay. Okay.

1 **CST ADAM MERCHANT:** It's not a constable thing.

2 **MR. ROGER BURRILL:** Sorry?

3 **CST ADAM MERCHANT:** It's not a thing for constables.

4 **MR. ROGER BURRILL:** What does that mean, Constable?

5 **CST ADAM MERCHANT:** Well, it's way above us to make ---

6 **CST STUART BESELT:** That request.

7 **MR. ROGER BURRILL:** Emergency ---

8 **CST ADAM MERCHANT:** --- emergency alerts and stuff.

9 **CST STUART BESELT:** Yeah.

10 **MR. ROGER BURRILL:** Yeah, okay.

11 Page 66, the paragraph, 105. We are getting closer to the end.

12 **[AUDIO PLAYBACK]**

13 **MR. ROGER BURRILL:** Now, there's something within the
14 Foundational Document that perhaps is a little unclear. Is two structures on fire at that
15 time, Constable Beselt? You've indicated:

16 "...we've moved [north]...down from the red house,
17 [and] found two more structures on fire."

18 Do you have any insight into that when you were saying that what
19 you meant?

20 **CST STUART BESELT:** Well, we found houses on fire.

21 **MR. ROGER BURRILL:** Okay. Have any idea where they were
22 specifically?

23 **CST STUART BESELT:** I don't remember the specific ---

24 **CST AARON PATTON:** I think it was just one house, but I think
25 our perception from -- like, we're looking at a fire burning above the trees.

26 **MR. ROGER BURRILL:** Yeah.

27 **CST AARON PATTON:** And we can't see the structure specifically
28 but it -- it must have looked like two at the time and I think it turned out to be one.

1 **CST ADAM MERCHANT:** And there were grass fires too, so ---

2 **CST AARON PATTON:** Yeah, the grass fires in everybody's yard
3 were burning.

4 **MR. ROGER BURRILL:** Okay. And this has some bearing on the
5 conditions that you were making observations as well in terms of what it is you're seeing
6 and counting?

7 **CST AARON PATTON:** Yeah, it's a war zone ---

8 **CST ADAM MERCHANT:** Yeah.

9 **CST AARON PATTON:** --- right?

10 **MR. ROGER BURRILL:** Yeah. Okay. Okay.

11 Page 67, paragraph 108 talks about your attendance at 4 Faris
12 Lane, and this is something that you were touching on a little earlier. And you went to 4
13 Faris Lane in response to a dispatch, I believe that's the scenario; am I right there?

14 **CST AARON PATTON:** Yeah.

15 **CST STUART BESELT:** That's right.

16 **MR. ROGER BURRILL:** Okay. When you go to 4 Faris Lane, any
17 efforts made with respect to protection and/or dealing with the kids, knowing that you're
18 going to be going a physical ways away from them?

19 **CST STUART BESELT:** Well, that time we knew that we were
20 kind of away from the area. And, you know, obviously, you know, one of our main
21 concerns throughout this whole thing was the safety of the children. And, you know,
22 these guys made a good call in, you know, asking for people to come in.

23 **MR. ROGER BURRILL:** Yeah. Okay. So page 70, paragraph
24 113.

25 **[AUDIO PLAYBACK]**

26 **MR. ROGER BURRILL:** So, Constable Merchant, that's attributed
27 to you. You, at that stage, at 11:45:11 indicate that with all these fires being lit, maybe
28 somebody should be sent in to the kids. My question for you is, this is 11:45, quarter to

1 12, about an hour you had been -- or more than that had been in Portapique. Why was
2 it that you waited until this length of time to make inquiries about the kids?

3 **CST ADAM MERCHANT:** I think that I was just -- at that point, I
4 was just kind of -- I wanted the kids out. So ---

5 **MR. ROGER BURRILL:** Yeah.

6 **CST ADAM MERCHANT:** --- I just got worried and, yeah.

7 **CST STUART BESELT:** Yeah, well, within the first however long,
8 a lot of what we were doing was right around the kids; right? So, you know, we were in
9 the area, you know, with a kind of knowledge that we could respond quickly to them.
10 But then when we got all the way over to Faris, because that's a bit of a hike ---

11 **MR. ROGER BURRILL:** Yeah.

12 **CST STUART BESELT:** --- you know, we couldn't watch or
13 respond to the kids quickly anymore.

14 **MR. ROGER BURRILL:** M'hm.

15 **CST ADAM MERCHANT:** And also -- sorry, go ahead.

16 **CST STUART BESELT:** Yeah, go ahead.

17 **CST ADAM MERCHANT:** I think we were to the point where, like,
18 you got to have resources now that you can send someone in to get these kids out so.

19 **CST STUART BESELT:** Yeah.

20 **MR. ROGER BURRILL:** Yeah, but there any reason that you had it
21 at 11:45 as opposed to making that communication ---

22 **CST ADAM MERCHANT:** Well, I think it ---

23 **MR. ROGER BURRILL:** --- earlier?

24 **CST ADAM MERCHANT:** --- scared the crap out of me going back
25 and when they said someone was in the house.

26 **MR. ROGER BURRILL:** Sorry?

27 **CST STUART BESELT:** Yeah.

28 **CST ADAM MERCHANT:** When they said that there was

1 somebody in the house ---

2 **MR. ROGER BURRILL:** Okay.

3 **CST ADAM MERCHANT:** --- it scared me so.

4 **MR. ROGER BURRILL:** All right. Was there any indication coming
5 to you from command about other alternatives or other teams going in to the kids at any
6 time that you were aware of? Sorry?

7 **CST STUART BESELT:** No, I don't -- not really, no.

8 **MR. ROGER BURRILL:** Okay. All right.

9 I'm going to direct your attention to page 72, paragraph 119.

10 Constable Beselt at 12:22 is attributed to be saying,

11 "....Ah, maybe – can we contact the hotel or
12 something, [...] – some of these people don't know
13 where to go, [and] that we're trying to [be] clear out
14 here. At least [...] we have somewhere we can tell
15 them to go."

16 This is you making a request with respect to a location for people
17 who are evacuating ---

18 **CST STUART BESELT:** Right.

19 **MR. ROGER BURRILL:** --- is that right?

20 **CST STUART BESELT:** That's right.

21 **MR. ROGER BURRILL:** Okay. I have two questions for you. Why
22 did you ask that, and second of all, who are you evacuating and why are you doing
23 that?

24 **CST STUART BESELT:** Well, over the course of my career, I've
25 done other things where we've evacuated people. It's helpful if you can tell them where
26 to go.

27 **MR. ROGER BURRILL:** Yeah.

28 **CST STUART BESELT:** Right? Because they're, like, leaving

1 their house and all their things, and they're, like, "Well, where am I supposed to go?"

2 **MR. ROGER BURRILL:** Yeah.

3 **CST STUART BESELT:** And if you have somewhere, you know,
4 like, go here, then they can go there; right? And instead of just staying in their car
5 somewhere; right?

6 **MR. ROGER BURRILL:** Right.

7 **CST STUART BESELT:** Sorry, what was the second part of the
8 question there?

9 **MR. ROGER BURRILL:** You're evacuating people ---

10 **CST STUART BESELT:** Right.

11 **MR. ROGER BURRILL:** --- in this ---

12 **CST STUART BESELT:** So ---

13 **MR. ROGER BURRILL:** --- situation. Why are you doing that?

14 **CST STUART BESELT:** Well, we -- when we cut through the trees
15 the second time ---

16 **MR. ROGER BURRILL:** Yeah.

17 **CST STUART BESELT:** --- to go from Orchard Beach to
18 Portapique, there's a car approached, and so once again we pruned out and we got
19 ready, and noticed it was a -- an older couple. And so, you know, we were in their yard
20 basically, and they were about to pull back in, and we told them, you know, to get out.
21 And so, you know, at that point in time, we still weren't a hundred percent sure if the
22 fires were being lit to draw the people out; right? So, in my opinion, or my thought
23 process was, if we can get as many people out, we're limiting our casualties; right? So -
24 - and we don't have to worry about -- I don't care about a house. House can burn. I
25 don't want to lose a life. That's my thought process.

