

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**

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Halifax, Nova Scotia

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--- Upon commencing on Monday, April 25th, 2022, at 9:28 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 FITCH: Hello, and welcome. Bonjour, et bienvenue. We join you from Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq. As always, we start 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.

Last week marked two years since the mass casualty, and public proceedings were paused out of respect. It was heartwarming to see the many tributes, and we hope that you and your loved ones were able to come together to remember, to mourn, and to support one another.

The Commission's Phase 2 public proceedings begin this week, and will continue through the summer. Our Phase 1 work is also still underway. During Phase 2, we'll broaden the focus of our work to explore how and why the mass casualty happened, considering the causes, context, and circumstances that may have contributed.

Phase 2 is a bridge to the Commission's forward-focussed Phase 3 work of identifying lessons to be learned in developing meaningful recommendations for the future. To be clear, the work to understand what happened will continue. We'll be hearing from more witnesses, including senior ranking RCMP officers. Additional witnesses are also being confirmed and subpoenaed on a rolling basis, and more names will be added to the schedule in coming weeks.

Through Phase 2 work, we will continue to build on what we have learned during proceedings so far about what happened, exploring issues identified in

1 our mandate, including police resources and decision-making, public communications,
2 understanding mass casualties, supporting communities after a mass casualty, gender-
3 based and intimate partner violence, and access to firearms. As we broaden our focus,
4 we will also expand the kinds of public proceedings we are using in this inquiry.

5 In addition to more Foundational Documents presentations and
6 hearing from witnesses, you can expect to see the public releases of expert and
7 technical reports, which are prepared by independent report writers and researchers to
8 help us better understand the related the issues in the mandate. There will also be
9 roundtables, with the first one this Wednesday. These will involve experts and other
10 individuals with helpful knowledge, who will provide their insights on relevant issues
11 through public and facilitated processes and discussions. You can also expect to see
12 small group discussions, where we can hear directly from people with related
13 experiences, helping us to better understand the impacts of the mass casualty.

14 Today, Commission Counsel will share brief presentations on
15 police paraphernalia, uniforms, equipment, vehicles, and confirmation of the
16 perpetrator's replica RCMP cruiser. We will also hear from the witness, Max Liberatore,
17 who will provide information about the perpetrator's police paraphernalia, including
18 uniform, items, and decals for the decommissioned replica RCMP cruiser.

19 I will now ask Commission Counsel, Amanda Byrd, to begin. Thank
20 you.

21 **--- INTRODUCTION OF FOUNDATION DOCUMENTS POLICE PARAPHERNALIA**
22 **and LEGISLATIVE BRIEF ON POLICE IMPERSONATION AND PARAPHERNALIA:**

23 **--- PRESENTATION BY MS. AMANDA BYRD:**

24 **MS. AMANDA BYRD:** Commissioners, Participants, and people of
25 Nova Scotia, Canada, and beyond, I'm Amanda Byrd, Commission Counsel, and one of
26 my responsibilities is to gather the evidence on the parts of the Commission's mandate
27 about police paraphernalia.

28 Commissioners, I would now like to mark two documents as public

1 exhibits. The first is the Police Paraphernalia Foundational Document.

2 **REGISTRAR DARLENE SUTHERLAND:** And that's Exhibit 808.

3 **--- EXHIBIT NO. 808:**

4 Police Paraphernalia Foundational Document

5 **MS. AMANDA BYRD:** And all supporting materials.

6 **REGISTRAR DARLENE SUTHERLAND:** So exhibited.

7 **MS. AMANDA BYRD:** And the Legislative Brief on Police
8 Impersonation and Paraphernalia.

9 **REGISTRAR DARLENE SUTHERLAND:** And that's Exhibit 1027.

10 **--- EXHIBIT NO. 1027:**

11 Legislative Brief on Police Impersonation and Paraphernalia
12 Foundational Document

13 **MS. AMANDA BYRD:** Thank you, Madam Registrar.

14 This presentation will provide a brief overview of the applicable
15 federal and provincial legislation and a summary of material reviewed by Commission
16 Counsel to date relating to the perpetrator's access to, possession, and use of police
17 paraphernalia. For our purposes, police paraphernalia includes uniform, kit, and
18 associated items, and decommissioned police vehicles and associated items.

19 The focus of this presentation is the perpetrator's online research,
20 the uniform, kit, and associated items he possessed and used, and the
21 decommissioned police vehicles and associated items he possessed and used. There
22 will be some discussion of DNA evidence recovered from certain items in relation to the
23 mass casualty, which may be disturbing to hear.

24 So I'll start with the law. There are two pieces of federal legislation
25 that apply to police paraphernalia. Under the *Criminal Code of Canada*, it is a crime to
26 falsely represent oneself to be a police officer. It is also a crime for someone who is not
27 a police officer to use a badge or article of uniform or equipment in a manner that is
28 likely to cause another person to believe that they are a police officer.

1 The *Royal Canadian Mounted Police Act* or the *RCMP Act*, makes
2 it an offence punishable on summary conviction to use any clothing, equipment, badge,
3 medal, ribbon, document or other item in such a manner as to lead to a reasonable
4 belief that the person was a former member of the RCMP.

5 And there are three pieces of provincial Nova Scotia legislation that
6 are relevant. Currently, section 69 of Nova Scotia's *Police Act* prohibits a person or
7 organization from using the uniform, insignia, vehicle markings, or other signs or
8 symbols of a police department to mislead the public. People and organisations are
9 also prohibited from using items that are similar enough to a police department's
10 uniform, insignia, vehicle markings, or signs or symbols that a member of the public
11 would be misled. This legislation was applicable at the time of the mass casualty in
12 April of 2020, and continues to apply today.

13 Nova Scotia's *Private Investigators and Private Guards Act*
14 prohibits licensees from holding themselves out to be members of a police force or
15 acting as members of a police force. Uniforms worn by private guards cannot have the
16 words "police", "sheriff", or "officer" displayed on them. Motor vehicles used by private
17 guards for security patrol cannot display the words "police", "sheriff", or any other word
18 that would tend to confuse the public about the vehicle's purpose.

19 New Nova Scotia legislation entitled *The Police Identity*
20 *Management Act*, was given royal assent on April 19th, 2021, and is currently
21 scheduled to come into effect on May 12th, 2022. This legislation prohibits the sale,
22 reproduction, or possession of police-issued items by an individual or for someone else.
23 It also prohibits the sale of marked police vehicles and restricts possession of vehicle
24 decals and police vehicle equipment to authorized individuals and uses.

25 The legislation makes it an offence to use or possess police
26 paraphernalia such as uniform, markings and vehicle equipment, subject to some
27 exceptions, for example, for dramatic works, for museums or for exhibitions. It also
28 makes it an offence to display the word "police" on clothing or vehicles if this might

1 mislead the public into believing the person or vehicle is a police officer or police
2 vehicle.

3 The legislation makes it an offence to sell or fabricate police
4 paraphernalia unless the purchaser is authorized and gives police the ability to obtain a
5 search warrant if an officer has reasonable grounds to believe the Act is being violated.

6 So that's the end of the legislation bit, and we'll turn now to a
7 couple of definitions. These are terms that come up quite a few times throughout this
8 presentation and in the Foundational Document, so we thought we would put them here
9 for you.

10 The silent patrolman, that's an informal term for the metal and
11 plexiglass shield that separates the front and back seats in a police cruiser.

12 The Sam Browne is a ceremonial belt and shoulder strap that is
13 commonly worn by members of the RCMP.

14 And the red serge is the red dress tunic that is worn by members of
15 the RCMP.

16 So I'll turn now to the perpetrator's police paraphernalia, and I'll
17 start with his online search timeline.

18 Over a period of about 20 months, the perpetrator conducted a
19 number of online searches relating to police paraphernalia. In January of 2018, the
20 perpetrator conducted a search of the RCMP website for information on uniform and
21 badges.

22 He visited a "Made in China" website searching for a police badge.
23 He visited various sites relating to the generation of fake identification and conducted an
24 open source search for information on collecting military police insignia. He visited the
25 RCMP website's uniform page and conducted other open source searches in relation to
26 RCMP uniforms. He conducted searches relating to obtaining fake police badges and
27 law enforcement IDs.

28 The perpetrator also conducted searches using the following

1 search terms: “RCMP badges for sale”; “RCMP badge number lookup”, and “fake
2 RCMP badge”.

3 In February of 2019, the perpetrator again visited the RCMP
4 website and concentrated on the section of the website relating to the badge and
5 insignia. He conducted two searches on eBay for collectible police decals and stickers.
6 He visited the Government of Canada’s Public Services and Procurement website
7 searching for a decal kit, and searched eBay and other sites for police decals.

8 In March of 2019, the perpetrator conducted searches for front
9 bumper parts for a 2013 or 2014 Ford Taurus. He also visited sites searching for
10 RCMP tactical fleece, RCMP outerwear, RCMP patrol jackets and high-visibility jackets,
11 and general RCMP clothing.

12 The perpetrator conducted searches for an RCMP police radio and
13 RCMP police radio frequency. He visited several sites to search for plexiglass and
14 metal partitions, or silent patrolman, and so-called push bumpers.

15 Push bumper is a term that is used to describe the external
16 equipment guard on a police vehicle that is used to mount equipment and/or
17 intentionally contact vehicles.

18 The perpetrator also accessed an article about an officer in the
19 United States who had outfitted his personal vehicle with red flashing lights.

20 In April of 2019, the perpetrator visited an eBay site looking for
21 “light for a 2013 Ford Taurus” and conducted two searches for RCMP car decals.

22 The perpetrator continued to search for information about RCMP
23 police decals, Ford Taurus vehicle parts and collectible items in May and June of 2019.

24 In July of 2019, the perpetrator conducted open source and Google
25 searches for “RCMP 26B11 patrol car” and “RCMP Truro”. As I will discuss in a
26 moment, 26B11 was the original number assigned to the 2017 decommissioned Ford
27 Taurus that the perpetrator turned into the replica RCMP cruiser.

28 In August and September of 2019, the perpetrator continued to

1 search for items relating to police Ford Taurus motor vehicles, including the silent
2 patrolman, tires and push bars.

3 So I'll now discuss the uniform and kit items that the perpetrator
4 had or ordered.

5 The perpetrator is known to have had a red RCMP serge. The red
6 serge is a dress tunic that is worn by members of the RCMP, and a red serge was not
7 recovered after the mass casualty.

8 The RCMP recovered a grey RCMP general duty uniform shirt from
9 Gina Goulet's residence on April 19th, 2020. The shirt was authenticated as RCMP
10 issued for the Mass Casualty Commission by the RCMP Uniform and Equipment
11 Program.

12 The RCMP also recovered a bright yellow high-visibility vest from
13 Gina Goulet's residence. The vest has not been authenticated as RCMP issued, and
14 it's important to note that these types of vests are not worn exclusively by police officers
15 and are available at retail stores.

16 The RCMP recovered a pair of dark blue pants with a yellow stripe
17 from Joey Webber's Ford Escape on April 20th. The Mass Casualty Commission does
18 not currently have evidence to suggest that the perpetrator wore these pants during the
19 mass casualty. The pants were authenticated as RCMP issued by the RCMP Uniform
20 and Equipment Program for the Mass Casualty Commission.

21 The RCMP recovered a Correctional Services Canada, or CSC,
22 jacket from Joey Webber's Ford Escape on April 20th.

23 The RCMP recovered an Emergency Medical Technician, or EMT,
24 badge on April 21st, 2020. The badge was in a black wallet the perpetrator had at the
25 time of his death.

26 The RCMP recovered a nylon or webbed duty belt from Gina
27 Goulet's Mazda 3 which the perpetrator stole and was driving at the time of his death. A
28 duty belt is a belt worn by police officers, Correctional Officers, security guards and

1 others around the waist to hold such items as a firearm, a baton, oleoresin capsicum
2 spray, or pepper spray, handcuffs, radio and other accessories.

3 The RCMP recovered a pair of high brown boots with the
4 perpetrator's last name written in them on April 26, 2020 from 123 Ventura Drive where
5 the perpetrator spent several hours overnight on April 18th and into the morning of April
6 19th.

7 High brown boots are also called high browns, and they are brown
8 leather boots that are worn by members of the RCMP.

9 The RCMP also recovered a Sam Browne belt and empty holster
10 from 123 Ventura Drive. And as I mentioned earlier, the Sam Browne is a ceremonial
11 belt and shoulder strap commonly worn by members of the RCMP.

12 The RCMP recovered plastic bullet holders from 123 Ventura Drive
13 on April 26th. They also recovered a radar speed measuring device from the same
14 location, which we know the perpetrator ordered on eBay. He also purchased tuning
15 forks for the radar speed measuring device, but these were not recovered.

16 And finally, a pair of handcuffs were recovered after the events at
17 the Shubenacadie cloverleaf by a civilian and were provided to the RCMP. The Mass
18 Casualty Commission has not received definitive evidence to draw a conclusion on
19 whether the perpetrator owned or used these handcuffs.

20 I'm just going to show you a few photographs here.

21 This is the bright yellow high-visibility vest that I discussed earlier
22 that was recovered from Gina Goulet's residence.

23 This is the grey RCMP general duty uniform shirt.

24 This is one of the high brown boots. These are the blue pants with
25 yellow stripe. This is the EMT badge that was in the wallet. This is a photograph of the
26 Sam Browne belt. And you can see the empty holster there. And this is a photograph
27 of the handcuffs that were provided by the civilian.

28 With respect to the perpetrator's acquisition of uniform kit and

1 associated items, there's some evidence to suggest that he searched for police items
2 online, but it is not currently possible to match these searches to items that were worn
3 or used during the mass casualty.

4 However, we've sourced some of the materials. So the
5 perpetrator's Uncle Chris is a retired RCMP member. In his statements to the RCMP on
6 April 21st and 28th, 2020, he said he gave the perpetrator his red serge and his high
7 brown boots. He said the perpetrator displayed these items at the warehouse in
8 Portapique. Chris did not think the perpetrator would have taken the general duty
9 uniform shirt or other general duty uniform items he may have had access to because
10 the perpetrator was larger than Chris and the items would not have fit him.

11 A number of witnesses provided the RCMP with information about
12 the perpetrator's possession of uniform and kit items in their statements after the mass
13 casualty. And this is just a broad overview of some of that information. There's a lot
14 more detail in the Foundational Document.

15 Lisa Banfield provided information to the RCMP that the perpetrator
16 had RCMP uniform items, including a red serge and:

17 "...khaki shirts like police officers have."

18 Family members reported that the perpetrator had pants with a
19 yellow stripe, a long sleeved RCMP shirt, a red serge, a hat that one witness described
20 as looking like Smokey the Bear, and a badge.

21 Friends and acquaintances also described uniform items, including
22 an RCMP shirt, pants with a yellow stripe, a red serge, a holster, and a badge. It is not
23 known whether the badge witnesses referred to was in fact the EMT badge that was
24 recovered from the black wallet in the perpetrator's possession at the time of his death.

25 Individuals who did work for the perpetrator at his Portapique
26 residence and at the warehouse reported having seen an RCMP uniform on a
27 mannequin in the warehouse and they also reported having seen a bullet proof vest and
28 a badge.

1 Patients at the perpetrator's denture clinic and denturists and other
2 professionals reported that the perpetrator had a red serge, an RCMP style hat, and
3 high brown boots.

4 I will now discuss the perpetrator's use of uniform and kit during the
5 events, including some discussion of clothing changes during the events.

6 The perpetrator used some of his uniform and kit and associated
7 items during the mass casualty. Other items were recovered, but do not appear to have
8 been used.

9 So the blue pants with the yellow stripe contained bloodstains that
10 were detected by the RCMP using infrared examination. But the only DNA identified
11 through forensic analysis on the pants belonged to the perpetrator. The Commission
12 has not uncovered evidence to suggest that the perpetrator wore these pants during the
13 mass casualty.

14 The perpetrator is also not known to have worn the high brown
15 boots during the mass casualty. And this is supported by the fact that forensic analysis
16 determined that the DNA from several of the victims, including victims killed prior to the
17 perpetrator's overnight in Debert was on the Timberland boots the perpetrator was
18 wearing when he was examined by the medical examiner and no DNA was on the high
19 brown boots.

20 The perpetrator's DNA was on the high visibility vest and there are
21 photographs in the Foundational Document in which the perpetrator appears to be
22 wearing the vest, at both the Shubenacadie Cloverleaf and in the surveillance from the
23 Millbrook Trading Post.

24 The DNA profile on the grey RCMP general duty uniform shirt was
25 of mixed origin, consistent with having come from two individuals. The major
26 component belonged to the perpetrator. The minor component contained limited
27 genetic information and no meaningful comparison could be made to any samples.

28 In photographs of the perpetrator taken at the Shubenacadie

1 Cloverleaf by a civilian, and from surveillance footage at the Millbrook Trading Post, the
2 perpetrator appears to be wearing this shirt.

3 With respect to the Correctional Services Canada jacket, only the
4 perpetrator's DNA was found on this jacket. In the surveillance footage from the
5 Millbrook Trading Post, the perpetrator is shown removing a dark coloured jacket or
6 shirt that resembles the CSC jacket.

7 The perpetrator did change clothes a few times during the mass
8 casualty.

9 Lisa Banfield said he was wearing black jeans, a plaid shirt, a burnt
10 orange vest, a black baseball cap, and brown boots at the warehouse on the night of
11 April 18th.

12 Other witnesses to the events in Portapique on the evening of April
13 18th reported that the perpetrator was wearing dark clothing and a black baseball cap.

14 A witness who saw the perpetrator near the football field in Debert
15 sometime around 12:30 a.m. on April 19th said he saw a police car driving by and the
16 person driving it appeared to be wearing an RCMP uniform.