26 **MR. ROGER BURRILL:** How about you, Constable Merchant?

27 Did you have input into this decision to evacuate people?

28 **CST ADAM MERCHANT:** I don't know. I mean, I don't know if I

1 had any input, but we just always talked about stuff as a team anyways, but I thought it
2 was good because, like, you know what I mean, get people out.

3 **MR. ROGER BURRILL:** Yeah. Constable ---

4 **CST ADAM MERCHANT:** We don't -- we still don't know what's
5 going on so.

6 **MR. ROGER BURRILL:** Constable Patton?

7 **CST AARON PATTON:** Yeah, we weren't, I guess, specifically
8 working to get everybody evacuated, but we were taking advantage of opportunities
9 when we didn't have specifically something we were addressing ---

10 **MR. ROGER BURRILL:** Yeah.

11 **CST AARON PATTON:** --- and maybe we came upon a house
12 that had a car in the driveway, so we would set up containment kind of on the house
13 temporarily. One member would go, knock on the door, and tell everybody out, and
14 send them out to the entryway.

15 **MR. ROGER BURRILL:** Yeah.

16 **CST AARON PATTON:** But it wasn't our goal to evacuate every
17 house. We just -- when an opportunity presented itself, we took advantage of it and
18 managed to get a few more people out to safety.

19 **MR. ROGER BURRILL:** Great. Thank you. After the Griffins were
20 evacuated from 4 Faris Lane, you returned, then back up Portapique Beach Road and
21 returned to the children. Have I got that right? That's what the Foundational Document
22 talks about; right?

23 **CST STUART BESELT:** Where -- on the where?

24 **MR. ROGER BURRILL:** Yeah.

25 **CST STUART BESELT:** From Faris Lane?

26 **MR. ROGER BURRILL:** From Faris Lane you return back to the
27 children, join Constable Neil?

28 **CST STUART BESELT:** Well, we knew that the kids were out ---

1 **MR. ROGER BURRILL:** Yeah.

2 **CST STUART BESELT:** --- at that point in time ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST STUART BESELT:** --- because Constable Grund and
5 Constable Neil had gone in. I think Aaron made the suggestion for them to take the kids
6 out in the family car ---

7 **MR. ROGER BURRILL:** Yeah.

8 **CST STUART BESELT:** --- which was very smart decision. But it
9 left Bill by himself.

10 **MR. ROGER BURRILL:** Yeah.

11 **CST STUART BESELT:** So I didn't want that, so I figured, if
12 nothing else, we can make up a four, and then I don't have to worry about Bill either by -
13 - being there by himself.

14 **MR. ROGER BURRILL:** Okay.

15 **CST AARON PATTON:** Orchard Beach was central.

16 **MR. ROGER BURRILL:** Yes.

17 **CST AARON PATTON:** It was a good location for us to use and to
18 wait for something else to happen, to go.

19 **MR. ROGER BURRILL:** I'm left with the impression though, and
20 correct me if I'm wrong, that there was quite a wait after you returned to Constable Neil,
21 or Bill Neil at that address, at 135, after the kids had been extracted; am I right there?

22 **CST STUART BESELT:** Well, the time it took us to run -- sorry,
23 walk quickly.

24 **MR. ROGER BURRILL:** You walk quickly back ---

25 **CST STUART BESELT:** Yeah.

26 **MR. ROGER BURRILL:** --- to 135?

27 **CST STUART BESELT:** Yeah, like, we went back -- I think we
28 evacuated one more ---

1 **MR. ROGER BURRILL:** Yeah.

2 **CST STUART BESELT:** --- lady from a house, came through the
3 trees again, and came upon Bjorn there.

4 **MR. ROGER BURRILL:** Right. And I perhaps hadn't made myself
5 clear in my question. I was focussing more about when you returned to 135 Orchard
6 Beach Drive and joined Constable Neil.

7 **CST STUART BESELT:** Yeah, that was our goal when we left ---

8 **MR. ROGER BURRILL:** Yeah.

9 **CST STUART BESELT:** --- Faris.

10 **MR. ROGER BURRILL:** You got back there.

11 **CST STUART BESELT:** Yeah.

12 **MR. ROGER BURRILL:** How long were you there before you were
13 evacuated, I guess is my question?

14 **CST STUART BESELT:** Oh, probably about an hour or so.

15 **MR. ROGER BURRILL:** Yeah. And what did you do when you
16 were there for that hour or so?

17 **CST STUART BESELT:** Well, like, the -- for the most part, the
18 shooting or the explosions had completely stopped.

19 **MR. ROGER BURRILL:** Yeah.

20 **CST STUART BESELT:** So we just kind of hunkered down and ---

21 **MR. ROGER BURRILL:** Okay.

22 **CST STUART BESELT:** --- they had told us -- at that point in time,
23 with the explosions and everything kind of stopping or subsiding, that's when I finally
24 asked for direction as to whether or not they wanted us to stay in there or, you know,
25 hunker down, and that's where they provided the direction that we were supposed to
26 stay put and wait for the ERT to remove us.

27 **MR. ROGER BURRILL:** Right. And I'm going to ask the question
28 again that I've asked before about 123 Orchard Beach Drive. Any decision made at that

1 point, given the fact that you're at 135, to go to 123 to deal with the situation at that
2 location?

3 **CST AARON PATTON:** I think we still -- 120, that's the Blair's
4 residence?

5 **MR. ROGER BURRILL:** The Blair's house, yes.

6 **CST AARON PATTON:** I think at that time, we were of the
7 impression that that house that had been totally demolished in a fire was that residence.

8 **MR. ROGER BURRILL:** I see. Okay. Okay.

9 When you were there hunkering down, did you get any directions
10 with respect to attending Cobequid Court or to any other location?

11 **CST ADAM MERCHANT:** No.

12 **CST STUART BESELT:** No.

13 **CST AARON PATTON:** No, we just took up positions.

14 **MR. ROGER BURRILL:** Okay.

15 **CST AARON PATTON:** ERT were ---

16 **CST STUART BESELT:** ERT was close. You know, they got
17 sidetracked on a ---

18 **MR. ROGER BURRILL:** Right.

19 **CST STUART BESELT:** --- a call across the bay or whatever ---

20 **MR. ROGER BURRILL:** Yeah.

21 **CST STUART BESELT:** --- for some -- people are calling in, "I see
22 a light in my yard. I see a light in my yard," ---

23 **MR. ROGER BURRILL:** Yeah.

24 **CST STUART BESELT:** --- or whatever. So they just told us to
25 wait for the -- or to get there.

26 **MR. ROGER BURRILL:** Okay. I recall from some of the materials
27 that Constable Beselt had indicated that he thought he had travelled 10 kilometres on
28 foot. He was soaked from sweat?

1 **CST STUART BESELT:** That's what Aaron's watch said, yeah.

2 **CST AARON PATTON:** Yeah.

3 **CST ADAM MERCHANT:** Yeah.

4 **CST STUART BESELT:** Yeah, we were -- I was soaked
5 completely through my ---

6 **CST AARON PATTON:** We were freezing at that -- like, that was
7 the first chance that we kind of had, like we said earlier, where we started to realize
8 what -- starting to soak it all in. Like, we had a second to think and, you know ---

9 **MR. ROGER BURRILL:** Yeah. Yeah.

10 **CST AARON PATTON:** --- yeah, and the -- I don't know what the
11 temperature was that night, but we were all soaked in sweat. That's when the cold
12 started, for sure.

13 **MR. ROGER BURRILL:** Okay. How about you, Constable
14 Merchant? How were you feeling at that stage?

15 **CST ADAM MERCHANT:** Oh, exhausted by then. Like it's, you
16 know, 10 kilometres we were running with all that gear on.