17 Surveillance footage from the Millbrook Trading Post taken at
18 approximately 10:25 a.m. on the morning on April 19th showed the perpetrator changing
19 clothes. The perpetrator removed a dark shirt or jacket that appears to have a crest or
20 patch on the left shoulder and resembles the CSC jacket, revealing the high visibility
21 vest and the light grey or beige long-sleeved shirt with a crest or patch on the shoulder
22 that resembles the RCMP general duty uniform shirt.

23 The RCMP general duty uniform shirt and the high visibility vest
24 were recovered from Gina Goulet's residence. And at the time of his death, the
25 perpetrator was wearing brown Timberland boots, a black belt, a white or light-coloured
26 t-shirt, and black jeans.

27 So that ends the portion of the presentation on uniform and kit, and
28 we'll talk now about decommissioned police vehicles.

1 The perpetrator had four decommissioned police vehicles at the
2 time of the mass casualty. Three of these were 2013 Ford Taurus motor vehicles and
3 one was a 2017 Ford Taurus.

4 Three of the four vehicles were registered to Berkshire Broman
5 Corporation, which was a corporation the perpetrator owned.

6 The perpetrator purchased all four of these vehicles from
7 GCSurplus, which is an online closed bidding system that sells movable assets,
8 including vehicles, for more than 100 departments and agencies within the Government
9 of Canada.

10 So the first vehicle that he purchased was a 2013 white Taurus. He
11 purchased this in March of 2019 and paid about \$4,200 for it. The second vehicle he
12 purchased was a 2017 white Taurus, which he purchased in July of 2019. This one
13 sold for \$10,990, or thereabouts. And this was the vehicle that the perpetrator turned
14 into the replica RCMP cruiser and later numbered as 28B11.

15 The perpetrator drove this vehicle during the mass casualty and set
16 it on fire. It was subsequently recovered by the RCMP.

17 The third vehicle he purchased was in September of 2019 and he
18 paid around \$2,998 for it. The perpetrator failed to register this vehicle after he
19 purchased it from GCSurplus. So he did not register this vehicle.

20 And the last one that he purchased was in July of 2019. That's
21 backwards. The last one he purchased was in September, which was the one that I just
22 talked about. So the third one that he purchased was in July of 2019, but I think he
23 didn't actually -- it didn't actually get transferred over to him until October.

24 But it was -- this was the vehicle that was located at 193 Portland
25 Street in Dartmouth during the execution of a search warrant on April 20th, 2020. It was
26 a 2013 Taurus.

27 The perpetrator purchased this vehicle from GCSurplus for about
28 \$3,800.

1 This is a photograph of the decommissioned replica RCMP cruiser
2 that the perpetrator constructed. I think I'll go back to that picture so you can see for a
3 minute what I'm talking about.

4 Many civilian witnesses told the RCMP in their statements after the
5 events that they either had seen or had knowledge of this replica cruiser prior to the
6 mass casualty. The perpetrator showed many of these witnesses photographs of the
7 cruiser, and some saw it in the warehouse in Portapique. Several witness -- witnesses
8 reported that the perpetrator told him he intended to use the vehicle either as a
9 memorial for fallen RCMP members, or that he intended to rent it out for use on movie
10 sets. The Commission does not currently have evidence to suggest that any of these
11 witnesses reported the vehicle to police.

12 And the perpetrator ordered a lot of accessories for the cruiser, and
13 I will discuss a few of those accessories now.

14 So the perpetrator ordered a lot of accessories for the cruisers on
15 eBay and on Amazon. For the most part, he had these items shipped to addresses in
16 the United States. These included many small parts, such as wiring connectors, and
17 larger pieces, such as the silent patrolman. A detailed description of these items is
18 included in the Foundational Document, but I will discuss a few of the larger items now.

19 So the light bar and lights. The perpetrator ordered a Whelen
20 Liberty 2-light bar from eBay on May 7th, 2019, and paid \$810.90 US for it. The Whelen
21 light bar is a flat light bar for the top of vehicles. It was shipped to the perpetrator's
22 friend, Sean Conlogue's address in Maine. A photograph taken at the perpetrator's
23 warehouse by David McGrath on December 27th, 2019, appears to show that the light
24 bar is in working condition; however, witnesses to the events of April 18th and 19th did
25 not report that the light bar was operational.

26 With respect to the silent patrolman, the perpetrator purchased it on
27 eBay on March 29th, 2019, and advised Lisa Banfield via email on September 1st, 2019
28 that he had installed, quote, "the cage" in "the real cop car" end quote. Ms. Banfield

1 said that on the night of April 18th, she was able to escape the decommissioned replica
2 RCMP cruiser by sliding the glass of the partition open and exiting the vehicle through
3 the front seats.

4 With respect to the decals and reflective material, the perpetrator
5 had various sources for the decals and the reflective material he used to turn the 2017
6 Ford Taurus into the replica RCMP cruiser. He purchased some through eBay and
7 some from a company called American Vinyl through Amazon. He obtained some
8 reflective material from a company called ND Graphics. He had custom decals for the
9 door of the vehicle created by a company called Custom Designs. A few of the decals
10 were printed by Peter Griffon at Syd Sells Signs, the company for which Mr. Griffon
11 worked at the time.

12 I'm just going to take you back to the photo here because one
13 question that remains is the origin of the stripes on the side of the vehicle. The
14 perpetrator purchased 2 yards each of sapphire blue vinyl, white reflective vinyl, yellow
15 reflective vinyl, and red reflective vinyl from ND Graphics. And you can see that those
16 are the colours in the stripes there. But Peter Griffon told Mass Casualty Commission
17 investigators that the rolls of vinyl the perpetrator had purchased were a solid type of
18 vinyl, and the vinyl that went on the vehicle was a hexi-style. Mr. Griffon said he saw
19 the hexi-style vinyl in what he referred to as "chunks" on wax paper at the warehouse.
20 He said these were then fitted together and put on different places on the side of the
21 vehicle to construct the stripes. Mr. Griffon also said that the reason the perpetrator
22 chose the number 28B11 for the vehicle was because it covered up residue from the
23 original number, which had been 26B11.

24 With respect to the radio, the perpetrator ordered a Motorola radio,
25 Motorola radio control head, Motorola palm microphone, and a power cable for a
26 Motorola radio from eBay. A supplementary report from Mass Casualty Commission
27 investigators indicates that there was no evidence to suggest the perpetrator had the
28 ability to listen to encrypted radio transmissions. It is not currently known whether the

1 radio and associated parts the perpetrator ordered were for the replica cruiser or a
2 different vehicle, or whether the replica cruiser had a working radio in it.

3 Commissioners, this concludes the presentation on Police
4 Paraphernalia. Thank you.

5 **COMMISSIONER MacDONALD:** Thank you so much, Ms. Byrd.

6 **MS. AMANDA BYRD:** I am now going to speak to you about the
7 lifecycle of police paraphernalia, so police uniforms, equipment and vehicles. I am still
8 Amanda Byrd, and I am Commission Counsel.

9 Commissioners, I would now like to mark eight documents as public
10 exhibits. These are: The Transcript of Mass Casualty Interview of Steven Carroll,
11 COMM53744.

12 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 1028.

13 **--- EXHIBIT NO. 1028:**

14 Transcript of Mass Casualty Interview of Steven Carroll,
15 COMM0053744

16 **MS. AMANDA BYRD:** Transcript of Mass Casualty Interview of
17 Alan McCambridge, COMM53742.

18 **REGISTRAR DARLENE SUTHERLAND:** One-zero-two-nine
19 (1029).

20 **--- EXHIBIT NO. 1029:**

21 Transcript of Mass Casualty Interview of Alan McCambridge,
22 COMM0053742

23 **MS. AMANDA BYRD:** Transcript of Mass Casualty Interview of
24 Christine LaMarche, COMM50865.

25 **REGISTRAR DARLENE SUTHERLAND:** One-zero-three-zero
26 (1030).

27 **--- EXHIBIT NO. 1030:**

28 Transcript of Mass Casualty Interview of Christine LaMarche,

1 COMM0050865

2 **MS. AMANDA BYRD:** Transcript of Mass Casualty Interview of
3 Julia Cecchetto, COMM15891.

4 **REGISTRAR DARLENE SUTHERLAND:** One-zero-three-one
5 (1031).

6 **--- EXHIBIT NO. 1031:**

7 Transcript of Mass Casualty Interview of Julia Cecchetto,
8 COMM0015891

9 **MS. AMANDA BYRD:** Transcript of Mass Casualty Interview of
10 David MacNeil, COMM3767.

11 **REGISTRAR DARLENE SUTHERLAND:** One-zero-three-two
12 (1032).

13 **--- EXHIBIT NO. 1032:**

14 Transcript of Mass Casualty Interview of David MacNeil,
15 COMM0003767

16 **MS. AMANDA BYRD:** Transcript of Mass Casualty Interview of
17 Nicholas Trudel, COMM40549.

18 **REGISTRAR DARLENE SUTHERLAND:** One-zero-three-three
19 (1033).

20 **--- EXHIBIT NO. 1033:**

21 Transcript of Mass Casualty Interview of Nicholas Trudel,
22 COMM0040549

23 **MS. AMANDA BYRD:** Transcript of Mass Casualty Interview of
24 Andrew Warner, COMM53364.

25 **REGISTRAR DARLENE SUTHERLAND:** One-zero-three-four
26 (1034).

27 **--- EXHIBIT NO. 1034:**

28 Transcript of Mass Casualty Interview of Andrew Warner,

1 COMM0053364

2 **MS. AMANDA BYRD:** And Transcript of Mass Casualty Interview
3 of Andres Casimiri, COMM51948.

4 **REGISTRAR DARLENE SUTHERLAND:** One-zero-three-five
5 (1035).

6 **MS. AMANDA BYRD:** Thank you.

7 **--- EXHIBIT NO. 1035:**

8 Transcript of Mass Casualty Interview of Andres Casimiri,
9 COMM0051948

10 **MS. AMANDA BYRD:** So the focus of this presentation is to
11 provide information on the regular life cycle of police uniform items, use of force options,
12 and vehicles. The primary concentration is on the RCMP. I will also discuss changes to
13 processes made since the mass casualty occurred. The presentation includes
14 information synthesised from the witness statements that we have just marked as
15 exhibits, and on each slide the sources are identified by name and date of interview.

16 So we've got a few definitions and acronyms here to start:

17 Materiel and Assets Management is the RCMP team that manages
18 all procurement requirements on a departmental level. The team oversees the Uniform
19 and Equipment Program, the National Armoury Program, and the Materiel Program.

20 Then we have Public Services and Procurement Canada, which is
21 PSPC, and used to be known as Public Works, and this is the central purchasing agent
22 for federal departments and agencies.

23 And you heard me use the word "general duty uniform" a lot in the
24 last presentation, but I'm not sure I defined it, so here it is: A general duty uniform is the
25 uniform an officer wears during the daily course of their duties. A dress or review order
26 uniform is worn for ceremonial occasions and special events.

27 Shoulder flashes are the round shoulder markings on a uniform
28 item that identify which police service an officer works for.

1 This is just a little graphic to kind of explain the life span of member
2 entitlements and uniform. You can see here like this is the typical life cycle.

3 I'll get into each of these areas in detail, but for now we can identify
4 that the cycle typically follows what's pictured here. A need for an item or items is
5 identified. Specifications are provided, and a procurement process ensues.

6 The items are manufactured and then delivered and are sometimes
7 stored. There are certain inventory control processes in place and, finally, when
8 uniform items are no longer functional or have reached the end of their life span, they
9 are to be destroyed or disposed of according to policy.

10 The life span of pieces of uniform varies depending on factors like
11 what the item is, where it's being used. The life span of uniform items is set out in
12 RCMP policy and members can see information on the fair wear and tear life
13 expectancy for each item of uniform when they use the online ordering system to place
14 individual orders. And I'll talk more about the online ordering system in a moment.

15 Members are responsible for having both dress uniforms and
16 general duty uniforms.

17 Now I'm going to go into each of the stages in more detail.

18 So Stage 1, the need is identified and the specification is
19 developed. The first stage in the life cycle of uniform items is the identification of a need
20 for a particular piece of uniform by the detachment. Some examples could include
21 stronger wet weather or harsh environment equipment like extreme cold weather boots.

22 Once a need has been identified, the Uniform and Equipment
23 Program develops the detailed specification for the item based on the need.

24 The next stage is procurement. So Materiel and Assets
25 Management uses the specifications that were developed by the Uniform and
26 Equipment Program to create a procurement, which must be fair, open, transparent and
27 compliant with trade agreements and the rules of procurement. Bidders then bid on the
28 contract, the cost and turnaround time.

1 Depending on the items, the specification may be publicly posted,
2 but there are security considerations if a piece of uniform might be used to impersonate
3 an officer, which may mean that the specifications are not publicly posted.

4 The bids are then submitted to the Uniform and Equipment
5 Program for evaluation. The contract is awarded to the company or companies with the
6 lowest compliant bid.

7 Shoulder flashes are contracted out in the same method as other
8 uniform items. There's a detailed specification and the flashes are contracted out in
9 bulk.

10 This is the online ordering system for individual members.
11 Everything is available through the online secure portal. Members can view the various
12 types of uniform based on a duty code and can select multiple items in one order under
13 a specific duty code. And it's the responsibility of the unit commander to view each
14 member's order history and, in communication with the member, determine approval
15 against the member's entitlement or requirement for the items.

16 For bulk orders as part of the contract, there is a freight on board
17 destination for the items. The vendor is responsible for arranging shipping and paying
18 the shipping costs from the supplier to the RCMP.

19 For online member orders, once they are approved by the unit
20 commander, the orders go into a pending order area. The items are then grouped,
21 prepared, picked and shipped via Canada Post to the detachments each day.

22 With respect to monitoring inventory and orders, it is the unit
23 commander's responsibility to review and approve member requests. Discipline
24 decisions from members who may appear to be over-ordering would be at the unit level
25 as a starting point at the discretion of the unit commander. The unit commander may
26 also involve a Warrant Officer if there is a problem to determine what disciplinary action,
27 if any, is required.

28 Members would be refused items if they had already received their

1 quota of these items within the item's life expectancy. For example, if a member orders
2 a new patrol jacket every year, that would be suspicious and the unit commander would
3 likely challenge it to determine the reasons for the orders. And that applies to fair wear
4 and tear. If there's an incident where an item of clothing is destroyed in the line of duty,
5 then that's a little bit of a different situation.

6 With respect to inventory control, when the RCMP receives items, it
7 gets a detailed packing slip which is cross-referenced at the loading dock of their facility
8 to make sure they have received everything. If there is a discrepancy, it immediately
9 goes to the manager of accounting and planning for action. The manager will contact
10 the carrier, find out what happened. Follow-up occurs immediately on account
11 verification, and if action is required, this also happens immediately.

12 With respect to the destruction or disposal of uniforms, this is not
13 on a national scope and the responsibility for destruction of uniform items is at the
14 detachment level. Detachments may have incinerators or shredders on site.

15 The RCMP will collaborate with other government departments to
16 assist them if they have challenges. For example, they might provide cold weather gear
17 with the insignia removed to an agency like the Canada Border Services Agency. Items
18 are turned in to the unit commander, who is responsible for ensuring they are disposed
19 of and rendered unidentifiable in the process.

20 Policy says that items are to be destroyed locally or rendered
21 unserviceable. The RCMP would not do this with items such as blue pants with the
22 yellow stripe, general duty uniform shirts or patrol jackets. Those items would be
23 shredded or burnt. Any items with identifiable marks would be destroyed. Other items
24 might be recycled.

25 Members who are resigning or retiring require permission to
26 maintain their dress uniform. Permission is not automatically granted, and it is
27 documented. There are forms and processes in place to ensure equipment is
28 recovered or accounted for when members depart the service.

1 I'll speak a little bit about dress uniforms here because it's a little
2 different. The mechanism is the same for general duty -- for general duty uniforms as
3 dress uniforms so the procurement, design, specification, ordering process, but
4 members are entitled, on approval, to keep certain items of the dress uniform upon
5 retirement.

6 These items also have a longer life expectancy because they are
7 not worn on a regular basis.

8 With respect to use-of-force options, we heard the procurement
9 process for the use-of-force items is the same as for uniforms except certain items go to
10 a different team at PSPC.

11 The Armoury Program is in charge of destroying or disposing of
12 some use-of-force options such as firearms and conductive energy weapons.

13 So we heard a little bit from other police forces about uniform and
14 kit and use-of-force options. Use-of-force options issued to uniformed members are
15 standard across Nova Scotia. They're issued a gun belt, pepper spray, a baton,
16 handcuffs, a firearm and, for everyone on the road, a conductive energy weapon.

17 In Kentville, the uniform and equipment requests and assignments
18 are tracked. In Truro, the uniforms are covered by a collective agreement. They are
19 tracked and replaced as needed. Truro Police also now have a turn-in basis where if an
20 officer orders two shirts, they need to turn in two shirts. And those two shirts would then
21 be placed in an incinerator where they were burned, and the destruction process is
22 documented.

23 So these are some other considerations about the uniform and kit
24 items. And the first is that there has been a culture of trading police paraphernalia
25 between police forces. It's possible that an officer might have a headdress or shoulder
26 flashes, they might put those into a plaque or a folder to give to a member of another
27 service, but officers, we were told, would not exchange tunics and patrol jackets.

28 The uniform often does have special significance to veterans and

1 retired members. Retired members must be given permission to wear the ceremonial
2 uniform. The RCMP Veterans Association has its own uniform with rules and
3 regulations about who can wear it, how they can wear it and when. Since October of
4 2014, members must ask permission to wear the dress uniform while attending
5 regimental funerals. Most veterans wear blazers and do not march.

6 We heard that members have pride in the uniform and often hold
7 on to reach the 20-year service mark so they can keep their ceremonial uniform.
8 Members do not expect to keep any of their general duty uniform.