17 **CST STUART BESELT:** Yeah, you're carrying about 70 pounds of
18 gear, right.

19 **CST ADAM MERCHANT:** Diving into ditches, getting up and --
20 yeah.

21 **MR. ROGER BURRILL:** Okay. All right.

22 I'm -- I want to ask you about page 85. One fifty-two (152) is the
23 paragraph. And this is observations about while shelter in place with respect to pretty
24 sure that you heard gunshots at that stage coming from the north.

25 **CST STUART BESELT:** Well, it was just one gunshot.

26 **MR. ROGER BURRILL:** All right. Thank you.

27 **CST STUART BESELT:** Or one loud bang, which, you know ---

28 **MR. ROGER BURRILL:** Okay.

1 **CST STUART BESELT:** So the reason that, you know, we came
2 to that conclusion is ERT was calling Mr. Ellison out of the woods ---

3 **CST AARON PATTON:** With a loud hailer.

4 **CST STUART BESELT:** --- with a loud hailer, right, and so, you
5 know -- you know, as far as we were concerned, this thing was ongoing all night and we
6 figured he was probably hunkered down somewhere in the woods.

7 So they weren't specifically calling Mr. Ellison out. They were just
8 calling the person in the woods to come out, right.

9 **CST AARON PATTON:** Identifying themselves.

10 **CST STUART BESELT:** Yeah, as the police.

11 **CST AARON PATTON:** Come out to the armoured vehicle.

12 **CST STUART BESELT:** Like the TAV is a huge -- like looks like a
13 tank, almost, right.

14 **MR. ROGER BURRILL:** Yeah.

15 **CST STUART BESELT:** So at that point in time when they're
16 calling the person out of the woods, you know, and then you hear this loud crack, you
17 know, you kind of feel like, okay, you know, the SOC felt like the gig is up, you know, or
18 the ERT team is here and, you know -- like it was just so out of the blue ---

19 **MR. ROGER BURRILL:** Yeah.

20 **CST STUART BESELT:** --- that one last explosion, right.

21 **MR. ROGER BURRILL:** Yeah.

22 **CST AARON PATTON:** Yeah, that's very -- very accurate.

23 I mean, we hadn't heard anything that seemed like a gunshot for a
24 while and this was very distinct. We all heard it. ERT, I think, acknowledges it as well,
25 hearing the gunshot.

26 **CST STUART BESELT:** Yeah.

27 **CST AARON PATTON:** And I don't know if we came to a total
28 conclusion, but we were making an assumption that seemed plausible that that could

1 have been a ---

2 **CST STUART BESELT:** Like he just happened to be at the same
3 time that ---

4 **MR. ROGER BURRILL:** Yeah.

5 **CST STUART BESELT:** --- ERT was calling.

6 **MR. ROGER BURRILL:** And what was the assumption/conclusion
7 that you made at that point?

8 **CST AARON PATTON:** That the suspect had taken his own life.

9 **MR. ROGER BURRILL:** Okay. Constable Merchant, do you have
10 any recall of ---

11 **CST ADAM MERCHANT:** No, I heard it, too. It sounded like a rifle
12 to me.

13 **MR. ROGER BURRILL:** Yeah.

14 **CST ADAM MERCHANT:** And I think -- yeah. I mean, it crossed
15 my mind that, oh, maybe he killed himself, you know, but ---

16 **MR. ROGER BURRILL:** Yeah.

17 **CST ADAM MERCHANT:** --- when I say that, it's not like it
18 changed anything investigationaly for everyone else. Like we were going off shift, you
19 know.

20 **MR. ROGER BURRILL:** Yeah. Okay.

21 You eventually were extracted by the TAV from that location and
22 you were taken back to the Great Village fire hall, command post, and you were
23 debriefed at that point. Am I right?

24 **CST AARON PATTON:** Yeah.

25 **MR. ROGER BURRILL:** And I understand that you provided some
26 information, Constable Patton, with respect to the bullet that you had maintained or
27 seized?

28 **CST AARON PATTON:** Yeah, I gave it to a member there, but

1 they had a map set up there as well that we were able to draw out kind of the path that
2 we'd taken ---

3 **MR. ROGER BURRILL:** Yeah.

4 **CST AARON PATTON:** --- identify which houses had burnt, where
5 there was deceased that we had located ---

6 **MR. ROGER BURRILL:** Okay.

7 **CST AARON PATTON:** --- and try to give out all of the information
8 we ---

9 **MR. ROGER BURRILL:** Do you remember who you
10 communicated that to, which member of the command structure?

11 **CST AARON PATTON:** I'm really not sure.

12 **CST STUART BESELT:** Well, Addie was there.

13 **CST AARON PATTON:** I -- there was a lot of people.

14 **CST STUART BESELT:** Al Carroll, I believe.

15 **CST ADAM MERCHANT:** Halliday.

16 **CST STUART BESELT:** Yeah, Halliday.

17 **MR. ROGER BURRILL:** Okay. That's Addie MacCallum.

18 **CST STUART BESELT:** Yeah.

19 **MR. ROGER BURRILL:** Staff/Sergeant Addie MacCallum.

20 **CST STUART BESELT:** Yeah.

21 **MR. ROGER BURRILL:** Staff/Sergeant Al Carroll.

22 **CST STUART BESELT:** Right.

23 **MR. ROGER BURRILL:** And Staff/Sergeant Halliday?

24 **CST STUART BESELT:** Yeah.

25 **MR. ROGER BURRILL:** Steve Halliday.

26 **CST STUART BESELT:** Okay.

27 **MR. ROGER BURRILL:** Okay. Very good.

28 What happened to the bullet, did you say, Constable Patton?

1 **CST AARON PATTON:** I'm not sure who I gave it to. It was -- we
2 were trying to figure that out last night.

3 **CST STUART BESELT:** Second Corporal. I don't know who it
4 was.

5 **CST AARON PATTON:** There's a lot of members that were in the
6 mix that we're not familiar with.

7 **MR. ROGER BURRILL:** Okay. The information with respect to
8 your assumption about that last shot that we talked about just three minutes ago, was
9 that provided to the people at the command structure?

10 **CST AARON PATTON:** Of course, yeah.

11 **CST STUART BESELT:** Yeah. We tried to give them everything
12 that we had learned.

13 **CST AARON PATTON:** Actually, the ---

14 **MR. ROGER BURRILL:** Okay.

15 **CST AARON PATTON:** --- the -- whoever took over operational
16 command was there as well.

17 **MR. ROGER BURRILL:** Okay.

18 **CST AARON PATTON:** I can't remember his name off the top of
19 my head.

20 **MR. ROGER BURRILL:** Fair enough.

21 Okay. That concludes my questions in an effort to fill in the context
22 and the issues around the Foundational Document, but I do want to ask you two more
23 questions to conclude.

24 The first question is for all three of you. Given your activity that
25 night in Portapique as you look back with all the information that you have, do you have
26 any regrets about your behaviour and your actions that night?

27 Constable Beselt?

28 **CST STUART BESELT:** No, I wouldn't have changed anything

1 from our perspective or our response.

2 **MR. ROGER BURRILL:** Constable Patton?

3 **CST AARON PATTON:** Yeah, I agree. I mean, with the
4 information we had in the moment, I don't think I would have done anything differently.

5 **MR. ROGER BURRILL:** Constable Merchant.

6 **CST ADAM MERCHANT:** Same. I mean, you go through this
7 1,000 times and I don't -- given what I know, I couldn't have changed anything that
8 would have made any difference.

9 **MR. ROGER BURRILL:** Okay. And finally, given what you know
10 now and the information that you've seen in the Foundational Documents, is there
11 anything that you would like Nova Scotians or Canadians to know about your
12 experience that night that they don't already know?