9 Sometimes RCMP uniform items appear in second-hand stores.
10 The RCMP's Intellectual Property Office has someone assigned as a subject-matter
11 expert, and they have a cease and desist letter that they can issue where companies
12 are selling artifacts or there are trademark infringements, and there have been
13 occasions where there are costumes or actual uniforms that may be in second-hand
14 stores to be sold. And this is a challenge for the RCMP because unless they can prove
15 impersonation of a police officer under the *Criminal Code*, they cannot seize the items.

16 Some changes since the mass casualty. After the mass casualty,
17 the RCMP struck a committee from the warrant officer program and engaged key
18 subject-matter experts. If uniform items are found by family members of a deceased
19 member, for example, those individuals are advised to take the items to the local
20 detachment and have them examined, to determine whether they can keep them or
21 whether the RCMP will take the items and dispose of them. Commercial entities have
22 been identified who can assist with large volumes of uniform items that need to be
23 destroyed, and there is a large incineration initiative in Nova Scotia to ensure uniform
24 items were destroyed.

25 And there have been changes to the procurement process to
26 remove the publishing of specifications in public. There is now a two-phase process
27 where an item would be published on the government electronic tendering system, and
28 then the industry would respond and demonstrate that they have the capacity to do the

1 work. And once that's been done, Material and Assets Management would then directly
2 send the tendering specifications to the successful bidder or bidders. Material and
3 Assets Management also told us that they're considering having bidders sign a non-
4 disclosure agreement.

5 So that's the end of the portion on uniform, the life cycle of uniform
6 and kit. Now I'll talk a little bit about the life cycle of police vehicles.

7 Vehicles for the RCMP are purchased through standing offer and
8 PSPC is the contracting authority. The bulk of RCMP vehicles would be considered
9 general duty vehicles, which are marked and are the typical police vehicles you would
10 see on the road. These vehicles are replaced based on a replacement cycle that's
11 determined by mileage and age, and we heard it was about 130,000 kilometres or 8
12 years.

13 So with respect to upfitting vehicles, there are more than a dozen
14 orderable options for police vehicles, and the mandatory criteria for a police vehicle are
15 comprehensive. Some options are installed by the manufacturer, and these are a lot of
16 under-the-hood options. And then the vehicle goes to an upfitter, who is identified by
17 the manufacturer and is a subcontractor. The upfitter then modifies the vehicle based
18 on the options identified when the RCMP place the order for the vehicle.

19 Some examples of upfits would include silent patrolman, sirens,
20 light controllers and lights. Once the upfit is complete, the vehicle goes to the RCMP at
21 a post garage where there are technicians who complete the upfit for more sensitive
22 equipment like radios.

23 The procurement process for the third-party upfitter would be
24 included in the standing order, and there is not a separate process directly between the
25 upfitter and the federal government. Prior to a vehicle going to the upfitter, it would be
26 difficult to distinguish it from a retail vehicle versus a policing package because many of
27 those upfits, as I said, are under the hood.

28 In the Nova Scotia region, there is no post garage. There's no post

1 garage in the Atlantic region at all. So in Nova Scotia, Diesel and Auto is the primary
2 vehicle upfitter for the RCMP. If Diesel and Auto is not able to meet the demand and
3 turnaround time, it will allocate the upfitting to secondary suppliers. No one is allowed
4 into the upfitting area at Diesel and Auto without a security clearance personnel.

5 When a vehicle has been upfitted, Diesel and Auto then seize it
6 again, they notify the RCMP, and the vehicle is likely to be already allocated to a
7 detachment. Once the RCMP tells Diesel and Auto which detachments are getting
8 which vehicles, Diesel and Auto arranges a pickup that is usually done by an authorized
9 person who is normally an RCMP officer. This person signs for the vehicle and does a
10 walkaround inspection. The information is recorded and is sent back to RCMP
11 headquarters.

12 With respect to decals, ordering decals is an RCMP program and
13 the responsibility for ordering them varies across the country. Material and Assets
14 Management is responsible for procuring the decals. Inventory management for decals
15 would be handled in the regional offices within the RCMP.

16 I'll talk a little bit here about the decommissioning of vehicles and
17 the preparation of surplus assets for sale.

18 Two witnesses told the Mass Casualty Commission that the
19 decommissioning and disposal of RCMP vehicles is a shared responsibility. Material
20 and Assets Management relies on GC Surplus to assist with the decommissioning
21 process. GC Surplus, as you might remember, is an online, closed bidding system that
22 sells moveable assets, including vehicles, from more than 100 departments and
23 agencies within the Government of Canada.

24 The decommissioning process would start at the detachment where
25 they would remove garbage, evidence or other loose items in the vehicle. The vehicle
26 would then go to the post garage or contractor for the decommissioning and removal of
27 equipment. The decals could be removed by the post garage, but in some instances,
28 there are arrangements made to have GC Surplus remove the decals.

1 There have been incidents where RCMP assets had safety issues
2 when they went to GC Surplus for sale. When such incidents occur, an occurrence
3 report is filled out. GC Surplus has Standard Operating Procedures that include
4 preparing a car for sale, but these may not be specific to RCMP vehicles because GC
5 Surplus gets vehicles from other agencies as well.

6 In Nova Scotia, when vehicles are decommissioned, Diesel and
7 Auto seize them again and does what they call a strip, which is where they entirely
8 remove all police equipment before the vehicle leaves the compound to be
9 decommissioned. When a vehicle is decommissioned, Diesel and Auto logs all the
10 parts that come off the vehicle on a list, which they send back to the RCMP who
11 manages the parts inventories.

12 And there have been a few changes to this since the mass
13 casualty. First and foremost, a moratorium was put in place on selling decommissioned
14 vehicles, so RCMP vehicles currently are either stored or crushed. There is now a
15 form-flow for decommissioned RCMP vehicles that starts at the detachment and ends
16 up with GC Surplus. A vehicle cannot be decommissioned without the form being
17 completed in its entirety. The form acknowledges that the vehicle was inspected and
18 items and equipment including decals were removed. This form was put in place in July
19 of 2021 and was driven in part by the mass casualty. Moveable Assets is currently
20 doing an internal review of the decommissioning process as well as a third-party review.

21 Another change is the addition of identifying the equipment being
22 removed from the vehicle on the decommissioning form.

23 We heard a little bit about what happens with vehicles from other
24 police forces. So in Kemptville, vehicles are traded into dealers and they are stripped
25 before they go. Some items are reused in other police vehicles. Some are taken to
26 public works, where they are cut up and destroyed while a deputy watches.

27 And in Truro, Truro Police have two streams of police vehicles.
28 They have marked and unmarked. Unmarked vehicles are repurposed to the town after

1 the red lights and siren are taken out. All vehicles in Truro now have the emergency
2 equipment removed, much of which gets repurposed or destroyed. Vehicle lettering is
3 removed by the Truro Police graphic shop before the vehicle goes back to the
4 dealership.

5 There's a summary of key points here. The RCMP has policies and
6 procedures in place with respect to uniform and use of force items from procurement to
7 destruction.

8 Retired members are allowed to keep and wear their dress
9 uniforms to certain events with permission, but not their general duty uniforms. Some
10 changes have been made to the process since the mass casualty.

11 Before and at the time of the mass casualty, RCMP vehicles were
12 decommissioned and resold through GCSurplus. This has now changed and the
13 vehicles are no longer being sold. They are instead either stored or destroyed.

14 This concludes the presentation on the life cycle of police uniform
15 and kit and vehicles. Thank you, Commissioners and all.

16 **COMMISSIONER MacDONALD:** Thank you so much, Ms. Byrd.
17 Very helpful.

18 We are now going to call upon Mr. Roger Burrill to present a -- the
19 Foundational Document, "Confirmation of Replica RCMP Police Cruiser".

20 **--- PRESENTATION BY MR. ROGER BURRILL:**

21 **MR. ROGER BURRILL:** Commissioners, Participants, Nova
22 Scotians, Canadians, and all those impacted by the mass casualty of April 18th/19th,
23 2020.

24 You'll be relieved to know that my introduction, my introductory
25 comments this morning, will be much shorter than previous introductory comments,
26 simply because a number of things, and I'll explain it in a bit, but my colleague, Ms.
27 Byrd, has covered much of the material that is also in the document that we're going to
28 be talking about now, the Foundational Document entitled "Confirmation of Replica

1 RCMP Cruiser”.

2 The -- up until now, the introductory presentations of Foundational
3 Documents have gone into some detail to illustrate the components of the document
4 and to provide you some insight with respect to the narrative of events.

5 The documents that were presented up until now were very
6 particularly designed with a narrative nature as the focus.

7 However, as we move along in the inquiry, the upcoming
8 Foundational Documents will contain more of a thematic and/or conceptual aspect, and
9 as a result, the material that you will be hearing about, you’ve perhaps been exposed to
10 already, and it’s been now kind of compiled in a thematic theme or a thematic approach,
11 such that the introductory remarks will be shorter.

12 This introduction is intended to present a very high-level view of the
13 issue or of the issues, and to focus on the big picture. The Foundational Document
14 itself dives deeper into the material. I would encourage you to look at it for purposes of
15 that detail. I will touch on the introductory informational purposes at a very high level.

16 So as is the routine here, Madam Registrar, I would move that the
17 Foundational Document entitled “Confirmation of Replica RCMP Cruiser” be marked
18 and tendered into evidence in these proceedings.

19 **REGISTRAR DARLENE SUTHERLAND:** That’s Exhibit 1036.

20 **--- EXHIBIT No. 1036:**

21 Foundational Document entitled “Confirmation of Replica RCMP
22 Cruiser”

23 **MR. ROGER BURRILL:** Thank you. And also, I would move that
24 all supporting documentation referred to therein in Exhibit 1036 be marked and
25 tendered into evidence in these proceedings as well.

26 **REGISTRAR DARLENE SUTHERLAND:** So exhibited.

27 **MR. ROGER BURRILL:** Now, often the subject matter slide is a
28 cursory slide that we get through, but just a few comments.

1 This subject matter is a summarization of material currently
2 available to the Mass Casualty Commission in relation to the perpetrator's use of a
3 replica RCMP vehicle during the mass casualty, including the perceptions,
4 understandings, and analyses of RCMP members with respect to the possibility that the
5 perpetrator was in possession of a fully marked replica police or RCMP vehicle.

6 For the purposes of this introduction, I will be focusing on the
7 perpetrator's use and possession of the replica RCMP vehicle, and indeed other
8 vehicles in his possession.

9 The perception, understanding, and analyses is reviewed in the
10 material and in the Foundational Document and will also be explored, obviously, in
11 upcoming witnesses in these proceedings.

12 Commissioners, I present the Foundational Document,
13 "Confirmation of the Replica RCMP Cruiser".

14 So as my colleague spoke to you about earlier this morning, this
15 Foundational Document gives the picture of the motor vehicles in the perpetrator's
16 possession on April 18th. We have to know what the perpetrator had, or what he
17 possessed, in order to analyse how that was assessed and how it was determined by
18 law enforcement in terms of their behaviour engagement throughout this event.

19 It's important because throughout the mass casualty, the status of
20 the RCMP replica vehicle was significantly explored in terms of trying to determine
21 where the perpetrator was, how he was operating, and what type of vehicle he had.

22 You will recall from earlier Foundational Documents that at the
23 onset, at the very early onset of the matter, at 10:00, the OCC, or shortly thereafter,
24 received a call indicating that there was an RCMP vehicle in the yard at the Blairs' and it
25 was described as a:

26 "...decked and labeled RCMP vehicle".

27 So what vehicles did the perpetrator possess and did he indeed
28 have a decked and labeled RCMP car?

1 Well the information available to the Mass Casualty Commission
2 suggests the perpetrator owned a 2007 black Jeep Wrangler, license plate GNP860, a
3 2017 white Ford F-150, license plate GDM984, and a 2015 Mercedes Benz C300.
4 These were all registered in the name of the perpetrator.

5 The perpetrator also owned, but vehicles were registered in the
6 name of Berkshire Broman Corporation, for which the perpetrator was the principal
7 operator, a 2013 white Ford Taurus, license plate GFK905, a 2013 white Ford Taurus,
8 license plate GJX365, a 2017 white Ford Taurus that was un-plated, and then there was
9 a final vehicle that was owned by the perpetrator, it was unregistered and un-plated, it
10 was a white 2013 Ford Taurus.

11 So you've heard from Ms. Byrd and myself basically that there was
12 a number of vehicles within the possession of the perpetrator on April 18th/19th.

13 The vehicles were accounted for during and after the mass casualty
14 in the following manner.

15 The 2007 Jeep Wrangler and the 2013 un-plated, unregistered
16 Ford Taurus were located by ERT members, the Emergency Response Team
17 members, outside the warehouse at 136 Orchard Beach Drive in the early morning
18 hours of April 19th. Those two vehicles that I've just identified were completely burnt
19 out.

20 The 2017 white Ford F-150 was discovered at the perpetrator's
21 warehouse on April 22nd, 2020. It was burned, obviously beyond recognition,
22 destroyed in the fire. Supplementary reports by the Mass Casualty Commission
23 investigators have confirmed that the F-150 was burnt out and located at the remains or
24 the leftovers of the fire at 136 Orchard Beach Drive.

25 The 2013 white Ford Taurus, Licence Plate GJX 365, was located
26 by ERT members burnt out at the cottage, 200 Portapique Beach Road. You will recall
27 this location is where first responders attended as they went down the road, Portapique
28 Beach Road, and they initially observed that vehicle at that location not having been

1 burnt shortly before. An hour or so, as they were in the community, the vehicle was
2 observed to be burned or burning, it was found burnt out at that location.

3 The 2013 Ford Taurus, Licence Plate GMK 905, and the 2015
4 Mercedes Benz C300, were located at 193 Portland Street in Dartmouth. You will know
5 that the 193 Portland Street in Dartmouth was the residence and denture clinic of the
6 perpetrator.

7 The 2013 Ford Taurus, GMK 905, was located at 1:54 a.m. on
8 April 19th, at 193 Portland Street by Halifax Regional Police members in consultation
9 and connection with the RCMP with respect to location of the vehicles and a review of
10 the residence/office denturist clinic of the perpetrator. It was snow-covered at that stage
11 in the parking area of 193, indicating to investigators that it had not recently been
12 mobile. That information, obviously, would have been important in terms of determining
13 the movements and the access to vehicles by the perpetrator.

14 This vehicle was also the one that was stopped and ticketed by
15 Constable Dorrington of the Bible Hill detachment on February 12th, 2020. The
16 photograph of the licence and the vehicle in the background were sent out by
17 Constable Dorrington to a number of members of the RCMP during the early morning
18 hours of April 19th, 2020.

19 The 2015 Mercedes Benz was in the garage at 193 Portland Street
20 in Dartmouth. It was out of sight of the HRP investigators or members at that time, but
21 was discovered during the search on April 20th of 2020.

22 The 2017 Ford Taurus, or the replica RCMP cruiser, was, as you all
23 well know, located at the Shubenacadie cloverleaf shortly after 11:00 a.m. on April 19th.
24 The details of its location, its discovery, its examination are found and contained in the
25 Shubenacadie Foundational Document.

26 So where does that take us in terms of what the perpetrator had on
27 April 18th-19th and what he was utilising? Well, the information suggests to the Mass
28 Casualty Commission that the perpetrator had four Ford Tauruses, white Ford

1 Tauruses. Three 2013 white Ford Tauruses were decommissioned vehicles, and one
2 2017 was decommissioned but outfitted as a fully-marked RCMP vehicle.

3 So this photograph in front of you, is most recently obtained by the
4 Mass Casualty Commission, will show you the marked or the outfitted vehicle on the
5 right. On the left, you will see two white Tauruses, and in behind or in front of the
6 marked fitted out, kitted out vehicle, is what looks to be a Ford F-150.

7 This photo shows you a view of the fully-marked replica RCMP
8 vehicle. Information obtained by the Mass Casualty Commission is that these photos
9 and this photo is from or taken on September 2nd, 2019. You can see, obviously, some
10 important features of the photograph for purposes of what has been talked about over
11 the last number of weeks. The push bar in the front of the vehicle is easily seen. The
12 light bar on the top of the vehicle, as discussed by my colleague earlier this morning, is
13 also viewed in this photograph.

14 We have now two further views of that same vehicle from side on
15 and a three-quarter view from the back, from the driver's side. These two photos are
16 from also September 2nd, 2019. You'll see the decaling that was described by Ms. Byrd
17 earlier in much more detail than I'm going to get into. You'll see the markings on the
18 vehicle in terms of attempting to make it appear as authentic as possible, and then of
19 course, you will see the 28B11 identifier, both on the passenger and driver side C pillar
20 behind the back door.

21 This is a photo of the interior front seat taken of the replica RCMP
22 vehicle on September 2nd, 2019, or thereabout. You will recall from the Overnight in
23 Debert Foundational Document, discussion of the Municipal Electronics radar device.
24 The radar device that's seen on the dash or in the inset in the dash would appear to
25 match the physical description of the radar device that was located on April 26th, 2019,
26 at that location behind 123 Ventura Drive.

27 You'll also see a number of things that are consistent with the
28 eBay/Amazon ordering of the perpetrator. There is a radio that's described in that -- or

1 you can see in the photograph. You can also see an after market console. You can
2 see as well a camera around the rear-view area, the rear-view mirror area. There is, as
3 well, the absence of an airbag mechanism that's depicted in this photograph from
4 September of 2019.

5 This is a further view from September of 2019, of the interior view
6 of the replica RCMP vehicle. The silent partner partition that had been discussed earlier
7 by my colleague is displayed here. You can see how it's set up in terms of its partition
8 role between the front and the back seat. The back seat view is there as well. You can
9 see the door skins that were ordered on the eBay, or I'm not sure what actual
10 mechanism it was ordered on, but the door skins are applied to the back door that
11 prevents the windows from going up and down and a person to be able to exit the
12 vehicle. All consistent with much of the information that we have heard.