13 **CST STUART BESELT:** I think the Commission has done a good
14 job of telling our story because I think it was something that wasn't told at the beginning
15 and led to a lot of conspiracy about, you know -- that the RCMP didn't react in an
16 appropriate way. And you know, I was glad to see that we were finally being
17 acknowledged for going in.

18 **MR. ROGER BURRILL:** Constable Patton?

19 **CST AARON PATTON:** Yeah. I mean, we tried our best. It was a
20 -- it was mayhem and we tried to deal with things as they came, but -- yeah.

21 **MR. ROGER BURRILL:** Constable Merchant?

22 **CST ADAM MERCHANT:** Same. Just that we tried our best.

23 **MR. ROGER BURRILL:** Okay.

24 All right, Commissioners. Those are my questions for these
25 witnesses. Thank you.

26 **COMMISSIONER MacDONALD:** Yeah. Thank you so much, Mr.
27 Burrill.

28 And we will break until 2 o'clock. And I realize that Participants

1 Counsel have to -- and Mr. Burrill and Commission Counsel have to have lunch as well,
2 but if -- but if the caucus could take place over the break, that would be very helpful.
3 And if more time is needed, then Commission Counsel can certainly relay that to us.
4 But we'll break now till 2 o'clock.

5 Thank you so much.

6 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

7 The proceedings are now on break and will resume at 2 o'clock.

8 --- Upon breaking at 12:49 p.m.

9 --- Upon resuming at 2:23 p.m.

10 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
11 proceedings are again in session.

12 **COMMISSIONER MacDONALD:** Well, thank you very much.

13 Good afternoon, everyone, and thank you, Mr. Burrill, for
14 questioning the witness panel this morning. And I want to thank Participants Counsel
15 and Commission Counsel for their meeting in a collaborative way to address the
16 question of what, if anything, further we should be hearing from members of the witness
17 panel.

18 I understand that counsel for the family Participants have several
19 areas of questioning they would like to pursue and, further, that they have agreed that it
20 could be done through one representative family Participant counsel, namely, Mr.
21 Pineo, and that it would be approximately 45 minutes. And the Commissioners are
22 pleased to confirm that we accept that proposal and would -- I understand Mr. Pineo will
23 come in by Zoom. Is that right?

24 Thank you.

25 So Mr. Pineo, whenever you're ready. And again, thank everyone
26 very much for their collaborative approach to the caucus, also known as a meeting.

27 Good afternoon, Mr. Pineo.

28 **MR. ROBERT PINEO:** Good afternoon, Commissioner MacDonald

1 and Commissioners.

2 **COMMISSIONER MacDONALD:** How's the audio? You can hear
3 us okay?

4 **MR. ROBERT PINEO:** I can hear you fine, yes.

5 **COMMISSIONER MacDONALD:** Okay. Thank you.

6 All right. I trust we can work the technology so that you see the
7 witnesses. Can you see the witnesses as well, Mr. Pineo?

8 **MR. ROBERT PINEO:** No. Unfortunately, all I can see is myself.

9 **COMMISSIONER MacDONALD:** Okay. We should try to remedy
10 that, maybe, or maybe that's the best we can do. I don't know.

11 Anyway, you go ahead, Mr. Pineo.

12 **MR. ROBERT PINEO:** Thank you.

13 **CST STUART BESELT, Resumed**

14 **CST ADAM MERCHANT, Resumed**

15 **CST AARON PATTON, Resumed**

16 **--- CROSS-EXAMINATION BY MR. ROBERT PINEO**

17 **MR. ROBERT PINEO:** Constables, when I ask you questions, if I
18 ask a question without attaching one of your names to it, I would be content to have any
19 of you answer the question, but if I ask specifically attaching your name to one of the
20 questions, then I would hope that one of -- the person I direct the question to would give
21 the answer.

22 So primarily my questions will be to Constable Beselt simply
23 because he was the -- or you were the leader on the question. So I will start now.

24 Cst. Beselt, you were the one that ultimately made the decision for
25 the IARD team to enter Portapique on foot; correct?

26 **CST STUART BESELT:** That's right.

27 **MR. ROBERT PINEO:** And I'm wondering if you recall a statement
28 that you gave to the Commission. And I don't intend to put it up in front of you if you're

1 able to answer the question first, but at page 7 of your statement, you make the
2 statement, and this is regarding walking in on foot, you say:

3 "He could light them up and never see him." (As read)

4 And I'm going to ask you, that statement means that you were afraid that you could be
5 shot by -- you or your team members could be shot by the perpetrator and you wouldn't
6 even have had an opportunity to see the shooter? Is that what you meant by that
7 statement?

8 **CST STUART BESELT:** Well it's the way I feel. I'm not exactly
9 sure the context of the statement, but yeah, like that's basically the way I would feel
10 about if I were entering a situation with an active shooter.

11 **MR. ROBERT PINEO:** And in your testimony when you were
12 questioned by Mr. Burrill, you gave a number of reasons regarding why you questioned
13 -- or information that you questioned on your way in. And specifically regarding the
14 vehicle that the perpetrator was driving, you said that you might have considered that it
15 was a Crown Vic or a Taurus, those sorts of -- or simply a decommissioned RCMP car.

16 But one of your -- I'm going to ask you, did you consider the
17 possibility if the perpetrator was a rogue member of the RCMP?

18 **CST STUART BESELT:** I suppose anything is possible. It wasn't
19 something that really specifically came to mind though.

20 **MR. ROBERT PINEO:** Okay. So it's not something you
21 considered when, you know, when making your decisions to enter Portapique?

22 **CST STUART BESELT:** No, not really. No.

23 **MR. ROBERT PINEO:** Going to a different question, so I'm not
24 asking about your decision making going into Portapique, this is just a general question,
25 but does the RCMP have a password countersign methodology? That is, do you have a
26 general password that if you call the password out, only another member of the RCMP
27 would know the countersign to provide?

28 **CST STUART BESELT:** No.

1 **MR. ROBERT PINEO:** Okay. That's not one of the RCMP's
2 procedures?

3 **CST STUART BESELT:** No.

4 **MR. ROBERT PINEO:** Okay. Do you agree with the statement
5 that as an IARD team, your main concern is stopping the threat and everything else is
6 irrelevant?

7 **CST STUART BESELT:** Yes.

8 **MR. ROBERT PINEO:** Okay. I want to ask you, would a different
9 number of members of an IARD team allow you to function differently? For example, if
10 there was only two of you, would you function differently than if there were six of you?

11 **CST AARON PATTON:** I didn't know if it was directly for you.

12 **CST STUART BESELT:** Well it's basically your principles are the
13 same; right? Like, you know, the most we ever usually do is teams of four. You know, I
14 suppose you could do two teams of three if you, like, knew where everybody was; right?

15 **MR. ROBERT PINEO:** Okay. I want to ask you a few questions
16 about your IARD training. And I believe that you said in your statement that you didn't
17 have very much rural training. That is, training for rural situations in employing the
18 IARD team. Was that correct?

19 **CST STUART BESELT:** Well it was addressed in the training, but,
20 you know, the main focus is, you know, for the last little while, was schools and that sort
21 of thing, but -- or buildings. But you know, the -- you know, the -- you know, basically
22 we watched -- or for me, it was watching videos and such about different formations and
23 how to handle outside.

24 **CST AARON PATTON:** I can say I ---

25 **MR. ROBERT PINEO:** In term -- go on. No, go ahead.

26 **CST AARON PATTON:** I was just going to say, when I did the
27 training, we had the indoor and the outdoor component and we mobilized in real time,
28 indoors and outdoors, for our course.

1 **CST ADAM MERCHANT:** And I also had outdoor IARD training
2 too.

3 **MR. ROBERT PINEO:** Okay.

4 **CST ADAM MERCHANT:** Different formations where you're
5 spread out a bit more.

6 **MR. ROBERT PINEO:** Did any of you do exercises in a wooded
7 area in the dark?

8 **CST STUART BESELT:** No.

9 **CST ADAM MERCHANT:** No.

10 **CST AARON PATTON:** No.

11 **MR. ROBERT PINEO:** And I believe, Cst Beselt -- am I saying
12 your name correctly? Beselt?

13 **CST STUART BESELT:** Beselt.

14 **MR. ROBERT PINEO:** Beselt. I think you testified that you didn't
15 have access to night vision goggles on the night of the 18th?

16 **CST STUART BESELT:** No.

17 **MR. ROBERT PINEO:** And did any of the three of you have
18 access to night vision goggles?

19 **CST AARON PATTON:** No.

20 **CST ADAM MERCHANT:** No.

21 **MR. ROBERT PINEO:** Or any night vision technology of any kind?

22 **CST AARON PATTON:** No.

23 **CST ADAM MERCHANT:** No.

24 **MR. ROBERT PINEO:** You'll agree with me that that would have
25 been helpful for you to have had that night; wouldn't it?

26 **CST ADAM MERCHANT:** Yes.

27 **CST STUART BESELT:** Sure. Yeah.

28 **MR. ROBERT PINEO:** Were -- and this is a general question to

1 the three of you, were any or all of you aware, on the night of April 18th, 2020, that your
2 radios actually had GPS capability but it was not activated?

3 **CST AARON PATTON:** No, I wasn't aware.

4 **CST STUART BESELT:** I wasn't aware the radios had that
5 capability until I did my Mass Casualty interview.

6 **CST ADAM MERCHANT:** Yeah, I was not aware either.

7 **MR. ROBERT PINEO:** You'll agree with me that had GPS
8 technology been individualized to members and those members were communicating
9 with OCC, that a second team would have been able to have been able to be on scene
10 and the blue-on-blue threat would have been minimized?

11 **CST STUART BESELT:** That's correct.

12 **CST AARON PATTON:** Yes.

13 **CST ADAM MERCHANT:** Yes.

14 **MR. ROBERT PINEO:** Did you have any training with -- sorry,
15 training to integrate different IARD teams working on a common threat? Was that part
16 of your training?

17 **CST AARON PATTON:** Yes, it is.

18 **MR. ROBERT PINEO:** And was it part of your training prior to April
19 18th, 2020?

20 **CST AARON PATTON:** Yes.

21 **CST STUART BESELT:** Yeah.

22 **MR. ROBERT PINEO:** Now, once the three of you were at the
23 mouth of Portapique Beach Road and the decision was made to head in on foot, in the
24 beginning, it was Cst Merchant and Beselt that headed in together? Do I have that
25 correct?

26 **CST AARON PATTON:** Yes.

27 **CST STUART BESELT:** Yes.

28 **MR. ROBERT PINEO:** And Cst. Patton, you were -- you stayed

1 back with the MacDonalds and the Faulkners for a short time?

2 **CST AARON PATTON:** That's right, yes.

3 **MR. ROBERT PINEO:** And how long after the first two went in did
4 you head in on foot, Cst Patton?

5 **CST AARON PATTON:** I'd have to take a guess, an
6 approximation, but ---

7 **MR. ROBERT PINEO:** Sure.

8 **CST AARON PATTON:** --- maybe less than five minutes. Maybe
9 closer to three.

10 **MR. ROBERT PINEO:** Okay. Great. When you started, were you
11 able to see the other two constables?

12 **CST AARON PATTON:** No. No, I really couldn't see them until I
13 came right upon them. Like Adam said earlier, I kind of startled them coming up on
14 them, but ---

15 **CST STUART BESELT:** Well you startled Adam. I knew you were
16 coming.

17 **CST AARON PATTON:** Yeah. And -- but I ran in on foot ---

18 **MR. ROBERT PINEO:** Okay.

19 **CST AARON PATTON:** --- and running, caught up to them past
20 the first burning house. And I was -- joined up with them not long after they had initially
21 deployed.

22 **MR. ROBERT PINEO:** Okay. So over to Csts Beselt and
23 Merchant. I understand that you started out on Portapique Beach Road because you
24 could see the fire at 200 Portapique Beach Road? Is that the reason that decision was
25 made?

26 **CST STUART BESELT:** Yeah.

27 **CST ADAM MERCHANT:** Yes. And that's where the gunshot
28 sounds and explosions were coming from.

1 **CST STUART BESELT:** Yeah.

2 **MR. ROBERT PINEO:** Okay. And you eventually got to
3 200 Portapique Beach Road and found it on fire?

4 **CST ADAM MERCHANT:** Yes.

5 **CST STUART BESELT:** Yeah.

6 **MR. ROBERT PINEO:** And Constable Beselt, in your statement,
7 you mention seeing a car around the time that you got to 200 Portapique Beach Road,
8 and I'm just asking for clarification here. Where was that car located, the one that you
9 mentioned?

10 **CST STUART BESELT:** The white Taurus? Is that what you're ---

11 **MR. ROBERT PINEO:** I'm not sure. In your statement, you just
12 say a car.

13 **CST STUART BESELT:** I'm assuming that's the white Taurus. It
14 was parked -- backed into the driveway.

15 **MR. ROBERT PINEO:** Okay. Did you see any other cars on
16 Portapique Beach Road or near Portapique Beach Road?

17 **CST STUART BESELT:** No.

18 **MR. ROBERT PINEO:** And when you got to 200 Portapique Beach
19 Road, I take it that it was around that place that you decided to go through the woods
20 and over to Orchard Beach Drive? Do I have that correct?

21 **CST STUART BESELT:** Yeah, as you kind of go around the curve
22 there we saw those two houses. Nothing looked out of the ordinary there, so we cut
23 through the woods to go to the -- where we could see the smoke and hear shots coming
24 from.

25 **MR. ROBERT PINEO:** Okay. And I would like to specifically ask
26 you about the two houses that you -- that you reference there. So you were standing at
27 200 Portapique Beach Road looking southwards?

28 **CST STUART BESELT:** Well, we went past the first burning

1 house, and were kind of around that bend in the road so that you could see Faris, the
2 corner of Faris and Portapique Beach Road, and like that's -- that's one of the aspects
3 why we felt it was still ongoing is because that first house that was -- it's burned since,
4 but it wasn't on fire at that time. So when we came back around the second time, it was
5 on fire.

6 **MR. ROBERT PINEO:** Okay. And I'll ask you a little more about
7 that in a few minutes, but -- so I just want to be clear. The two houses you're talking
8 about, was one the -- on the left hand side of Portapique Beach Road, that is, the
9 western side of Portapique Beach Road but still on Portapique Beach Road?

10 **CST STUART BESELT:** Yeah. I think it was a log cabin; yeah.

11 **MR. ROBERT PINEO:** Okay. And do you now know that that is
12 the Zahl/Thomas residence?

13 **CST ADAM MERCHANT:** Yeah.

14 **CST STUART BESELT:** Yeah.

15 **MR. ROBERT PINEO:** Okay. And the second home that you're
16 talking about that we didn't see on fire, is that the home that is on the corner of Faris
17 and Portapique Beach Road?

18 **CST STUART BESELT:** Yes, the home we evacuated the family
19 out of, yeah.

20 **MR. ROBERT PINEO:** Okay. And do you now know that is the
21 Griffon home?

22 **CST STUART BESELT:** Yeah.

23 **MR. ROBERT PINEO:** Okay. Okay. So just as you are about to
24 start going through the woods to Orchard Beach Drive, I take it from your testimony that
25 you heard gunshots or explosions to the west?

26 **CST STUART BESELT:** Through the trees, yeah.

27 **MR. ROBERT PINEO:** Sorry, to the ---

28 **CST AARON PATTON:** To the east.

1 **MR. ROBERT PINEO:** Yes. To the east, sorry, not to the west.

2 **CST STUART BESELT:** Yeah.

3 **MR. ROBERT PINEO:** Okay. And when exactly did
4 Constable Patton catch up with you? Was it before you headed into the woods or after
5 you had headed into the woods?