13 So hopefully this brief presentation will give you a sense and help
14 you orient yourself to the Foundational Document. Fundamentally, we know that the
15 perpetrator had four white Tauruses. One was fully kitted out in the manner that has
16 been described in the photographs, and as you have heard. The Foundational
17 Document goes into much greater detail as to how the information with respect to the
18 replica RCMP vehicle emerged throughout this casualty, how it was processed by law
19 enforcement officials, what actions were taken as a result thereof, and more
20 information, obviously, will be coming throughout these proceedings.

21 In an effort to sort of synopsise some of that information, efforts
22 have been made by counsel here to just give you a quick review of what type of
23 information emerged in terms of witness information with respect to the RCMP vehicle,
24 and I'll go over this very quickly. It's information that you do know.

25 Between 10:00 and 10:30 in the morning, the original calls came to
26 the OCC, the 9-1-1 centre, from Jamie Blair, the Blair/McCully children, and Andrew and
27 Kate MacDonald describing an RCMP vehicle.

28 At 7:00 to 7:30, two fundamental pieces of information emerged for

1 law enforcement officials, that is, information from Maureen Banfield and David
2 McGrath, after they were picked up by HRP officers, and they provided information with
3 respect to the replica police vehicle, and indeed, provided photographs that were then
4 sent to the RCMP. The well-known photograph that you have seen and was displayed
5 in my colleague's brief representation was one of those.

6 Also, at around 7:30 -- 7:00 to 7:30, information was obtained by
7 investigators from Lisa Banfield, who emerged from the woods, and described that she
8 was aware that the perpetrator had an RCMP vehicle just like the one that was being --
9 that she said that the RCMP officers had.

10 We know at 9:32, April Dares saw a vehicle, and described seeing
11 that vehicle, an RCMP vehicle on Hunter Road. At 9:35:36, Mary Ann Jay described
12 seeing an RCMP vehicle leaving the scene of Wentworth and travelling south towards
13 Truro. At 9:48, Carole and Adam Fisher in Glenholme described the perpetrator in a
14 police car at the back of their residence. Around 10:39, Lynn McKeigan in Brookfield
15 observed an RCMP vehicle in that location, informed her friend, Dawn Dorrington, who
16 informed her husband, Nick Dorrington, who then provided that information to
17 investigators, such that that the law enforcement process shifted to a different location.

18 Finally, a few brief indicators of police communications. 10:04 were
19 the early dispatches. As discussed, the COMM said that there was an RCMP in the car
20 -- car in the yard. You will recall that we played that audio some weeks ago. 10:41, the
21 first responders observed a Ford Taurus at the 200 Portapique Beach Road location,
22 the cottage. At 12:12, Constable Dorrington distributes the driver's licence and photo
23 with the decommissioned 2013 white Taurus in the background. At 1:54, the HRP
24 located a decommissioned white Taurus outside 193 Portland Street in Dartmouth.

25 In the early morning hours, the ERT made observations of burnt
26 vehicles at both the warehouse and at the cottage, at 200 Portapique Beach Road and
27 136 Orchard Beach Drive. Between 7:30 and 7:45, the HRP began to distribute photos
28 to the RCMP of the replica RCMP vehicle that they learned about from Maureen and

1 David McGrath. Lisa Banfield then provided information that got disseminated as well.
2 At 8:04, a BOLO, a be on the lookout notice, was sent, indicating that the SOC was
3 potentially using fully-marked Ford Taurus 28B11.

4 At 9:47, Corporal Peterson actually observed the replica RCMP
5 vehicle. He radioed it in. He was on Highway 4 near Glenholme. At 10:17, a tweet was
6 issued that the perpetrator may be driving what appears to be an RCMP vehicle. There
7 is one difference. The suspect's car is 28B11, behind the rear passenger window.

8 At 10:50, of course, Constable Morrison, as he was leaving the
9 scene of his shooting, confirmed that the perpetrator was in a fully-marked cruiser, and
10 then at 10:57, ERT discovered the burnt out replica cruiser at the Shubenacadie
11 cloverleaf.

12 Commissioners, this has been a very brief overview of the
13 Foundational Document, the conceptual Foundational Document entitled, Confirmation
14 of Replica RCMP vehicle. Those are my comments for you at this stage.

15 **COMMISSIONER MacDONALD:** Well, thank you very much,
16 Mr. Burrill.

17 Next, we'll hear from a witness, Mr. Max Liberatore. I understand
18 that it takes approximately 20 minutes or so to change things around to arrange for the
19 witness, so this is a good opportunity to take a morning break until approximately 11:15.

20 **REGISTRAR DARLENE SUTHERLAND:** Thank you. The
21 proceedings are now on break, and will resume at 11:15.

22 --- Upon recessing at 10:51 a.m.

23 --- Upon resuming at 11:17 a.m.

24 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
25 proceedings are again in session.

26 **COMMISSIONER MacDONALD:** Thank you.

27 Mr. VanWart, whenever you're ready.

28 **MR. JAMIE VanWART:** Good morning, Commissioners. I just

1 would invite Mr. Liberatore to enter the room and proceed to the witness table that's
2 been set up.

3 **MR. JAMIE VanWART:** Good afternoon, Sir. I'm sorry, our angle
4 is a bit awkward, but the first thing I'll have you do, if you could say your name and
5 please spell your last name.

6 **MR. MAX LIBERATORE:** My name is Max Liberatore,
7 L-I-B-E-R-A-T-O-R-E.

8 **MR. JAMIE VanWART:** And Mr. Liberatore, there's a Bible in front
9 of you. If you could please hold the Bible and Madam Registrar will ---

10 **MR. MAX LIBERATORE:** Yeah.

11 **MR. JAMIE VanWART:** --- proceed to ask you.

12 **--- MAX LIBERATORE, Sworn:**

13 **MR. JAMIE VanWART:** And Madam Registrar, there is a
14 document that I will be making reference to. It has a COMM number of
15 COMM0056211, and it was a statement that Mr. Liberatore gave to the Mass Casualty
16 Commission on April 20, 2022, and I'm asking if that can be marked as an exhibit.

17 **--- EXHIBIT No. 1037:**

18 Mr. Liberatore's statement from April 21, 2022

19 **MR. JAMIE VanWART:** Thank you, Madam Registrar.

20 **--- EXAMINATION IN-CHIEF BY MR. VanWART:**

21 **MR. JAMIE VanWART:** So Mr. Liberatore, there -- you've just
22 heard me make reference to a statement that you gave to the Mass Casualty
23 Commission investigator last week. You remember doing that; right?

24 **MR. MAX LIBERATORE:** Yes.

25 **MR. JAMIE VanWART:** Okay. And you also gave a statement to
26 the Mass Casualty Commission back in December of 2021. You remember that?

27 **MR. MAX LIBERATORE:** Yes, I did.

28 **MR. JAMIE VanWART:** Okay. And then almost, just a few days

1 after the mass casualty event, you gave a statement to the RCMP back in April 21st,
2 2020.

3 **MR. MAX LIBERATORE:** Yes, I did.

4 **MR. JAMIE VanWART:** Okay. I just want to -- and I think you
5 understand this, just so you know, each of those statements, they have been made
6 exhibits in these proceedings. So all the information that you've given in those
7 statements is known to the Commissioners and the Commission; right?

8 **MR. MAX LIBERATORE:** Yes.

9 **MR. JAMIE VanWART:** Okay. So the purpose of my questions
10 today isn't for you to have to retell what you've already told the Commission, but I'm
11 going to ask you some more fairly specific questions and have -- give you an
12 opportunity to speak further on the information that you've already provided.

13 **MR. MAX LIBERATORE:** Okay.

14 **MR. JAMIE VanWART:** Does that -- does that make sense to
15 you?

16 **MR. MAX LIBERATORE:** Yes, it does.

17 **MR. JAMIE VanWART:** Okay, great. So let me first ask, you work
18 for a place called GCSurplus?

19 **MR. MAX LIBERATORE:** Yes, I do.

20 **MR. JAMIE VanWART:** Okay. And could you just provide a brief
21 description of what GCSurplus is?

22 **MR. MAX LIBERATORE:** I've worked with the government for
23 30 years. I have 12 years at GCSurplus. Do you want me to actually explain what we
24 do there?

25 **MR. JAMIE VanWART:** Yeah.

26 **MR. MAX LIBERATORE:** Yeah.

27 **MR. JAMIE VanWART:** If you could just briefly explain what you
28 do.

1 **MR. MAX LIBERATORE:** Well, we take everything that belongs in
2 the federal government, from vehicles to all the departments and all their equipment,
3 and when they're done with -- when they're done with them, to surplus them, they
4 actually bring them to us and we auction them off.

5 **MR. JAMIE VanWART:** Okay. And specifically, what is your role
6 at GCSurplus?

7 **MR. MAX LIBERATORE:** Me and a co-worker, we run the
8 warehouse. So when the supplies all come in, from cars to trucks to tools and
9 everything else, we put it in the warehouse or outside in the yard.

10 **MR. JAMIE VanWART:** Okay. And the warehouse is located in
11 Dartmouth?

12 **MR. MAX LIBERATORE:** Yes, it is.

13 **MR. JAMIE VanWART:** Yeah. And I guess in the context of
14 maybe pre COVID, right, customers who were interested in purchasing something
15 through an auction from GCSurplus, they could access the warehouse to view items?

16 **MR. MAX LIBERATORE:** Yes, they could.

17 **MR. JAMIE VanWART:** Okay. And would you help facilitate that?

18 **MR. MAX LIBERATORE:** Yes. They come in the gate, and they
19 would walk in the warehouse or the yard. And most of the time, we have things for sale
20 on site, so that's why they would come to look.

21 **MR. JAMIE VanWART:** Okay. And also, as part of your job, would
22 you speak to potential customers on the -- on the phone?

23 **MR. MAX LIBERATORE:** Yes, I talk to them all the time on the
24 phone.

25 **MR. JAMIE VanWART:** Okay. And so through the course of your
26 work at GCSurplus, I understand that you grew to know the perpetrator. Is that right?

27 **MR. MAX LIBERATORE:** Yes, I did.

28 **MR. JAMIE VanWART:** Okay. And so how many years did you

1 know him for?

2 **MR. MAX LIBERATORE:** I'd say seven or eight years. He would
3 just show up, you know, eight months one time and -- once in a while, you know, here
4 and there.

5 **MR. JAMIE VanWART:** Okay. And is it fair to say that he was a
6 regular customer of GCSurplus?

7 **MR. MAX LIBERATORE:** He was there on and off quite a bit.

8 **MR. JAMIE VanWART:** Okay. And certainly, you would know who
9 he is when he called, and you would recognise him if you saw if he came in?

10 **MR. MAX LIBERATORE:** Yes. He would usually just come in.

11 **MR. JAMIE VanWART:** Okay. And we know from the information
12 that was summarized in the Foundational Document today that the perpetrator bought
13 four decommissioned police vehicles from the GC Surplus; right?

14 **MR. MAX LIBERATORE:** Yes, he did.

15 **MR. JAMIE VanWART:** Okay. And do you have memory of selling
16 these vehicles to the perpetrator or being involved in that?

17 **MR. MAX LIBERATORE:** I don't have a memory -- we sell a lot of
18 them.

19 **MR. JAMIE VanWART:** Okay.

20 **MR. MAX LIBERATORE:** So people do come in and take a look a
21 lot, so when they put their bids in, they put their bids in. If they win, they come
22 afterwards when they're paid for, and they go to the desk, and they get their keys and
23 the paperwork, and away they go.

24 **MR. JAMIE VanWART:** Okay. And so perhaps you could provide
25 a bit of a description of your involvement in preparing a decommissioned police vehicle
26 for sale.

27 **MR. MAX LIBERATORE:** So when they're dropped off in our yard,
28 there could be 20, 30, 40, 50 decommissioned -- or cars there. What we do is we take it

1 inside the bay, that's basically the garage, and we'll sit there with heat guns, and we
2 take all the decals off, get them all cleaned off. We usually take the line off too, you
3 know, the -- there's a little line. We take the line off, and we make sure everything's out
4 of the cars, and then we do a report up from what year it is, how many kilometres, what
5 the car is, if the tires are good, the size of the tires, size of the motor, and we'll get it all
6 prepped up. We put it out in the yard for a sales rep. One of the girls or one of the guys
7 will go out, and they take pictures of the car, all around from the top to bottom, and
8 inside, outside. Then they go and they put it on the computer.

9 **MR. JAMIE VanWART:** Okay.

10 **MR. MAX LIBERATORE:** Yeah, then they put all the details on
11 there.

12 **MR. JAMIE VanWART:** And if a customer were to come in to view
13 a police cruiser before it went on auction, would they ever see the police cruiser with the
14 decals still on?

15 **MR. MAX LIBERATORE:** No, they're already de-decaled off.

16 **MR. JAMIE VanWART:** Okay. Now, I want to ask you -- perhaps,
17 Madam Register, if you could place on the screen the -- I'm not sure the exhibit number
18 but it would be COMM Number 00423 -- or 4203, statement from April 21, 2020. And if
19 you could just show the first page, please?

20 I'm showing you the first page of what is a transcription of a
21 statement you gave to the police on April 21st, 2020.

22 **MR. MAX LIBERATORE:** Okay.

23 **MR. JAMIE VanWART:** Okay. And I note you've already indicated
24 you remember giving that statement ---

25 **MR. MAX LIBERATORE:** Yeah.

26 **MR. JAMIE VanWART:** --- to the police. And this was just a few
27 days after the mass casualty event.

28 **MR. MAX LIBERATORE:** Yes.

1 **MR. JAMIE VanWART:** And, Madam Register, if you could turn to
2 page 4, I'd like to show lines 102 to 107.

3 Thank you.

4 I'd just like to read you some of the information that you ---

5 **MR. MAX LIBERATORE:** Yeah.

6 **MR. JAMIE VanWART:** --- gave to the RCMP back on April of
7 2020. Starting just midway through line 102,

8 "So when he bought the car, he was always coming in
9 then. We would look and all that, and he was telling
10 me about this cop car that he bought in his garage,
11 and he was starting to do as a cop car. Now a -- and
12 I said, "Oh, okay. You have whatever. Right." So
13 then when he came in -- or when he come in again,
14 he'd be telling me about the cop car. Then he -- then
15 he came in and he started showing me pictures of the
16 car, what he did to it after, and all the -- and it's all
17 cleaned up. And then he started showing me the
18 decals he put on the car." (As read)

19 **MR. MAX LIBERATORE:** Yes.

20 **MR. JAMIE VanWART:** Okay. And you remember sharing that
21 information to the police?

22 **MR. MAX LIBERATORE:** Yes, I actually had a Sunday dinner with
23 my brother-in-law, and my brother-in-law's brother is an RCMP officer, so I was telling
24 him what he was telling me at the time. So he end up sending some RCMP officers to
25 my place so I could tell them what he was telling me, I guess.

26 **MR. JAMIE VanWART:** Okay.

27 **MR. MAX LIBERATORE:** Yes.

28 **MR. JAMIE VanWART:** And do you have a memory of when the

1 perpetrator showed you the picture of the mocked-up police ---

2 **MR. MAX LIBERATORE:** No, I don't ---

3 **MR. JAMIE VanWART:** --- cruiser?

4 **MR. MAX LIBERATORE:** --- have that. I have a lot of people
5 come in at work so ---

6 **MR. JAMIE VanWART:** Okay.

7 **MR. MAX LIBERATORE:** --- no.

8 **MR. JAMIE VanWART:** Can you remember any other information
9 he told you about the mocked-up police car -- cruiser?

10 **MR. MAX LIBERATORE:** Yes, when I asked him why he was
11 buying the cars, because he was a denturist and he made money, I would assume he'd
12 drive something a little better, but he was buying the cars a little bit, so that's when I
13 asked him, and he actually told me that -- and he actually told my -- the girls and the
14 employees at work where I work with, he was building the RCMP car for parades for the
15 falling down cops of New Brunswick.

16 **MR. JAMIE VanWART:** Okay.

17 **MR. MAX LIBERATORE:** He was going to put their names on. I
18 thought it was kind of -- yeah, that's what he told me.

19 **MR. JAMIE VanWART:** Okay. What was your memory of your
20 reaction to seeing these photos and learning that he was constructing ---

21 **MR. MAX LIBERATORE:** I really never took anything of it because
22 there's so many people that come in and buy those cars for taxi drivers and it was just
23 an everyday occurrence to me. I just -- people buy stuff, and he would talk to us or
24 somebody else there, and that's it.

25 **MR. JAMIE VanWART:** Okay. Perhaps, Madam Register, if I
26 could have you show on the screen the Foundational Document Police Paraphernalia?
27 And if you could go to page 43 at paragraph 123? And if you'd just -- if you could go --
28 show the picture a bit? Okay. Thank you.

1 This, sir, is a picture of the mocked-up police cruiser; okay? Now
2 we know from the Commission's investigation that this was the 2017 Ford Taurus that
3 the perpetrator purchased from GC Surplus. Do you have any memory of the sale of
4 the 2017 Ford Taurus?

5 **MR. MAX LIBERATORE:** I don't. He -- I know he purchased it,
6 and he must have just come to get the keys and, you know, he would just take it out.

7 **MR. JAMIE VanWART:** Okay.

8 **MR. MAX LIBERATORE:** So he's been in there a few times to buy
9 a few of them, so like I said, it's, like ---

10 **MR. JAMIE VanWART:** Okay.

11 **MR. MAX LIBERATORE:** --- an everyday occurrence.

12 **MR. JAIE VANWART:** And what about if I told you that this
13 particular cruiser had some damage to the front of the vehicle; would that ---

14 **MR. MAX LIBERATORE:** I wouldn't remember that, no.

15 **MR. JAMIE VanWART:** Okay. Now just to confirm, when that
16 vehicle, even if you don't have specific memory, but just through your experience of
17 working at GC Surplus, would that vehicle have had any decals on it when ---

18 **MR. MAX LIBERATORE:** No.

19 **MR. JAMIE VanWART:** --- it sold?

20 **MR. MAX LIBERATORE:** No decals.

21 **MR. JAMIE VanWART:** Okay.

22 **MR. MAX LIBERATORE:** No decals. All cars that we sell there
23 have no decals.

24 **MR. JAMIE VanWART:** Okay. And I want to ask you about a gap
25 the Commission has with regards to its knowledge of how the decals were placed on
26 the vehicles, and I just want to point it out to you before I ask you the specific question.
27 But if you look at the photo, you'll see on the side above Canada there's a start of lines,
28 the blue, white, yellow, red, and then it continues to the front of the vehicle. Do you ---

1 **MR. MAX LIBERATORE:** Yeah.

2 **MR. JAMIE VanWART:** --- see that decal that I'm referring ---

3 **MR. MAX LIBERATORE:** Yes.

4 **MR. JAMIE VanWART:** --- to?

5 **MR. MAX LIBERATORE:** Yes, I do.

6 **MR. JAMIE VanWART:** Okay. Great. So, Madam Register, if we
7 could turn to page 74, paragraph 269? Thank you.

8 So I'd just like to -- this is the extent of the knowledge that the
9 Commission has with regards to the application of that decal, and I just want to read you
10 what the Commission knows. So,

11 "The Mass Casualty Commission interviewed Peter
12 Griffon on March 5, 2022, and asked if he knew
13 where the perpetrator obtained the "big, long lines in
14 the three colours" that were on the side of the
15 decommissioned replica RCMP cruiser. Mr. Griffon
16 said that he saw them in pieces at the warehouse,
17 and that it was not [in -- it was not] one long strip. He
18 described these decals as small "chunks" that went in
19 different places on the side of the vehicle. Mr. Griffon
20 said the perpetrator could not have cut the pieces
21 himself from the roll[...] of vinyl [that] he had, because
22 the vinyl on the rolls was "this solid type of vinyl" while
23 the vinyl for the stripes on the car were [...] "Hexi
24 Style." Mr. Griffon said, "it almost look[ed] like it was
25 ripped off a car and you're putting it on another one."
26 He said the pieces of vinyl were sitting on pieces of
27 wax paper in the warehouse. He did not know where
28 the perpetrator obtained these pieces of vinyl."

1 Okay? So that's a decal that the Mass Casualty Commission, we
2 don't know where ---

3 **MR. MAX LIBERATORE:** Yeah.

4 **MR. JAMIE VanWART:** --- the perpetrator obtained this.

5 Having this listened to that description, are you -- to your
6 knowledge, did the perpetrator obtain the pieces of decal from ---

7 **MR. MAX LIBERATORE:** No, I have no knowledge of that at all.

8 **MR. JAMIE VanWART:** Okay. And so it's not a situation where
9 you provided the perpetrator ---

10 **MR. MAX LIBERATORE:** No. No.

11 **MR. JAMIE VanWART:** --- any decals or parts of decals?

12 **MR. MAX LIBERATORE:** No, no. No.

13 **MR. JAMIE VanWART:** And as far as when you -- you described
14 that you would be the person that would remove ---

15 **MR. MAX LIBERATORE:** Yes.

16 **MR. JAMIE VanWART:** --- decals? Okay. And as you remove the
17 decals, I understand it -- if you -- when you remove that stripes, it does come off in
18 pieces; right?

19 **MR. MAX LIBERATORE:** It does. It does.

20 **MR. JAMIE VanWART:** Okay. And depending on the day,
21 sometimes you're successful in pulling off longer pieces, and sometimes it just comes
22 off in smaller chunks? Is that fair?

23 **MR. MAX LIBERATORE:** It does come off. You'd have to almost
24 show somebody with the heat gun, when you pull, but usually when I pull, I usually kind
25 of grab the chunks and I bundle them up so they're crunched up to take it off. Some
26 pieces do fall off, yes.

27 **MR. JAMIE VanWART:** Okay. And then what happens to those
28 decals once they're removed?

1 **MR. MAX LIBERATORE:** When I'm doing it, I have them all
2 crunched in, like, a bucket below me.

3 **MR. JAMIE VanWART:** Okay.

4 **MR. MAX LIBERATORE:** Like a ball. And then when I do the
5 whole car, I take them and I throw them in the big garbage bin next to me.

6 **MR. JAMIE VanWART:** Okay. And then what happens to the
7 materials in the big garbage bin?

8 **MR. MAX LIBERATORE:** We throw them -- they fill up, and then
9 we throw them in the big bin outside.

10 **MR. JAMIE VanWART:** Okay.

11 **MR. MAX LIBERATORE:** Yeah.

12 **MR. JAMIE VanWART:** And can you describe the big bin outside?
13 What's the ---

14 **MR. MAX LIBERATORE:** It's like one of the BFI bins ---

15 **MR. JAMIE VanWART:** Okay.

16 **MR. MAX LIBERATORE:** --- out in the yard. Yes.

17 **MR. JAMIE VanWART:** And would -- is that in a secure setting or
18 do public have access to that?

19 **MR. MAX LIBERATORE:** It was -- it's a secure, like, in the cage
20 itself, like, in the compound.

21 **MR. JAMIE VanWART:** Okay.

22 **MR. MAX LIBERATORE:** Yes.

23 **MR. JAMIE VanWART:** And so -- and just to confirm from your
24 earlier answer, when people come in and view a car, you indicated that the decals
25 would not be on the car?

26 **MR. MAX LIBERATORE:** The decals would not be on the car.

27 **MR. JAMIE VanWART:** Okay. Okay. And so ---

28 **MR. MAX LIBERATORE:** There are cars in the lot that do have

1 decals on them.

2 **MR. JAMIE VanWART:** Okay.

3 **MR. MAX LIBERATORE:** Yeah.

4 **MR. JAMIE VanWART:** And would a customer who is coming to
5 view a potential purchase, would they have access to those cars?

6 **MR. MAX LIBERATORE:** If you had three or four people before
7 COVID, there's -- you're trying to control the people inside there, yes.

8 **MR. JAMIE VanWART:** Okay.

9 **MR. MAX LIBERATORE:** So some -- you could walk by one of
10 those cars.

11 **MR. JAMIE VanWART:** Okay.

12 **MR. MAX LIBERATORE:** Yes.

13 **MR. JAMIE VanWART:** And could you describe what the security
14 protocols were back pre-COVID?

15 **MR. MAX LIBERATORE:** We usually have me or my partner or
16 somebody in the office, usually outside in the compound when people are usually
17 walking around the compound, yes.

18 **MR. JAMIE VanWART:** Okay. Are people ever left unattended?

19 **MR. MAX LIBERATORE:** No, not really. There's usually most of
20 us there. We have a commissionaire there too, so.

21 **MR. JAMIE VanWART:** Okay.

22 **MR. MAX LIBERATORE:** Yeah.

23 **MR. JAMIE VanWART:** Are people searched when they leave?

24 **MR. MAX LIBERATORE:** No, they're not.

25 **MR. JAMIE VanWART:** Or their bag? Okay.

26 **MR. MAX LIBERATORE:** No, they're not. They usually -- no.

27 **MR. JAMIE VanWART:** Okay. And having your experience of
28 removing decals, would somebody be able to remove a decal without a heat gun?

1 **MR. MAX LIBERATORE:** It would be really hard.

2 **MR. JAMIE VanWART:** Okay.

3 **MR. MAX LIBERATORE:** It would really -- you'd take off some
4 small little pieces, you know. It would be really hard. I have 12 years experience of
5 doing it and it's pretty hard to really grip into it to take it out, yes.

6 **MR. JAMIE VanWART:** Okay. As far as -- and again, I'm drawing
7 upon your experience ---

8 **MR. MAX LIBERATORE:** Yeah.

9 **MR. JAMIE VanWART:** --- as somebody who removes decals, but
10 when you -- when I read you paragraph 269 of the Foundational Document and the
11 description of the decals being in pieces, is that -- would that be consistent with how the
12 state of the decals after you remove them from a vehicle at GCSurplus?

13 **MR. MAX LIBERATORE:** No, when I remove them, they're
14 completely crumbled in my hand.

15 **MR. JAMIE VanWART:** Okay.

16 **MR. MAX LIBERATORE:** Like the size of a softball or, you know,
17 a tennis ball. You just crumble them and I throw them inside the garbage bin.

18 **MR. JAMIE VanWART:** Okay. And would that be every time?

19 **MR. MAX LIBERATORE:** Every time.

20 **MR. JAMIE VanWART:** Okay. I wanted to ask you a couple more
21 specific questions, unless you had anything to add on this ---

22 **MR. MAX LIBERATORE:** No, I'm good.

23 **MR. JAMIE VanWART:** --- point? Okay.

24 So one of the topics that was raised at your most recent statement
25 on April of this year with the Mass Casualty Commission, right, was that you were told
26 by the investigator that your personal cellphone number and name appeared in the
27 cellphone records of Lisa Banfield?

28 **MR. MAX LIBERATORE:** Yes.

1 **MR. JAMIE VanWART:** Okay. And that was put to you, and I think
2 your evidence, and correct me if I'm wrong, but your information you gave is that you
3 had no memory of speaking to Lisa Banfield; correct?

4 **MR. MAX LIBERATORE:** No, I didn't. I talked to a lot of
5 customers on my phone.

6 **MR. JAMIE VanWART:** Okay. But you said that you would have --
7 you did have memory of speaking to the perpetrator on your cellphone?

8 **MR. MAX LIBERATORE:** No, I don't.

9 **MR. JAMIE VanWART:** Okay.

10 **MR. MAX LIBERATORE:** No.

11 **MR. JAMIE VanWART:** Now, at the time, back in 2020, you did
12 not have a work phone? Is that correct?

13 **MR. MAX LIBERATORE:** No, I don't. Since COVID, they gave us
14 a cellphone to use, but I used to use my phone to the customers that come there all the
15 time.

16 **MR. JAMIE VanWART:** Okay. And were you surprised to see that
17 you had had phone conversations with either the perpetrator or Ms. Banfield as
18 indicated in their phone records?

19 **MR. MAX LIBERATORE:** I was and I wasn't. I've talked to a lot of
20 customers, so it's like an everyday occurrence for me, ---

21 **MR. JAMIE VanWART:** Okay.

22 **MR. MAX LIBERATORE:** --- that people call me. You know, I
23 actually had a phone call this morning when I was waiting to come in here from
24 somebody that comes picks up scrap. So they just call and see if I was there, and can
25 they have time to get in and grab their scrap. So.

26 **MR. JAMIE VanWART:** Okay.

27 **MR. MAX LIBERATORE:** Yeah.

28 **MR. JAMIE VanWART:** And would other customers other than --

1 and I apologize, I'm using the word customers, ---

2 **MR. MAX LIBERATORE:** Yeah.

3 **MR. JAMIE VanWART:** --- I don't know if that's the right word, ---

4 **MR. MAX LIBERATORE:** Yeah.

5 **MR. JAMIE VanWART:** --- but I think you understand what I mean;
6 right?

7 And so would other customers have had your personal cellphone
8 information back in 2020?

9 **MR. MAX LIBERATORE:** Yes, they do. A lot of them do.

10 **MR. JAMIE VanWART:** Okay. And again, this was put to you in
11 the interview and you provided an answer, but I don't know if over the course of the few
12 days that have come by if you've had anymore time to think about it, but it was put to
13 you that there was a call included in the phone records from November 24th, 2019 over
14 half an hour long. It was a Sunday. It wasn't -- didn't appear to be during work hours.
15 And it was put to you if you had any memory of that conversation.

16 **MR. MAX LIBERATORE:** Yeah, I don't have no memory of that at
17 all.

18 **MR. JAMIE VanWART:** Okay. And even -- you've had some time
19 to think about it, you still have no memory of ---

20 **MR. MAX LIBERATORE:** I really don't have no memory of that.

21 **MR. JAMIE VanWART:** Okay. Do you have any memory of phone
22 conversations you had with the perpetrator?

23 **MR. MAX LIBERATORE:** No, not on the phone.

24 **MR. JAMIE VanWART:** Okay. The other point of clarification I
25 want to ask you about is with regards to the perpetrator's dentist ---

26 **MR. MAX LIBERATORE:** Yes.

27 **MR. JAMIE VanWART:** --- services. Okay. So -- well, let me, I
28 guess, kind of set out what I think your evidence is and would be, and you correct me if

1 I'm wrong.

2 **MR. MAX LIBERATORE:** Yeah.

3 **MR. JAMIE VanWART:** But you did receive services from the
4 perpetrator's denturist business in September 2019?

5 **MR. MAX LIBERATORE:** Yes, I did.

6 **MR. JAMIE VanWART:** Okay. And the service was he made a
7 tooth for you?

8 **MR. MAX LIBERATORE:** Yes, I asked him about my tooth one
9 time because he was a denturist or a dentist, so I kind of ---

10 **MR. JAMIE VanWART:** Okay.

11 **MR. MAX LIBERATORE:** --- made small talk to see what his
12 opinion would be.

13 **MR. JAMIE VanWART:** But part -- that led to you actually
14 attending his clinic and picking up ---

15 **MR. MAX LIBERATORE:** Yes, it did.

16 **MR. JAMIE VanWART:** Did you pay for that service?

17 **MR. MAX LIBERATORE:** I gave him my health card. I work for
18 the government, so all the insurance and everything would be paid. So I passed it on to
19 him.

20 **MR. JAMIE VanWART:** Okay.

21 **MR. MAX LIBERATORE:** Yes.

22 **MR. JAMIE VanWART:** Do you specifically remember that or are
23 you assuming that? Just to clarify.

24 **MR. MAX LIBERATORE:** I remember giving it to his secretary or
25 the girl, his girlfriend, or whoever was there.

26 **MR. JAMIE VanWART:** Okay. And you are aware also that your
27 father received services from the perpetrator?

28 **MR. MAX LIBERATORE:** Yeah, I took him there because his teeth

1 were kind of loose, so I took him there.

2 **MR. JAMIE VanWART:** Okay. Are you aware of whether or not
3 your father paid for the services he received from the perpetrator?

4 **MR. MAX LIBERATORE:** I was told that he asked to pay for it and
5 he said he didn't want to pay for it, he didn't have to pay for it. He said that I was good
6 to him when he came there, talked to him and stuff like that at my job.

7 **MR. JAMIE VanWART:** Okay. And who told you that?

8 **MR. MAX LIBERATORE:** I think I heard it through guys or
9 somewhere. I wasn't sure. But he -- I don't remember.

10 **MR. JAMIE VanWART:** Okay. But you never talked to your father
11 about whether or not he paid?

12 **MR. MAX LIBERATORE:** No, I didn't.

13 **MR. JAMIE VanWART:** Okay. Madam Registrar, if you could put
14 up on the screen the statement from December 2021 -- I'm sorry, I'm looking for the
15 COMM number. Thank you.

16 So this is just the first page of a statement that you gave to the --
17 you'll see Dwayne King. You know who Dwayne King is. He's an investigator with the
18 Mass Casualty Commission. You know who he is; right?

19 **MR. MAX LIBERATORE:** Yeah.

20 **MR. JAMIE VanWART:** Dwayne King?

21 **MR. MAX LIBERATORE:** Oh, yes, I ---

22 **MR. JAMIE VanWART:** Okay.

23 **MR. MAX LIBERATORE:** --- yes, I do.

24 **MR. JAMIE VanWART:** And you remember he was part of a
25 statement that you gave back in December 17th, 2021?

26 **MR. MAX LIBERATORE:** Yes.

27 **MR. JAMIE VanWART:** Okay. If -- Madam Register, if you could
28 go to page 25, please? And the paragraphs are not numbered, but if you could go

1 down to -- maybe pull the -- where it says Dwayne King to the top of the screen? Thank
2 you.

3 So I want to just give you an opportunity to speak to what -- an
4 answer you gave in this statement; okay?

5 **MR. MAX LIBERATORE:** Yes.

6 **MR. JAMIE VanWART:** So Dwayne King asks,

7 "And did -- did you ever -- did you ever have an
8 opportunity to do any business with him outside GC
9 Surplus?" (As read)

10 He's -- okay, and he's talking about the perpetrator ---

11 **MR. MAX LIBERATORE:** Yes.

12 **MR. JAMIE VanWART:** --- right? Okay. And you answered,

13 "No, no, I didn't. One of the girls asked me yesterday
14 there, he's a dentist, and I was asking him the same
15 things. I asked if you were a mechanic and came in,
16 you know, my front tires are bald, you know, what's
17 going on with that. Somebody said that he did some
18 work for me or not. I said no. What happened is I
19 went to see -- he came in to see me one time and he
20 was talking about if I knew what he did. I asked
21 him..." (As read)

22 I guess this has been redacted.

23 "...and he said, "I'm a dentist. What I do is put teeth
24 in and, you know, they take teeth out." And he does
25 the teeth thing. He goes, so it's just basically -- it's
26 asking advice for him, you know, he does not ask stuff
27 like that, and I do that if a mechanic comes in or a
28 carpenter comes in to get advice or something and

1 statement. In this statement, you appear to be saying that you didn't receive ---

2 **MR. MAX LIBERATORE:** Yeah, I was a little puzzled when I was
3 kind of told that because when people come in, like, he was a denturist at the time, I
4 have a tooth that still needs to be fixed. I actually asked him his opinion on, you know,
5 what could I do, or how to work around that.