6 **CST STUART BESELT:** No. We got around that corner and we
7 checked those two houses. From a distance it didn't look, like I said, anything was
8 going on with them, and then we started working our way back towards the first house
9 and Aaron came around the corner there. So -- yeah. And then we together made the
10 decision, "Well, let's just cut through the woods because it looks like there's another
11 structure fire and maybe that's where the sounds are coming from."

12 **MR. ROBERT PINEO:** Okay. So just before you headed into the
13 woods you had a good look at the Zahl residence and we've confirmed that it was not
14 on fire. Did you notice anything else about it, any movement, anybody walking around,
15 a car ---

16 **CST STUART BESELT:** No.

17 **MR. ROBERT PINEO:** --- anything at all?

18 **CST STUART BESELT:** Nothing at all. We -- we had a good
19 opportunity to look at it. We were looking at it for probably about a couple of minutes,
20 and everything looked to be in order, so we started coming back then.

21 **MR. ROBERT PINEO:** Okay. And just before we start through the
22 woods, I would like to just take you back to before you started down Portapique Beach
23 Road. And I take it that you didn't have any maps other than what was on your personal
24 cell phone.

25 **CST STUART BESELT:** No.

26 **MR. ROBERT PINEO:** Is that -- is that your testimony?

27 **CST STUART BESELT:** Yeah. We didn't have anything else.

28 **MR. ROBERT PINEO:** Okay. And at any time has the RCMP or

1 the Mass Casualty Commission collected your personal cell phones and analysed them
2 for data?

3 **CST AARON PATTON:** No.

4 **CST ADAM MERCHANT:** No.

5 **CST STUART BESELT:** No.

6 **MR. ROBERT PINEO:** Okay. Did you have that completed
7 yourself, just out of self-interest? Did you go back and get the GPS coordinates of your
8 movements of that evening?

9 **CST AARON PATTON:** No.

10 **CST ADAM MERCHANT:** No.

11 **CST STUART BESELT:** No.

12 **MR. ROBERT PINEO:** Okay. And my final question before we
13 head into the woods, you said you heard -- I mean, from the time you started down
14 Portapique Beach Road onwards, you heard gunshots or explosions. And I have a
15 couple of very specific questions to ask you.

16 Do you or any of you know if there is a difference in sound from
17 ammunition that is fired from a gun compared to if it explodes in a fire?

18 **CST ADAM MERCHANT:** No.

19 **CST STUART BESELT:** No. As I stated, I -- when I responded to
20 Sergeant O'Brien, I -- I wasn't even sure what we were listening to, if it was explosions
21 or firearms, you know. Like they're very similar in sound; right?

22 **CST AARON PATTON:** The only thing I could say to that too is ---

23 **MR. ROBERT PINEO:** Constable ---

24 **CST AARON PATTON:** --- they're -- I'm not sure if the sound
25 would be different but there was a percussion to it that was very specific with somebody
26 shooting, like a pop, pop, pop, pop, pop; pop, pop, pop, pop, pop, like -- which I wouldn't
27 expect you to get if it was just something exploding or -- or ammunition that's going off
28 on a fire. It seemed very much like someone shooting a gun and pulling a trigger.

1 **MR. ROBERT PINEO:** Okay. You're talking about the rhythm or
2 the cadence of the time between the shots? Is that ---

3 **CST AARON PATTON:** Exactly, yeah. Yeah.

4 **MR. ROBERT PINEO:** Okay. But as far as the actual single
5 explosion, you're saying you wouldn't be able to tell the difference between an explosion
6 and a fired round of ammunition?

7 **CST AARON PATTON:** I'm not sure if I could. Yeah, I'm not sure.

8 **MR. ROBERT PINEO:** Okay. It's not part of your training as an
9 RCMP member I take it.

10 **CST AARON PATTON:** No.

11 **CST ADAM MERCHANT:** No.

12 **MR. ROBERT PINEO:** Okay, thank you. So I understand from
13 your testimony and from your statements that you started into the woods beyond
14 200 Portapique Beach Road. Initially, it was thick terrain and then you stumbled upon
15 or walked on to a path?

16 **CST STUART BESELT:** Yes.

17 **CST AARON PATTON:** That's right.

18 **MR. ROBERT PINEO:** Okay. Approximately how far in the woods
19 were you when you found the path?

20 **CST AARON PATTON:** Really not sure.

21 **CST ADAM MERCHANT:** It didn't seem like we were going
22 through the woods for a long time.

23 **CST AARON PATTON:** For too long, yeah.

24 **CST STUART BESELT:** Yeah, maybe 50 to 100 feet, if that.

25 **CST AARON PATTON:** Yeah.

26 **MR. ROBERT PINEO:** Okay. And did you have your flashlights on
27 when you went through the woods?

28 **CST STUART BESELT:** No.

1 **CST AARON PATTON:** No.

2 **MR. ROBERT PINEO:** You're walking completely in the dark.

3 **CST AARON PATTON:** Yeah.

4 **CST STUART BESELT:** Well, we didn't want to give up our
5 position.

6 **MR. ROBERT PINEO:** Sure. That makes sense. Did you see any
7 debris or objects along the pathway while you were walking?

8 **CST STUART BESELT:** It was pretty dark. Yeah, no. I don't think
9 ---

10 **CST ADAM MERCHANT:** No.

11 **CST STUART BESELT:** --- I don't remember seeing anything.

12 **MR. ROBERT PINEO:** You don't recall seeing a jacket or a coat?

13 **CST STUART BESELT:** No.

14 **CST ADAM MERCHANT:** No.

15 **CST AARON PATTON:** No.

16 **MR. ROBERT PINEO:** No spent ammunition shells, that sort of
17 thing?

18 **CST ADAM MERCHANT:** We never would have been able see
19 spent ammunition shells.

20 **CST STUART BESELT:** No.

21 **CST ADAM MERCHANT:** It's too dark.

22 **MR. ROBERT PINEO:** Okay. So you came out behind what we
23 have been calling the "warehouse", I think you called it "Quonset hut". Do you now
24 understand that that was the perpetrator's garage?

25 **CST STUART BESELT:** Yes.

26 **CST ADAM MERCHANT:** Yes.

27 **CST AARON PATTON:** Yes.

28 **MR. ROBERT PINEO:** Okay. And I take it you didn't get very

1 close to that building because it was fully engulfed in fire?

2 **CST AARON PATTON:** And we went around the south end of the
3 property line along the tree line.

4 **CST STUART BESELT:** Yeah.

5 **MR. ROBERT PINEO:** Okay.

6 **CST STUART BESELT:** And it was heavy explosions.

7 **MR. ROBERT PINEO:** Okay. And when you came out of the
8 woods and on to Orchard Beach Drive, that's where you found the first body; is that
9 correct?

10 **CST ADAM MERCHANT:** Yes.

11 **CST AARON PATTON:** Correct.

12 **CST STUART BESELT:** Yes.

13 **MR. ROBERT PINEO:** And I should say where and when you
14 found the first body.

15 **CST STUART BESELT:** That's correct.

16 **MR. ROBERT PINEO:** And was that first body male, the male
17 deceased?

18 **CST AARON PATTON:** Yes.

19 **MR. ROBERT PINEO:** I'm just going to back up, but it's related to
20 my next line of questions. Mr. Burrill asked you quite a number of questions regarding
21 the MHA, or *Mental Health Act*, and queries that you made to OCC. And I understand
22 from your testimony, Constable Beselt, that you said several times that it had no impact
23 on you getting to Portapique, and you said you didn't reduce your speed, and perhaps
24 the others -- the two of you testified to that as well. And, you know, I understand you
25 were driving as fast as your vehicles would go. My question is, did those queries or
26 your suspicions of the *Mental Health Act* at all factor into any of your decisions once you
27 were on the ground in Portapique?

28 **CST STUART BESELT:** No, not at all. Because we -- at that point

1 in time, Andrew basically confirmed that it was an active shooter position -- or situation,
2 and that's the way we approached it from -- it wasn't even a thought process after that.

3 **CST ADAM MERCHANT:** Plus, when we were driving out and you
4 saw the smoke coming up, that's when I remember it kind of clicked, like, wow, this is
5 for real, like, something bad.

6 **MR. ROBERT PINEO:** Okay. And I just want to be clear, and I
7 think the testimony you gave earlier could lead us to the conclusion, but I'd like to ask
8 you just outright. Did any of the three of you ever go to the Blair residence that
9 evening?

10 **CST STUART BESELT:** No.

11 **CST ADAM MERCHANT:** No.

12 **CST STUART BESELT:** No.

13 **MR. ROBERT PINEO:** And I understand your reasoning. You said
14 you saw the Gulenchyn home -- what was actually the Gulenchyn home on fire and you
15 thought that was probably the fire at the Blair home. I got that correctly; right?

16 **CST STUART BESELT:** Yeah.

17 **CST ADAM MERCHANT:** That's right.

18 **MR. ROBERT PINEO:** Okay. And I take it from that answer, you
19 didn't go to the Gulenchyn home either that evening?

20 **CST STUART BESELT:** We passed by ---

21 **MR. ROBERT PINEO:** That was 71 ---

22 **CST AARON PATTON:** We started to head in that direction, but
23 we got rerouted, the -- to come back to the kids when they thought there was someone
24 in the house, yeah.

25 **MR. ROBERT PINEO:** Okay. Okay. Did you find or see a fellow
26 named Bjorn Merzbach that evening?

27 **CST STUART BESELT:** Yeah, we -- we came out -- the second
28 time we went to Orchard Beach Drive to go back to meet up with Constable Neil, we

1 came across him in his front yard, and ---

2 **MR. ROBERT PINEO:** Okay.

3 **CST STUART BESELT:** Yeah. Tried to tell him to get out, so we
4 didn't have to worry about him.

5 **MR. ROBERT PINEO:** Okay. And do you know if he left?

6 **CST STUART BESELT:** He ---

7 **CST ADAM MERCHANT:** He did leave eventually.

8 **CST STUART BESELT:** --- he did leave. I don't know if he
9 actually ---

10 **CST ADAM MERCHANT:** Yeah.

11 **CST STUART BESELT:** --- left the subdivision, but he drove down
12 the road so -- and then we kept going on back towards Constable Neil.

13 **MR. ROBERT PINEO:** Did you have any concerns about the
14 citizens driving their vehicles out?

15 **CST AARON PATTON:** Yeah.

16 **CST ADAM MERCHANT:** Of course, yeah.

17 **CST AARON PATTON:** Yeah.

18 **CST ADAM MERCHANT:** But we thought it was safer that than
19 them staying in the house.

20 **CST AARON PATTON:** Yeah.

21 **MR. ROBERT PINEO:** Okay. Just you didn't take your own
22 vehicles down into Portapique because you were afraid of them being a billboard. I take
23 it that you didn't share, or you didn't share the same concern for the citizens, or did you?

24 **CST STUART BESELT:** Well, it was kind of you're weighing your
25 options. At that point in time, we weren't sure if the house fires were, like I said, to draw
26 the people out, so they could get shot. So, you know, risk versus reward; right? Like,
27 you want to make sure that they're safe, and the only way we could really ensure their
28 safety is if they were out of the subdivision.

1 **CST AARON PATTON:** And we also -- the majority of the houses
2 that we did evacuate, I don't know how many, but it wasn't that many ---

3 **CST STUART BESELT:** Three or four.

4 **CST AARON PATTON:** --- were all at the southern end of
5 Portapique Beach Road, and that's where the main grass fires were burning, and we
6 knew there was no fire department coming in anytime soon, so we had concerns about
7 houses catching on fire not intentionally, like, being -- catching fires just from the grass
8 fires as well.

9 **MR. ROBERT PINEO:** How did you decide which houses to
10 evacuate?

11 **CST STUART BESELT:** Well, once we got back onto Portapique
12 Beach Road, we tried to evacuate all of them.

13 **CST ADAM MERCHANT:** And it was just a matter too of we don't
14 have a clue where he is at this point. There's nothing pointing us in one direction. This
15 house is here. Let's get those people out of here.

16 **CST STUART BESELT:** It really started when the family -- the
17 couple drove up, and then we're, like, well, get out, like, don't be driving around in here.
18 And they were already in their car, so then, you know, so I think it was only maybe, like,
19 two or three other houses that we managed to get people out; right?

20 **MR. ROBERT PINEO:** Okay. And at the point in time when you're
21 evacuating houses, you were no longer an IARD team at that time, you weren't
22 employing IARD techniques at that point; correct?

23 **CST STUART BESELT:** It was fluid; right? We were going to the
24 house on Faris because they said that they had seen somebody in the area, and it just
25 kind of worked out that way.

26 **MR. ROBERT PINEO:** I'm going to take you back now to I believe
27 the first time that you were at the home where the four children were, 135 Orchard
28 Beach Drive. And do I have it correct that that was when you saw the flashlight coming

1 towards you?

2 **CST STUART BESELT:** After we left the first time, yeah.

3 **MR. ROBERT PINEO:** Okay. And you are heading south on
4 Orchard Beach Drive when you encountered ---

5 **CST STUART BESELT:** We ---

6 **MR. ROBERT PINEO:** --- what we now know is Clinton Ellison?

7 **CST STUART BESELT:** --- we got basically to the fence in front of
8 the house and then saw the flashlight.

9 **CST AARON PATTON:** We hadn't left the property though.

10 **CST STUART BESELT:** Yeah, we barely left the property, yeah.

11 **MR. ROBERT PINEO:** Okay. And it was around that time that you
12 found the second deceased person?

13 **CST STUART BESELT:** Well, when Mr. Ellison went to the woods,
14 or we assume went to the woods, then we took up positions, like I said, and when we
15 finally decided to light up the area to see, you know, if we could see a suspect, then
16 that's when we saw the second body, yeah.

17 **MR. ROBERT PINEO:** Okay. And this is again a just clarification
18 from your earlier testimony, but Constable Beselt, I believe you said, "Had the suspect"
19 -- that is the person with the flashlight -- "ran, we would have shot." And I'm wondering,
20 was that if he ran towards you or away from you?

21 **CST STUART BESELT:** Away. Yeah. If I thought he was the
22 threat, right, my line in the sand is for him not to get away; right? To stop the threat so.

23 **MR. ROBERT PINEO:** Okay. And I believe that Constable
24 Merchant or possibly Constable Patton testified this morning that there would have been
25 a number of steps taken before the suspect was shot. I think the words were, you know
26 -- you know, police, you know, you identify yourself as the police. Would that have
27 taken place before ---

28 **CST STUART BESELT:** Yeah, that's ---

1 **MR. ROBERT PINEO:** --- a shot was fired?

2 **CST STUART BESELT:** --- that's what I mean. We would have
3 challenged him as the police, and told him to not move, and if he would have run, then,
4 you know, it would have been very bad.

5 **MR. ROBERT PINEO:** And that's important, isn't it, to know for
6 sure who you're shooting, or, you know, to give that opportunity for surrender. That's
7 part of your procedures; isn't it?

8 **CST STUART BESELT:** That's right.

9 **MR. ROBERT PINEO:** And the reason for that is pretty obvious.
10 You don't want to shoot an innocent person; correct?

11 **CST STUART BESELT:** That's right.

12 **CST AARON PATTON:** Absolutely.

13 **MR. ROBERT PINEO:** How many times did you travel on
14 Portapique Beach Road that evening; can you recall?

15 **CST STUART BESELT:** We went up Portapique Beach Road, we
16 cut through the trees, we came back, cut through the trees again when we were coming
17 back to go to Faris Lane, came back from Faris Lane along Portapique Beach Road, cut
18 through the trees and came out at Bjorn's residence, and then that was it.