6 **MR. JAMIE VanWART:** Okay.

7 **MR. MAX LIBERATORE:** So that's what I mean about ---

8 **MR. JAMIE VanWART:** I guess my specific question though with
9 regards to this statement, this December 2021 statement ---

10 **MR. MAX LIBERATORE:** Yes.

11 **MR. JAMIE VanWART:** --- it appears to me that you're saying that
12 you did not receive services from the perpetrator in that statement; is that fair?

13 **MR. MAX LIBERATORE:** Yes

14 **MR. JAMIE VanWART:** Okay. My question to you, and just to
15 give you an opportunity to speak to it, why did you say that?

16 **MR. MAX LIBERATORE:** I was a little puzzled because of what
17 kind of happened, and I didn't really understand how, you know, I was -- like, how that
18 had anything to do with me working at GC Surplus.

19 **MR. JAMIE VanWART:** Okay. And so when you said you were a
20 little puzzled, you were puzzled by the question?

21 **MR. MAX LIBERATORE:** I was puzzled by the question, yes.

22 **MR. JAMIE VanWART:** Okay. And so is the information that you
23 gave there in this December 2021 statement, is that accurate?

24 **MR. MAX LIBERATORE:** No, because I did ask him about my
25 tooth.

26 **MR. JAMIE VanWART:** Okay. And just -- I think those are the
27 specific questions I wanted to ask, but I just want to ask a few more just very specific
28 questions just to clarify. Did you ever provide any decals to the perpetrator?

1 **MR. MAX LIBERATORE:** No, I did not.

2 **MR. JAMIE VanWART:** Okay. And did you ever receive services
3 from the perpetrator in exchange for providing any items to him?

4 **MR. MAX LIBERATORE:** No, I did not.

5 **MR. JAMIE VanWART:** Okay. Well, thank you. Those are my
6 questions that I have for you. The way this process works is when I'm done asking my
7 questions, the Commissioners can also ask you questions, and we'll also ---

8 **MR. MAX LIBERATORE:** Yeah.

9 **MR. JAMIE VanWART:** --- take a break and some of the other
10 lawyers or myself might come back and ask you some further questions. Does that
11 make sense?

12 **MR. MAX LIBERATORE:** Yes, no problem.

13 **COMMISSIONER MacDONALD:** Well, thank you, Mr. Liberatore.
14 As Mr. VanWart said, we will break now. The Counsel for the various participants will
15 meet with our Commission Counsel and discuss what if any further questions Counsel
16 may have of you, so we'd ask you obviously to stand by ---

17 **MR. MAX LIBERATORE:** Okay.

18 **COMMISSIONER MacDONALD:** --- for that. And -- so we'll break
19 until 1:30 and thank Counsel again for sharing their -- multitasking over the lunch break
20 to meet to discuss some further questions for you, Mr. Liberatore. And I apologize
21 earlier, I -- when I was referencing you, I pronounced your name as Libertore (ph) but
22 it's Liberatore.

23 **MR. MAX LIBERATORE:** Liberatore, yes.

24 **COMMISSIONER MacDONALD:** Yeah, thank you.

25 We'll break until 1:30 then.

26 **REGISTRAR DARLENE SUTHERLAND:** Thank you. The
27 proceedings are now on break and will resume at 1:30.

28 --- Upon breaking at 11:50 a.m.

1 --- Upon resuming at 1:34 p.m.

2 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
3 proceedings are again in session.

4 **COMMISSIONER MacDONALD:** Thank you.
5 Mr. VanWart?

6 **MR. JAMIE VanWART:** Thank you, Commissioners, for the break
7 to allow Counsel to have a caucus meeting. I can report back that we had a witness
8 caucus meeting, as we do after every witness. And as with all the witnesses, this is an
9 opportunity for Commission Counsel to meet with Participant Counsel and to canvass if
10 there are any other questions to ask witnesses after Commission Counsel is done
11 asking questions. And I could say, as Commission Counsel, I'm very thankful that
12 Participant Counsel contributes in this way. These meetings have been very helpful,
13 and to date, have always generated follow-up questions. There may come a day when
14 Commission -- Participant Counsel report back saying, "No, you've asked all the
15 questions, Mr. VanWart. Good work, job." But that hasn't come to fruition yet but.

16 So today we met, and it was decided that it would be most helpful
17 to the Commission if Ms. Miller, Ms. Beaton's Counsel, asked some follow-up questions.
18 So long as that's okay with the Commissions -- Commissioners, I would propose that's
19 how we proceed.

20 **COMMISSIONER MacDONALD:** Absolutely.

21 Ms. Miller?

22 **MR. JAMIE VanWART:** And before we do that, we should also ---

23 **COMMISSIONER MacDONALD:** Oh, sorry.

24 **MR. JAMIE VanWART:** --- invite back Mr. Liberatore.

25 **COMMISSIONER MacDONALD:** Yeah, that would be a good first
26 step. Thank you.

27 Hello again, Mr. Liberatore.

28 **MR. MAX LIBERATORE:** Oh, sorry. Hi.

1 **COMMISSIONER MacDONALD:** Ms. Tara Miller representing one
2 of the ---

3 **MR. MAX LIBERATORE:** Okay.

4 **COMMISSIONER MacDONALD:** --- family members will ---

5 **MR. MAX LIBERATORE:** Hi.

6 **COMMISSIONER MacDONALD:** --- be asking you some
7 questions.

8 **--- CROSS-EXAMINATION BY MS. TARA MILLER:**

9 **MS. TARA MILLER:** Good afternoon, Mr. Liberatore.

10 **MR. MAX LIBERATORE:** Good afternoon.

11 **MS. TARA MILLER:** As Commissioner MacDonald indicated, my
12 name is Tara Miller.

13 **MR. MAX LIBERATORE:** Okay.

14 **MS. TARA MILLER:** I'm asking questions on behalf of our client,
15 but also on behalf of all of the Participant's Counsel with our collaboration over the lunch
16 hour.

17 So my understanding is you've been a federal government
18 employee for 30 years?

19 **MR. MAX LIBERATORE:** Thirty (30) plus years, yes.

20 **MS. TARA MILLER:** Yes. Okay. And in the -- that timeframe, it's
21 been most recently that you've moved to work with GC Surplus; correct?

22 **MR. MAX LIBERATORE:** For 12 years.

23 **MS. TARA MILLER:** Twelve (12) years, yes. And I want to talk to
24 you a little bit about your first time meeting with the perpetrator. I understand we have,
25 of course, all of your statements that you've given.

26 **MR. MAX LIBERATORE:** Yes.

27 **MS. TARA MILLER:** My understanding is that your first time
28 meeting with the perpetrator -- do you remember what year it would have been?

1 **MR. MAX LIBERATORE:** I wouldn't know the year, but I
2 remember when I first him because we had a couple Harley-Davidson's for sale ---

3 **MS. TARA MILLER:** Yes.

4 **MR. MAX LIBERATORE:** Way, way back ---

5 **MS. TARA MILLER:** Yeah.

6 **MR. MAX LIBERATORE:** --- and he was in there with a couple
7 people with him I guess to look at the bikes.

8 **MS. TARA MILLER:** Okay. And in fact, you reference that in your
9 April statement to the RCMP, and you talk about how he came in knowing that there
10 were these Harley Davidsons and that they were there as proceeds of crime?

11 **MR. MAX LIBERATORE:** Yes.

12 **MS. TARA MILLER:** Okay. Do you remember how he would have
13 known that?

14 **MR. MAX LIBERATORE:** They were on for -- they were up for
15 sale.

16 **MS. TARA MILLER:** Yes, I appreciate they were up ---

17 **MR. MAX LIBERATORE:** Yeah.

18 **MS. TARA MILLER:** --- sale, but do you have any understanding
19 how the perpetrator would have known at that point that those were the proceeds of
20 crime versus some other means of having been there for sale?

21 **MR. MAX LIBERATORE:** I don't recollect how he would know.

22 **MS. TARA MILLER:** Okay. But he did come in knowing ---

23 **MR. MAX LIBERATORE:** He ---

24 **MS. TARA MILLER:** --- that they were proceeds of crime?

25 **MR. MAX LIBERATORE:** Yes, he did.

26 **MS. TARA MILLER:** And what do you -- the people that came with
27 him, were they friends of his? Had you ever met them before or after?

28 **MR. MAX LIBERATORE:** No, this was the first time I ever met

1 him, and up -- one person had long hair. That's most I remember. It's been a long time.

2 **MS. TARA MILLER:** All right. Were they all male?

3 **MR. MAX LIBERATORE:** Yes, they were.

4 **MS. TARA MILLER:** Okay, thank you. I want to move now to the
5 first time when you met the perpetrator's common-law wife, that would be Lisa Banfield.
6 I think you indicated in your most recent statement to the Commission that the first time
7 you met her was when you gave her your health card.

8 **MR. MAX LIBERATORE:** Yes, I did.

9 **MS. TARA MILLER:** Okay. And that was in connection with the
10 dental work?

11 **MR. MAX LIBERATORE:** Yes, I did.

12 **MS. TARA MILLER:** Okay. And that would have been in and
13 around September of 2019?

14 **MR. MAX LIBERATORE:** Yes, I guess. I don't really remember
15 that, but yes.

16 **MS. TARA MILLER:** Okay. And where did you meet with her at
17 that time?

18 **MR. MAX LIBERATORE:** She was in the North End clinic, you
19 would say, like her office there.

20 **MS. TARA MILLER:** Okay. North End in Halifax or ---

21 **MR. MAX LIBERATORE:** Yes, in Halifax.

22 **MS. TARA MILLER:** Okay. And you indicate you gave her your
23 health card. Was that your MSI card, Mr. Liberatore?

24 **MR. MAX LIBERATORE:** I think it was my health card, MSI card
25 because -- and that's how they were -- he was going to charge me, I guess.

26 **MS. TARA MILLER:** Are you referencing the health card as the
27 same thing as the MSI card, or were there two separate cards that you provided her?

28 **MR. MAX LIBERATORE:** I actually really don't remember. I give

1 them both, I think, because I think she asked for the MSI card.

2 **MS. TARA MILLER:** Okay. So that was the first time you met her
3 in September of 2019. And you met her on several occasions after that; right?

4 **MR. MAX LIBERATORE:** I actually seen her at GCSurplus. She
5 was sitting in a car ---

6 **MS. TARA MILLER:** Okay.

7 **MR. MAX LIBERATORE:** --- when the perpetrator was there one
8 time a while back.

9 **MS. TARA MILLER:** And that was the Mercedes?

10 **MR. MAX LIBERATORE:** Yes. Yes, it was.

11 **MS. TARA MILLER:** Okay. And outside of giving her your health
12 card in September of 2019, and seeing her in the Mercedes at GCSurplus sometime
13 after, had you had any other contact with Ms. Banfield?

14 **MR. MAX LIBERATORE:** No, no. No, I didn't.

15 **MS. TARA MILLER:** So you had only seen her on those two
16 occasions?

17 **MR. MAX LIBERATORE:** Yes, that I can remember, yes.

18 **MS. TARA MILLER:** Okay. We know, of course, Mr. Liberatore,
19 that the vehicle that the perpetrator used on -- during the mass casualty event had a
20 push bar. Do you recall selling the perpetrator a push bar through GCSurplus?

21 **MR. MAX LIBERATORE:** No, I don't.

22 **MS. TARA MILLER:** Okay. Would you have sold items like a push
23 bar through GCSurplus?

24 **MR. MAX LIBERATORE:** If I remember right, I think we probably
25 would have sold a push bar on one of those cars, but I don't know if he was the one that
26 bought the push bar on the car.

27 **MS. TARA MILLER:** And you don't have any recollection of you,
28 yourself, working with him to secure a push bar?

1 **MR. MAX LIBERATORE:** No, no. No.

2 **MS. TARA MILLER:** Okay. I want to move sort of outside of
3 GCSurplus now, and to get a better understanding, Mr. Liberatore, of your contact with
4 the perpetrator outside of your work.

5 **MR. MAX LIBERATORE:** Yeah.

6 **MS. TARA MILLER:** And you shared with us, and certainly there is
7 detail in your statements about going to him in September of 2019 for work on your
8 tooth.

9 **MR. MAX LIBERATORE:** Yes, I did.

10 **MS. TARA MILLER:** Okay. So outside of GCSurplus you would
11 have had interaction with him in and around having that tooth mold made?

12 **MR. MAX LIBERATORE:** Yes, I did.

13 **MS. TARA MILLER:** Okay. And where did you go for that? Was
14 that the North End clinic in Halifax?

15 **MR. MAX LIBERATORE:** Yes, I did.

16 **MS. TARA MILLER:** Okay. And would you have -- that's when
17 you would have seen Ms. Banfield to give her the card?

18 **MR. MAX LIBERATORE:** Yes.

19 **MS. TARA MILLER:** Okay. And then did you go back to pick up
20 the tooth?

21 **MR. MAX LIBERATORE:** Yes, I did.

22 **MS. TARA MILLER:** And when was that?

23 **MR. MAX LIBERATORE:** I don't recommend [sic] that when I went
24 back. I don't remember that.

25 **MS. TARA MILLER:** You don't recollect ---

26 **MR. MAX LIBERATORE:** No.

27 **MS. TARA MILLER:** --- when you would have gone back? Would
28 it have been within a month? Would it have been a few weeks?

1 **MR. MAX LIBERATORE:** It probably could have been in the
2 month.

3 **MS. TARA MILLER:** Okay. We also know that you would have
4 had at least some peripheral contact with the perpetrator when you dropped your father
5 off for his dental work; correct?

6 **MR. MAX LIBERATORE:** Yes.

7 **MS. TARA MILLER:** Okay. And when was that?

8 **MR. MAX LIBERATORE:** Probably a little bit after. I don't know
9 the exact, you know, dates or anything.

10 **MS. TARA MILLER:** When you say a little bit after, do you mean a
11 little bit after you saw him for your tooth?

12 **MR. MAX LIBERATORE:** Yes, I did.

13 **MS. TARA MILLER:** Okay. And did you go in with your father?

14 **MR. MAX LIBERATORE:** I don't recollect. I think I dropped him off
15 and then I went back and picked him up.

16 **MS. TARA MILLER:** Okay. Did you -- do you recall having any
17 interaction with the perpetrator at that point?

18 **MR. MAX LIBERATORE:** I probably went in and say hi to him
19 when he was there.

20 **MS. TARA MILLER:** Okay. Then the phone call that we've heard
21 about, this 30-minute phone call that took place on a Sunday in November 2019, your
22 evidence is you have no recall of receiving a call of that duration?

23 **MR. MAX LIBERATORE:** No, I don't remember that.

24 **MS. TARA MILLER:** No. Okay. Did you ever receive a phone call
25 from Ms. Banfield?

26 **MR. MAX LIBERATORE:** No, I don't remember I did. No.

27 **MS. TARA MILLER:** Okay. You have -- in one of your statements,
28 you indicate that you talked to the perpetrator all the time. And I wanted you to give us

1 a little bit more detail around that, Mr. Liberatore. Just wait for my question.

2 Was that -- when you say you talked to him all the time, was that in
3 person, was that in phone, or was it a combination of both?

4 **MR. MAX LIBERATORE:** It was in person when he come in, and
5 most of the time, I used to talk to him when he come in the warehouse itself to buy
6 different items for -- he was building his garage.

7 **MS. TARA MILLER:** When you say, "the warehouse", you mean
8 the GCSurplus warehouse?

9 **MR. MAX LIBERATORE:** Yes.

10 **MS. TARA MILLER:** Okay. So most of the time you would speak
11 with him was in person when he would come into your place of work?

12 **MR. MAX LIBERATORE:** Yes.

13 **MS. TARA MILLER:** Okay. And what about on the phone? Did
14 you speak to him on the phone? I appreciate you don't recall the 30 minute call on the
15 Sunday in November of 2019, but did you speak with him on the phone on a frequent or
16 any basis?

17 **MR. MAX LIBERATORE:** No, no basis. He would just show up if
18 he is looking for something that's onsite.

19 **MS. TARA MILLER:** Okay.

20 **MR. MAX LIBERATORE:** So there would actually -- if to say there
21 was a table saw for sale, people would just show up to walk in, and then when they
22 come in, I see them come in, it's like "Hi, how are you?", and you know, "What are you
23 doing?" "I'm looking at the table saw." And ---

24 **MS. TARA MILLER:** All right.

25 **MR. MAX LIBERATORE:** --- that's how it goes.

26 **MS. TARA MILLER:** So your evidence is that you don't have any
27 recall of talking to him on the phone? Him calling you or you calling him on the phone?

28 **MR. MAX LIBERATORE:** No.

1 **MS. TARA MILLER:** Okay. Have you ever been to Portapique,
2 Mr. Liberatore?

3 **MR. MAX LIBERATORE:** No, I have never been there.

4 **MS. TARA MILLER:** Okay. Have you ever socialised with the
5 perpetrator outside of work?

6 **MR. MAX LIBERATORE:** No, I didn't.

7 **MS. TARA MILLER:** Okay. Did you ever see the perpetrator
8 outside of work, even though you weren't socialising with him directly?

9 **MR. MAX LIBERATORE:** No, I didn't.

10 **MS. TARA MILLER:** Okay. Did you ever facilitate any purchase
11 for the perpetrator or -- and/or Ms. Banfield outside of GCSurplus?

12 **MR. MAX LIBERATORE:** No, I didn't.

13 **MS. TARA MILLER:** I'm going to move now, Mr. Liberatore, to the
14 subject of the decals on the decommissioned police car, and any decommissioned
15 police car. You gave us some detail in your statements about the process for stripping
16 the vehicles of those decals. I think you said it could take between 45 minutes to an
17 hour, depended on the weather, if it was outside, and it was cold or warm. What I'm
18 curious about, Mr. Liberatore, is what is left behind on the vehicle when those decals
19 would be removed?