19 **MR. ROBERT PINEO:** Okay. And how many times would you
20 have passed the Zahl residence, either on Portapique Beach Road or if you did behind
21 Portapique Beach Road when you were in the woods?

22 **CST STUART BESELT:** How many times did we pass by the
23 Zahl's? Well, the first time we didn't get ---

24 **MR. ROBERT PINEO:** Yes.

25 **CST STUART BESELT:** --- there. We -- as we ---

26 **MR. ROBERT PINEO:** Correct.

27 **CST STUART BESELT:** --- came around the corner, we saw the
28 Zahl's place. It wasn't on fire. It didn't look like there was any motion or any movement

1 around there. We cut through the trees, and the next time we actually went behind it,
2 like, we went all the way down, and because it was so bright from the fire, we tried to
3 stay to the trees, went behind it, and then went to the 4 Faris Lane.

4 **MR. ROBERT PINEO:** Okay. And because we're trying to, as best
5 we can, come up with a timeline that fits the evidence, is it fair to say that the first time
6 you saw the Zahl residence, that, as you testified, was when you were heading down
7 Portapique Beach Road upon your entry, and the second time that you saw the Zahl
8 residence, it was on fire?

9 **CST STUART BESELT:** That's right.

10 **MR. ROBERT PINEO:** Okay. And that second time was after you
11 were on Faris because of the complaint that somebody was at the Griffins' home?

12 **CST STUART BESELT:** That's right.

13 **MR. ROBERT PINEO:** At any time did you hear gunshots or
14 explosions at the Zahl residence or in the direction of the Zahl residence?

15 **CST AARON PATTON:** It's hard to say. I mean, ---

16 **CST STUART BESELT:** Well, they were going off all around us,
17 so, you know, ---

18 **MR. ROBERT PINEO:** Sure.

19 **CST STUART BESELT:** --- it would have been difficult to identify
20 exactly what residence they were coming from.

21 **CST AARON PATTON:** Every resident had vehicles that were on
22 fire and everything in the house is blowing up or collapsing, so I'm sure there was
23 definitely explosions coming from that direction, but to specifically remember, it's
24 difficult.

25 **MR. ROBERT PINEO:** When you were on the perpetrator's garage
26 property, did you see a Ford F-150, either burned or not burned? Burning or not
27 burned?

28 **CST AARON PATTON:** We were so focused on looking for a

1 person that was our threat, I can't recall any specific items. I mean, we had a massive
2 structure burning to our -- to the north of us where we were at. And, to be completely
3 honest, I couldn't even describe to you what that building looked like.

4 We knew there was fire there, but I don't think I looked at it once.
5 We were looking for a threat and I couldn't say what might have been on the property, I
6 have no idea.

7 **CST ADAM MERCHANT:** It was engulfed, too.

8 **MR. ROBERT PINEO:** Sorry; I didn't hear you? Just Cst.
9 Merchant.

10 **CST ADAM MERCHANT:** It was engulfed. The building was
11 engulfed so it was hard to tell ---

12 **CST STUART BESELT:** You could just tell it was a large structure,
13 right?

14 **CST ADAM MERCHANT:** Yeah.

15 **CST STUART BESELT:** Not a house.

16 **MR. ROBERT PINEO:** Okay. At any time did you see a white Ford
17 F-150 in Portapique anywhere?

18 **CST STUART BESELT:** No.

19 **CST AARON PATTON:** Not that I can remember.

20 **CST ADAM MERCHANT:** I don't recall.

21 **MR. ROBERT PINEO:** Sure.

22 Perhaps if I could just have just a couple of moments to check my
23 notes, Commissioners?

24 **COMMISSIONER MacDONALD:** Absolutely.

25 **MR. ROBERT PINEO:** Thank you.

26 **(SHORT PAUSE)**

27 **MR. ROBERT PINEO:** Okay. I just have a couple of more
28 questions.

1 When you arrived at Portapique, Cst. Merchant, I believe you
2 testified earlier that you believed that there was only one way in and out of Portapique.
3 And I'm wondering if you can tell me what led you to that conclusion?

4 **CST ADAM MERCHANT:** I think just general knowledge of, like, --
5 -

6 **CST STUART BESELT:** Maps. Like, we have a map on our car,
7 and it looks liked there was only one way in and one way out.

8 **CST ADAM MERCHANT:** I think that was my understanding from
9 being there, that other time I was there with my family, so...

10 **CST AARON PATTON:** And driveable roads are highlighted
11 differently on the map. Like, they're outlined with a black outline, maybe? And when
12 we were driving there, we can see an outlined road in and then the roads within, and
13 just one road out. Like, a small trail wouldn't be highlighted on that map.

14 **MR. ROBERT PINEO:** Okay, that's my next question. So it's only
15 government or driveable roads that are on the map?

16 **CST STUART BESELT:** Yeah.

17 **MR. ROBERT PINEO:** On your -- I forget what you called it, your --
18 -

19 **CST STUART BESELT:** MWS.

20 **MR. ROBERT PINEO:** --- computer system in your car.

21 **CST STUART BESELT:** Our MWS, yes.

22 **MR. ROBERT PINEO:** MWS, okay. Okay.

23 And did you make any inquiries from OCC if there were alternate
24 ways out, or did MCC try to provide that information to you?

25 **CST ADAM MERCHANT:** I mean, I think that we were leaving that
26 to the Risk Manager and that to worry about containment.

27 **MR. ROBERT PINEO:** Sure. Okay.

28 Thank you, gentlemen, those are my questions.

1 **CST AARON PATTON:** Thank you

2 **CST ADAM MERCHANT:** You're welcome.

3 **COMMISSIONER MacDONALD:** Thank you, Mr. Pineo.

4 Mr. Burrill, is there anything flowing from that?

5 **MR. ROGER BURRILL:** I came over to say nothing to add.

6 Thank you, Chief Commissioner.

7 **COMMISSIONER MacDONALD:** Thank you.

8 I don't know if my colleagues have any questions for the witnesses.

9 **(SHORT PAUSE)**

10 **COMMISSIONER MacDONALD:** Well, thank you very much,
11 officers, for attending today and answering the questions. We very much appreciate it.

12 This process is important for us to help us understand what
13 happened; and, of course, why it happened. And I can tell members of the public, and
14 confirm that on Wednesday of this week, we will hear from our next witness, Ms.
15 Deborah Thibault.

16 We will also hear from Commission Counsel, who will be presenting
17 Foundational Documents focused on 2328 Hunter Road and Highway 4 Wentworth.
18 These documents address the homicides of Sean McLeod, Alanna Jenkins, Tom
19 Bagley, and Lillian Campbell.

20 We say this often but it's important to repeat; the nature of our work
21 means we continue to deal with and hear very difficult information; and would ask and
22 remind everyone that you should please ask for help if you need it; and remember that
23 there are supports and resources here in person and available through the
24 Commission's website.

25 I just wanted to thank everyone for their continued interest and
26 engagements in the Commission's work. It's difficult work but it's also very, very
27 important.

28 So thank you again, officers. Thank you, counsel; Commission

1 Counsel and Participant Counsel, and we will break, then, until Wednesday at 9:30.

2 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

3 The proceedings are adjourned until Wednesday, March the 30th,
4 2022, at 9:30 a.m.

5 --- Upon adjourning at 3:05 p.m.

6

7

C E R T I F I C A T I O N

8

9 I, Sandrine Marineau-Lupien, a certified court reporter, hereby certify the foregoing
10 pages to be an accurate transcription of my notes/records to the best of my skill and
11 ability, and I so swear.

12

13 Je, Sandrine Marineau-Lupien, une sténographe officiel, certifie que les pages ci-hautes
14 sont une transcription conforme de mes notes/enregistrements au meilleur de mes
15 capacités, et je le jure.

16

17



18 Sandrine Marineau-Lupien

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