20 **MR. MAX LIBERATORE:** There is really nothing left behind.

21 **MS. TARA MILLER:** Is there any residue of any kind,
22 Mr. Liberatore, that remains?

23 **MR. MAX LIBERATORE:** Some of the cars that have a line, when
24 we -- when we take the decals off there's usually a line on the thing ---

25 **MS. TARA MILLER:** Yes.

26 **MR. MAX LIBERATORE:** --- and we take a WD-40 and we try to
27 wipe all those lines off.

28 **MS. TARA MILLER:** Okay. You say you try to wipe them all off.

1 **MR. MAX LIBERATORE:** Well, we -- well, we do wipe them off the
2 ---

3 **MS. TARA MILLER:** Okay.

4 **MR. MAX LIBERATORE:** --- on the cars itself.

5 **MS. TARA MILLER:** Okay. As you heard from Commission
6 Counsel this morning asking you questions, one of the questions for the Commissioners
7 is where these decals came from, how they were applied in such a precise and
8 replicating manner. So my question is, have you ever seen the decals come off and a
9 car be sold where there's almost an outline or a template left on the car, such that
10 somebody could then overlay with pretty precise precision?

11 **MR. MAX LIBERATORE:** In the past, I have seen a car go out like
12 that before.

13 **MS. TARA MILLER:** You have seen that?

14 **MR. MAX LIBERATORE:** Back in the day, probably, yeah. Years
15 before he even bought a car, the perpetrator.

16 **MS. TARA MILLER:** Okay. So the one time you've seen it was
17 before the perpetrator showed up to look at those motorcycles. Have you seen it on
18 any other occasions where there had been an ---

19 **MR. MAX LIBERATORE:** No.

20 **MS. TARA MILLER:** --- outline or a template left?

21 **MR. MAX LIBERATORE:** No.

22 **MS. TARA MILLER:** Okay. You talk in your statements,
23 Mr. Liberatore, about being shown pictures of the mocked-up cruiser.

24 **MR. MAX LIBERATORE:** Yes.

25 **MS. TARA MILLER:** And I'm going to ask you some questions
26 around that. Do you recall when you were shown that picture or those pictures?

27 **MR. MAX LIBERATORE:** No, I have no recall of that.

28 **MS. TARA MILLER:** Okay. Would it have been after your teeth in

1 September of 2019?

2 **MR. MAX LIBERATORE:** You mean with Dwayne King?

3 **MS. TARA MILLER:** No. Sorry, I ---

4 **MR. MAX LIBERATORE:** I don't.

5 **MS. TARA MILLER:** You -- your evidence is that the perpetrator
6 showed you on a phone ---

7 **MR. MAX LIBERATORE:** Oh.

8 **MS. TARA MILLER:** --- pictures of a police cruiser with -- which
9 was fully mocked up.

10 **MR. MAX LIBERATORE:** I don't -- like I don't remember when he
11 showed me the pictures because he was in there, and he showed me the pictures, he
12 actually showed most of the staff there the pictures too ---

13 **MS. TARA MILLER:** Okay.

14 **MR. MAX LIBERATORE:** --- and he actually told most all the staff
15 that he's building a cruiser cop car.

16 **MS. TARA MILLER:** Okay.

17 **MR. MAX LIBERATORE:** Yeah.

18 **MS. TARA MILLER:** And for you specifically, what do you recall?
19 You say you don't recall when and I was trying to give you a pinpoint reference.

20 **MR. MAX LIBERATORE:** Yeah.

21 **MS. TARA MILLER:** You know, you talked about going to see the
22 perpetrator for your teeth, and that would have been in September of 2019.

23 **MR. MAX LIBERATORE:** Yes.

24 **MS. TARA MILLER:** Do you have any recall, in terms of when you
25 would have been shown the picture of the car by the perpetrator, relative to September
26 of 2019?

27 **MR. MAX LIBERATORE:** No, I don't.

28 **MS. TARA MILLER:** Okay. So tell me what you do remember

1 about him showing them to you. Did he pull you aside? How did this come up?

2 **MR. MAX LIBERATORE:** We would just talk outside. My partner
3 would be there too when he come to look at to buy something. And we asked him one
4 time before, why do you buy all -- like, buying these cars.

5 **MS. TARA MILLER:** Yes.

6 **MR. MAX LIBERATORE:** Because he was a denturist, so we kind
7 of assumed he'd be driving a Mercedes; he had a truck. And he said he liked the cars,
8 and that's how he said that's he was building the cruiser. That's how it kind of came
9 out.

10 **MS. TARA MILLER:** So it was that conversation where he brings
11 out his phone and shows you pictures of the cruiser?

12 **MR. MAX LIBERATORE:** I don't -- I don't really recall that. He
13 might have or might not have, I don't remember.

14 **MS. TARA MILLER:** Okay. But you do remember him showing
15 you pictures of a cruiser?

16 **MR. MAX LIBERATORE:** Yes, he did.

17 **MS. TARA MILLER:** Okay. And I'm going to ask the Registrar if
18 she can bring up Exhibit 808. And we saw this earlier this morning; this is a photo. And
19 can you see that, Mr. Liberatore?

20 **MR. MAX LIBERATORE:** Yes.

21 **MS. TARA MILLER:** It's on the screen?

22 **MR. MAX LIBERATORE:** Yes, I can.

23 **MS. TARA MILLER:** Okay. And does this car look like, and/or is
24 this the car that you were shown by the perpetrator on his phone?

25 **MR. MAX LIBERATORE:** I really don't remember. I see so many
26 of those cars, they all look the same to me.

27 **MS. TARA MILLER:** You saw so many of those cars, shown to
28 you by the perpetrator?

1 **MR. MAX LIBERATORE:** No, at work.

2 **MS. TARA MILLER:** Okay. What I'm focusing in on is what you
3 recall about the car that was shown to you by the perpetrator following your discussion
4 about, "Why do you have all these cars?"

5 **MR. MAX LIBERATORE:** Yeah. No, I wouldn't remember if that
6 was the one that he showed me or not.

7 **MS. TARA MILLER:** You would not remember?

8 **MR. MAX LIBERATORE:** No.

9 **MS. TARA MILLER:** No. This car has a whip antenna on the
10 back. Do you remember anything about a whip antenna on the car ---

11 **MR. MAX LIBERATORE:** No, I don't.

12 **MS. TARA MILLER:** --- that the perpetrator showed you? Okay.
13 This car, also, you can see a smidgen at the very front of a push bar. Do you remember
14 seeing a push bar on the car that the perpetrator showed you?

15 **MR. MAX LIBERATORE:** No, I don't.

16 **MS. TARA MILLER:** Okay. And it's my understanding that the
17 perpetrator showed you pictures on his phone of a number of vehicles and items he
18 owned; is that correct?

19 **MR. MAX LIBERATORE:** He told me that he had pictures of, like,
20 the Hondas that he collected.

21 **MS. TARA MILLER:** Yes.

22 **MR. MAX LIBERATORE:** And the little 50 motorbikes.

23 **MS. TARA MILLER:** Yes.

24 **MR. MAX LIBERATORE:** And that's really all.

25 **MS. TARA MILLER:** Okay. So you saw pictures of a mocked-up
26 police cruiser; you saw pictures of his motorcycles. And this would have been over
27 time; is that correct?

28 **MR. MAX LIBERATORE:** Yes. He actually showed me the

1 pictures of his motorbikes before the cruiser, I think.

2 **MS. TARA MILLER:** Okay.

3 **MR. MAX LIBERATORE:** Because he collected them and stuff like
4 that.

5 **MS. TARA MILLER:** I'm going back over a little bit of ground here,

6 ---

7 **MR. MAX LIBERATORE:** No, that's okay.

8 **MS. TARA MILLER:** --- but do you remember when the last time
9 was that the perpetrator showed you pictures on his phone, Mr. Liberatore, before the
10 events of the mass casualty?

11 **MR. MAX LIBERATORE:** No, I don't. It was -- it's been a long,
12 long time.

13 **MS. TARA MILLER:** Okay, thank you.

14 Still on the subject of decals, and Madam Registrar, if you could
15 bring up document Comm 4203, and this is page 10.

16 And I want to ask you some questions, Mr. Liberatore, about
17 around line 7208. And this is, of course, your -- a part of your statement indicating that
18 the perpetrator had showed you pictures of the car. And then it says:

19 "Oh, I made a joke with him. I was ordering with
20 deals, decals online. He said, 'M'hm.' I made a joke
21 one time after the car was done; I think Bill was
22 there." (As read)

23 The Commissioner, "Roughly, you know." Et cetera, et cetera.

24 I want to ask you questions about ordering "deals" or decals online.
25 Is that something you told the perpetrator that you were ordering decals online?

26 **MR. MAX LIBERATORE:** No, I don't recall that.

27 **MS. TARA MILLER:** Okay. This is -- these are your words in your
28 statement; correct?

1 **MR. MAX LIBERATORE:** Yes.

2 **MS. TARA MILLER:** Okay. And you say:

3 “Oh, I made a joke with him. I was ordering deals,
4 decals online.” (As read)

5 **MR. MAX LIBERATORE:** I was, or he was?

6 **MS. TARA MILLER:** Well, I’m reading your statement.

7 **MR. MAX LIBERATORE:** Oh.

8 **MS. TARA MILLER:** So I want you ---

9 **MR. MAX LIBERATORE:** No.

10 **MS. TARA MILLER:** --- to tell me what ---

11 **MR. MAX LIBERATORE:** Yeah, no.

12 **MS. TARA MILLER:** --- you meant by those words, Mr. Liberatore.

13 **MR. MAX LIBERATORE:** No, I don’t recall that. I might have said,
14 “Where are you getting the decals for the car?”

15 **MS. TARA MILLER:** Okay. And if you asked him that, what was
16 his answer?

17 **MR. MAX LIBERATORE:** Well, the thing is, I didn’t -- I don’t even
18 remember asking him that. That’s the thing.

19 **MS. TARA MILLER:** So what are you talking about in your
20 statement when you say you’re joking with him about ordering decals online?

21 **MR. MAX LIBERATORE:** I don’t recall that.

22 **MS. TARA MILLER:** You don’t recall ---

23 **MR. MAX LIBERATORE:** No.

24 **MS. TARA MILLER:** --- having that conversation?

25 **MR. MAX LIBERATORE:** No, I don’t remember having that
26 conversation with him.

27 **MS. TARA MILLER:** Nor do you recall him telling you he was
28 ordering decals online?

1 **MR. MAX LIBERATORE:** No, I don't even remember him telling
2 me he was ordering decals online.

3 **MS. TARA MILLER:** So you're not able to offer us any insight into
4 why you said in your statement you were joking with him about ordering decals online?

5 **MR. MAX LIBERATORE:** No, I don't.

6 **MS. TARA MILLER:** Okay. Have you ever ordered decals online,
7 Mr. Liberatore?

8 **MR. MAX LIBERATORE:** No, I didn't.

9 **MS. TARA MILLER:** Okay. Did you give the perpetrator any
10 information about how to order decals online?

11 **MR. MAX LIBERATORE:** No, I didn't.

12 **MS. TARA MILLER:** As an employee of the Federal Government
13 for 30 years, and certainly the last 12 years, Mr. Liberatore, in GCSurplus, I'm interested
14 in hearing from you what, if any, training you are given, or were given, with respect to
15 reporting suspicious behaviour that you may observe while at work at GCSurplus, in
16 terms of purchases of items. Were you given any training?

17 **MR. MAX LIBERATORE:** No, I wasn't.

18 **MS. TARA MILLER:** Okay. And if you ever observed the
19 suspicious or something you thought was behaviour out of the norm, what would you do
20 with that information?

21 **MR. MAX LIBERATORE:** Well, I would go to my manager first.

22 **MS. TARA MILLER:** Okay. And have you ever reported
23 suspicious behaviour to your manager

24 **MR. MAX LIBERATORE:** Well, we had an incident two or three
25 years ago that there was a pipe bomb in our lot that came from DND, and it was a
26 pretend bomb, and I took it out. There was a customer there and I took it out and
27 opened up where it was and went into my manager's office and we had to actually drop
28 it.

1 **MS. TARA MILLER:** Okay.

2 **MR. MAX LIBERATORE:** The bomb people came and everything
3 else, so, yeah, that happened a few years ago.

4 **MS. TARA MILLER:** Okay. Separate and apart from that, in terms
5 of observing individuals making suspicious purchases from GCSurplus, have you ever
6 had an opportunity to register any concerns or complaints with your manager around
7 that?

8 **MR. MAX LIBERATORE:** No, no, I didn't.

9 **MS. TARA MILLER:** Okay. And you know, certainly, in your role
10 as a Federal Government employee, that it's a crime to impersonate a police officer?

11 **MR. MAX LIBERATORE:** Yes, I do.

12 **MS. TARA MILLER:** Okay. And were you given any training
13 around that; what to do if you thought somebody was in the process of trying to
14 impersonate a police officer?

15 **MR. MAX LIBERATORE:** I've never really been in that position to
16 even think that, or that something like that would happen.

17 **MS. TARA MILLER:** Okay. So you've never -- you've never been
18 in a position to observe or think that somebody might be impersonating a police officer?

19 **MR. MAX LIBERATORE:** No.

20 **MS. TARA MILLER:** Okay.

21 I want to go back to Exhibit 4203. And if I can get, Madam
22 Registrar, if you can scroll down to line 282.

23 And this is, again your statement.

24 **MR. MAX LIBERATORE:** Yeah.

25 **MS. TARA MILLER:** You look at him and you go:

26 "Gabriel, what the hell did you build that for?" Of
27 course he told me about why he did it for, because of
28 the parade and all that stuff. I go, 'JC,' I said, 'you

1 can get in that God damn car and drive down the road
2 and pull people over'. He goes, 'Yeah'. He goes,
3 'You can do it pretty quickly. They can pull over for it
4 for no problem at all for me.' So that's a remark that
5 he made to me." (As read)

6 Are you telling us that that remark, when he shared with you that he
7 was using that car to pull over people and they were doing it pretty quickly, that did not
8 raise any concerns with you about him impersonating a police officer?

9 **MR. MAX LIBERATORE:** No, he didn't because when he told me
10 he was building the car, he told me that he was building it for to put in parades for the
11 fallen-down police officers.

12 **MS. TARA MILLER:** I understand that's what you told us but in
13 this statement you say:

14 "He goes, 'Yeah.' He goes, 'You can do it pretty
15 quickly. They can pull over for it no problem at all for
16 me.'" (As read)

17 I take from that that the perpetrator shared with you that he was
18 using this car to pull people over on the highway. Is that not what you meant in that
19 statement?

20 **MR. MAX LIBERATORE:** No, not really.

21 **MS. TARA MILLER:** What did you understand he was talking
22 about when he shared that information with you about pulling people over and how
23 quickly it could be done with this car?

24 **MR. MAX LIBERATORE:** Well, I don't -- didn't think he was out
25 there pulling people over in the car.

26 **MS. TARA MILLER:** So I take from that you never reported that
27 behaviour as a concern to your manager, or anybody else?

28 **MR. MAX LIBERATORE:** No, I didn't.

1 **MS. TARA MILLER:** And when you indicated, I think, in your
2 statement that in the two to three months before the events of the mass casualty -- or,
3 sorry; in a two- to three-month period, he had purchased three to four vehicles, I
4 understand he told you that he was using one to be used in a parade, but did it not
5 cause you a concern that somebody was purchasing three to four vehicles in that short
6 period of time?

7 **MR. MAX LIBERATORE:** No, it didn't because where I worked for
8 12 years, I've seen people buy up to 10 or 15 of the cars to sell them again. So, to me,
9 it was just an everyday occurrence, that people just come in to buy stuff and sell it.

10 **MS. TARA MILLER:** Okay. Did any of those people tell you that
11 they used the cars to pull people over on the highway?

12 **MR. MAX LIBERATORE:** No, they didn't.

13 **MS. TARA MILLER:** I'm moving on. I want to clear up now
14 evidence you gave earlier this morning, Mr. Liberatore, about a conversation you had
15 with your brother-in-law which then resulted in the police coming to visit you.

16 **MR. MAX LIBERATORE:** Yes.

17 **MS. TARA MILLER:** That -- first of all, who's your brother-in-law?

18 **MR. MAX LIBERATORE:** Greg Vardy.

19 **MS. TARA MILLER:** Okay. And that conversation took place
20 before or after the events of the mass casualty?

21 **MR. MAX LIBERATORE:** After the events.

22 **MS. TARA MILLER:** Okay. And the last item I want to address,
23 Mr. Liberatore, is -- was dealt with this morning with my friend in terms of a discrepancy
24 between your first statement that you gave to the RCMP and then the second statement
25 that you gave to the Commission -- the Commissioners' investigation team. And this is,
26 of course, when you told the Commission that you did not have any interaction or
27 services with the perpetrator outside of your place of employment; correct?

28 Do you remember that?

1 **MR. MAX LIBERATORE:** Yes.

2 **MS. TARA MILLER:** Okay. And I -- you were asked why you
3 initially told the RCMP in your first statement that you did and then why you did not
4 share that information in your second statement; correct?

5 **MR. MAX LIBERATORE:** Can you repeat that again?

6 **MS. TARA MILLER:** You told the RCMP in your first statement
7 about going to see the perpetrator for some dental work in September of 2019.

8 **MR. MAX LIBERATORE:** Yes.

9 **MS. TARA MILLER:** Yeah. And then in your second statement,
10 you neglected to share that information. In fact, you said, "No, I didn't have any
11 interaction or services with them"; correct?

12 **MR. MAX LIBERATORE:** Yes, I did. And the reason I felt pretty --
13 I guess a little overwhelmed and kind of, you know, I guess nervous and everything else
14 that happened. It was just kind of like a slap. It was like, "Oh, my God, type of thing", I
15 guess.

16 **MS. TARA MILLER:** What were you overwhelmed with, Mr.
17 Liberatore?

18 **MR. MAX LIBERATORE:** Well, I mean, what the perpetrator's
19 gone and did ---

20 **MS. TARA MILLER:** Yes.

21 **MR. MAX LIBERATORE:** --- I mean, it's done a lot of things that
22 it's the worst thing you could ever think of.

23 **MS. TARA MILLER:** A hundred percent appreciate that.

24 **MR. MAX LIBERATORE:** Yes.

25 **MS. TARA MILLER:** It strikes me that in the context of that, the
26 worst thing that could ever happen, you would want to be as forthcoming and truthful as
27 possible with the Commission investigators.

28 **MR. MAX LIBERATORE:** Yes.

1 **MS. TARA MILLER:** So why wouldn't you have told them about
2 your interaction with the perpetrator outside of work?

3 **MR. MAX LIBERATORE:** The second time, you mean.

4 **MS. TARA MILLER:** Correct.

5 **MR. MAX LIBERATORE:** Yeah. I was -- like I said, I was
6 overwhelmed, probably nervous and everything else that was coming at me.

7 **MS. TARA MILLER:** Yeah. And at some point, subsequent to
8 giving that statement, did you circle back to let them know to your brother-in-law or to
9 the Commissioners to let them know, "I wasn't accurate when I said that. There's
10 actually additional information I want to share"?

11 **MR. MAX LIBERATORE:** No ---

12 **MS. TARA MILLER:** Did you do that?

13 **MR. MAX LIBERATORE:** --- but I was talking to, I think it was,
14 Dwayne and we talked about that again.

15 **MS. TARA MILLER:** You did subsequently, yes, in your third
16 statement.

17 **MR. MAX LIBERATORE:** Yes. Yes.

18 **MS. TARA MILLER:** That was taken, I think, just very recently;
19 correct?

20 **MR. MAX LIBERATORE:** Yes.

21 **MS. TARA MILLER:** Okay. And he brought that up with you in
22 that statement; correct?

23 **MR. MAX LIBERATORE:** Yes, he did.

24 **MS. TARA MILLER:** Okay. Thank you, Mr. Liberatore. Those are
25 all my questions.

26 **MR. MAX LIBERATORE:** No problem. Thank you.

27 **COMMISSIONER FITCH:** Thank you, Mr. Liberatore.

28 Maybe a simple technical question for you. We've heard that

1 there's a difference between what's called a hexis vinyl and a standard or a solid vinyl.
2 Can you explain the difference to us, if you know?

3 **MR. MAX LIBERATORE:** No, I -- can you maybe explain a little bit
4 better? Maybe I might be able to answer that.

5 **COMMISSIONER FITCH:** Yeah. There was some reference in
6 various information that -- that we've heard about a hexis vinyl, h-e-x-i-s, vinyl and a
7 standard vinyl, and that one is better than another. And you wouldn't know anything
8 about that, if one was easier to peel off, which is ---

9 **MR. MAX LIBERATORE:** No.

10 **COMMISSIONER FITCH:** --- used by the RCMP?

11 **MR. MAX LIBERATORE:** No, I wouldn't know anything about that
12 at all.

13 **COMMISSIONER FITCH:** Okay.

14 **MR. MAX LIBERATORE:** Yeah.

15 **COMMISSIONER FITCH:** Okay. The other question I had in
16 follow-up to Ms. Miller's question, when you were looking at the picture of the police car
17 and you weren't sure if -- if that was the car that you saw or not, just going from your
18 memory, can you describe what the picture looked like?

19 **MR. MAX LIBERATORE:** No, not really because it was on the
20 phone. He just showed me a quick picture and I just kind of glanced at it, and that was
21 basically it.

22 **COMMISSIONER FITCH:** Did it look like a fully mocked-up replica
23 police car?

24 **MR. MAX LIBERATORE:** Yeah. It just looked like a police car.

25 **COMMISSIONER FITCH:** Okay. Thank you.

26 **MR. MAX LIBERATORE:** It was done very quick, you know, with
27 the phone and he showed me.

28 **COMMISSIONER MacDONALD:** Thank you very much.

1 **MR. JAMIE VanWART:** Sorry to interrupt, Commissioners, but I
2 was wondering if I would be permitted to just ask a follow-up question just from Ms.
3 Miller's question.

4 **COMMISSIONER MacDONALD:** Certainly.

5 **--- RE-EXAMINATION BY MR. VAN WART**

6 **MR. JAMIE VanWART:** I just -- if Madam Registrar, if she could
7 place again on the screen the statement from April 21st, 2020 by Max Liberatore, and
8 perhaps go to 5 -- page 5 of that statement, line 137.

9 I just wanted to ask, Mr. Liberatore -- I know Ms. Miller was asking
10 questions and you didn't remember information about where the perpetrator had
11 obtained decals. You remember those questions ---

12 **MR. MAX LIBERATORE:** Yes.

13 **MR. JAMIE VanWART:** --- that you were answering?

14 You did actually speak to that issue in the statement you gave in
15 April 2020, and I just want to read you what you said to the investigator, the RCMP at
16 that time. You said, starting at line 138:

17 “You know, I told him, ‘Where’d you get the decals
18 at?’ and he’s like, ‘Oh, Jesus, you can order them
19 online’. Now, if that’s true, I didn’t even check, so you
20 know, you could probably Google it, see if you can or
21 not. I guess you guys probably do that or whatever. I
22 don’t know. So I -- so he told me he Googled to get
23 the decals online, of course. I might well say I’ve
24 seen it on TV that he had the suit, now then
25 supposedly he told me as a conversation that he
26 actually got that online, too, that the outfit or
27 whatever, the RCMP.” (As read)

28 Does me reading you that answer you gave the RCMP refresh your

1 memory about ---

2 **MR. MAX LIBERATORE:** No, it doesn't at all. It doesn't at all.

3 **MR. JAMIE VanWART:** Okay.

4 **MR. MAX LIBERATORE:** No.

5 **MR. JAMIE VanWART:** Okay.

6 **MR. MAX LIBERATORE:** No.

7 **MR. JAMIE VanWART:** I guess the other ---

8 **MR. MAX LIBERATORE:** I would assumed when I was talking to
9 them when this all happened I was kind of like, you know, I would assume that most
10 time in 2022 here, people -- you actually go online to do things like that, I guess, you
11 know, so I didn't ---

12 **MR. JAMIE VanWART:** Okay.

13 **MR. MAX LIBERATORE:** --- I didn't know for sure or anything. I
14 could have been speculating when I was talking to them or, you know, trying to figure
15 something out with them. I don't know.

16 **MR. JAMIE VanWART:** Okay. Well, thank you.

17 And thank you, Commissioners. I just thought I should clarify that.

18 **COMMISSIONER MacDONALD:** Thank you.

19 Thank you, Mr. Liberatore.

20 **MR. MAX LIBERATORE:** Thank you.

21 **COMMISSIONER STANTON:** Thanks again to Mr. Liberatore for
22 being here today and adding to our understanding of the perpetrator's police
23 paraphernalia. Thanks also to Participants, their counsel and Commission Counsel and
24 everyone else who helped deliver or engaged in making the presentations and having
25 the proceedings happen today.

26 Tomorrow afternoon we'll be hearing some oral submissions from
27 Participants on the materials being presented this week if they have any they wish to
28 present or provide. Please note that public proceedings tomorrow will commence at 2

1 o'clock.

2 A reminder that the Commission does have 61 Participants, and
3 these include a broad range of individuals and groups, including those most affected,
4 first responders and advocacy groups and organizations. As move further into Phase 2
5 work focused on exploring how and why the mass casualty happened in the coming
6 weeks and months, we anticipate you'll hear more of the issue focused Participants in
7 addition to those most affected and first responders.

8 Mr. Van Wart, did you have some further housekeeping that we
9 neglected ---

10 **MR. JAMIE VanWART:** Yes.

11 **COMMISSIONER STANTON:** --- to give you space to do a bit
12 earlier?

13 Would you like to go ahead?

14 **MR. JAMIE VanWART:** Yeah, I apologize.

15 **COMMISSIONER STANTON:** Not at all.

16 **MR. JAMIE VanWART:** I hate to interrupt your closing remarks,
17 but I ---

18 **COMMISSIONER STANTON:** It's quite all right.

19 **MR. JAMIE VanWART:** --- know that there's some housekeeping
20 that I need -- I need to get done today and I've waited till the last moment to do it, so I
21 apologize. But I'll do it now.

22 And the -- and that's Commission Counsel would like to enter a few
23 further exhibits.

24 They're -- first, the exhibit I entered this morning, which was Mr.
25 Liberatore's statement from April 21, 2022, it was entered as Exhibit 1036. That was
26 done in error, and I believe it should be 1037.

27 And Madam Registrar is nodding.

28 **REGISTRAR DARLENE SUTHERLAND:** That's correct.

1 **MR. JAMIE VanWART:** Okay. Next, there is a further item I'd like
2 to tender as -- or enter as an exhibit.

3 There is a -- there was a transcript of an interview of Constable
4 Nick Dorrington that was done by the Mass Casualty Commission. That was done on
5 November 9, 2021, and it was entered as Exhibit 206.

6 This was a source document as part of the Foundational Document
7 Containment Points In and Around Portapique. Department of Justice Canada has
8 provided the Mass Casualty Commission with a letter from Constable Dorrington with a
9 correction to some of the information provided in that interview.

10 Commission Counsel would like to have that letter entered as an
11 exhibit.

12 **REGISTRAR DARLENE SUTHERLAND:** That's 1038.

13 **--- EXHIBIT NO. 1038:**

14 Letter from Constable Dorrington

15 **MR. JAMIE VanWART:** Thank you. And later this week, we will
16 be engaging in our first series of roundtables. There are a number of documents that I'd
17 like to exhibit in relation to the roundtables; I believe there is five. The first is COMM
18 number 0055721, and it's a summary of Canadian cases involving police imposters that
19 was prepared by the Mass Casualty Commission.

20 **REGISTRAR DARLENE SUTHERLAND:** One-zero-three-nine
21 (1039).

22 **--- EXHIBIT NO. 1039:**

23 COMM0055721 - Summary of Canadian cases involving police
24 imposters, prepared by the Mass Casualty Commission

25 **MR. JAMIE VanWART:** The next is COMM number 0055718, and
26 it's an article entitled, Policing in the Social: Questions of Symbolic Power.

27 **REGISTRAR DARLENE SUTHERLAND:** One-zero-four-zero
28 (1040).

1 **--- EXHIBIT NO. 1040:**

2 COMM0055718 - Article entitled, Policing in the Social: Questions
3 of Symbolic Power

4 **MR. JAMIE VanWART:** The next is COMM number 0055716, and
5 it is an article entitled, Police Impersonations, Pretenses, and Predators.

6 **REGISTRAR DARLENE SUTHERLAND:** One-zero-four-one
7 (1041).

8 **--- EXHIBIT NO. 1041:**

9 COMM0055716 - Article entitled, Police Impersonations, Pretenses,
10 and Predators

11 **MR. JAMIE VanWART:** The next is COMM number 0055716, the -
12 - it's an article entitled, The International Relations of Police Power in Settler
13 Colonialism.

14 **REGISTRAR DARLENE SUTHERLAND:** One-zero-four-two
15 (1042).

16 **--- EXHIBIT NO. 1042:**

17 COMM0055716 - Article entitled, The International Relations of
18 Police Power in Settler Colonialism

19 **MR. JAMIE VanWART:** And the final document is COMM
20 number 0053825. It's a article entitled, Police Culture, Origins, Features and Reforms.

21 **REGISTRAR DARLENE SUTHERLAND:** One-zero-four-three
22 (1043).

23 **MR. JAMIE VanWART:** Thank you.

24 **--- EXHIBIT NO. 1043:**

25 COMM0053825 - Article entitled, Police Culture: Origins, Features
26 and Reforms

27 **MR. JAMIE VanWART:** And the last bit of housekeeping today,
28 Commissioners, is just with regards to a follow-up from evidence you hear from

1 Constable MacLeod and Constable Hubley. This was on April 14th, 2022. Mr. Scott,
2 from Patterson Law, had some follow up questions. I just wanted to make a clarification
3 to some of the information that he relayed to the officers on that day.

4 **COMMISSIONER MacDONALD:** Thank you.

5 Mr. Scott.

6 **--- SUBMISSIONS BY MR. MICHAEL SCOTT:**

7 **MR. MICHAEL SCOTT:** Thank you, Commissioners.

8 I received a -- an email from Commission Counsel last week from
9 Ms. Nijhahawan, and it says:

10 "Dear Mr. Scott, in the course of questioning
11 Constable Dorrington and MacLeod..." (As read)

12 I believe she means Hubley and MacLeod:

13 "...on April 14th, 2022, you initiated the following
14 exchange with Constable MacLeod." (As read)

15 Question:

16 "'I said were you aware that...[it] appears to have
17 been found by Forensic Identification Services that
18 there [were 14] holes in [the] windshield?'" (As read)

19 Answer:

20 "'I saw that on a report, yes.'" (As read)

21 Question:

22 "'Do you have anything that you can add to account
23 ...'" (As read)

24 Answer:

25 "'No.'" (As read)

26 Ms. Nijhahawan goes on to say:

27 "We note, however, that the FIS report, COMM
28 number COMM0007446, depicts an image of 10

1 visible holes with markers numbered 5 through 14,
2 and concludes only that there were at least..." (As
3 read)

4 Quote:

5 "...10 bullet holes..."

6 Closed quote:

7 "...in the front windshield. On that basis of this
8 evidence, it appears that the foundation of your
9 question to Constable MacLeod was incorrect and
10 could be potentially misleading to the public. We will
11 invite you to address the Commissioners and correct
12 the record on this issue when public proceedings
13 resume next week." (As read)

14 And so I suspect that's why Mr. VanWart's asked me to address it.
15 For clarity, Madam Registrar, if you could pull up Exhibit P00754,
16 please. The question I put to Constable MacLeod did have a foundation.

17 **REGISTRAR DARLENE SUTHERLAND:** Seven-five-four (754)?

18 **MR. MICHAEL SCOTT:** Seven-five-four (754), yes, please.

19 And Exhibit 754 is a copy of the, or the exhibited copy of the Enfield
20 Big Stop Foundational Document. If it's not too much trouble, Madam Registrar, if we
21 could turn to page 55. It would be 55 if we could.

22 **REGISTRAR DARLENE SUTHERLAND:** Which paragraph?

23 **MR. MICHAEL SCOTT:** Paragraph 109, if you would, please.

24 There we go.

25 I'll direct the Commissioners' attention to paragraph 109 in the
26 Foundational Document that says:

27 "Cpl. Carla Sloan of the RCMP Forensic Identification
28 Section (FIS) attended at the scene at the Enfield Big

1 Stop and later examined the Mazda3 at the Halifax
2 FIS office. She noted that the gas tank of the Mazda3
3 was on "E" or "empty". [Constable] Sloan also noted
4 that both windows on the driver's side of the Mazda3,
5 as well as the front passenger's side window, were
6 completely shattered.

7 There were 14 bullet holes in the windshield of the
8 vehicle, on the passenger side."

9 So the basis for which the number of 14 has been provided for in
10 the Foundational Document is not entirely clear to us from Ms. Nijhahawan's email. It
11 certainly appears that the FIS report suggests, not a specific number, but more than 10,
12 and if there is an error in the Foundational Document we'll certainly leave that to
13 Commission Counsel. But for clarity, that was the foundation of the question that I put
14 to the constable.

15 **COMMISSIONER STANTON:** Madam Registrar, could you just go
16 down to the source material so that we can ensure we get the correction if there is one
17 needed?

18 So is this Forensic Identification Occurrence Report the same one
19 that you are referring to, Mr. Scott?

20 **MR. MICHAEL SCOTT:** Should be COMM7446.

21 **COMMISSIONER STANTON:** Okay. All right. That's good,
22 thanks. I mean, we obviously want to make them as accurate as possible. That's
23 helpful, thank you.

24 **MR. MICHAEL SCOTT:** All right. Subject to any questions.

25 **COMMISSIONER MacDONALD:** No questions, Mr. Scott, thank
26 you.

27 **COMMISSIONER STANTON:** Mr. VanWart, is there anything else
28 before I barrel ahead?

1 **MR. JAMIE VanWART:** No, and I apologise for my interruption.

2 **COMMISSIONER STANTON:** Not at all. We'll make sure we
3 check next time before we attempt to bring the proceedings to a close for the day.

4 So we will be hearing for -- from many more people over the next
5 while, including witnesses and experts and those with direct and related experience of
6 the mass casualty through ongoing proceedings, including roundtables that we're going
7 to have the first one this week. There will be some small group sessions, but the first
8 roundtable will be this Wednesday, a discussion about police paraphernalia.

9 Thanks to your engagement we are making progress and building
10 towards shaping the findings and recommendations that can help make our
11 communities safe in future. Thank you, again.

12 And we'll see you tomorrow at two o'clock. Thanks.

13 **REGISTRAR DARLENE SUTHERLAND:** Thank you. The
14 proceedings are adjourned until April 26, 2022, at two o'clock.

15 --- Upon adjourning at 2:15 p.m.

16

17

C E R T I F I C A T I O N

18

19 I, Sandrine Marineau-Lupien, a certified court reporter, hereby certify the foregoing
20 pages to be an accurate transcription of my notes/records to the best of my skill and
21 ability, and I so swear.

22

23 Je, Sandrine Marineau-Lupien, une sténographe officiel, certifie que les pages ci-hautes
24 sont une transcription conforme de mes notes/enregistrements au meilleur de mes
25 capacités, et je le jure.

26

27



28 Sandrine Marineau-Lupien