

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**

Ms. Rachel Young	Senior Commission Counsel / Conseillère sénior de la commission
Ms. Nasha Nijhawan	Counsel / Conseillère
Mr. Joshua Bryson	Counsel / Conseiller
Ms. Tara Miller	Counsel / Conseillère
Mr. Michael Scott	Counsel / Conseiller
Ms. Lori Ward	Counsel / Conseillère

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Halifax, Nova Scotia

--- Upon commencing on Monday, June 6, 2022 at 9:33 a.m.

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

COMMISSIONER FITCH: Bonjour at bienvenue. Hello, and welcome.

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

Before we begin today's proceeding, please join us in remembering those whose lives were taken, those who were harmed, their families and all those affected by the April 2020 mass casualty in Nova Scotia.

This week we will continue to learn more about what happened, how and why it happened, and how we can help to make our communities safer. Our task is broad in focus, so it makes sense for us to use many different ways to get the work done and gather information we need.

These approaches include presenting Foundational Documents and key source materials, hearing from witnesses in a variety of ways, holding roundtables, sharing research and Commissioned Reports, and hearing participant submissions.

A reminder that as a public inquiry, everything that we do as Commissioners, along with Commission Counsel who assist us, is in the public interest. We are here on behalf of all Canadians to learn in a way that is rigorous, balanced and respectful of everyone taking part.

As always, we welcome everyone who is joining us in person or virtually today and we thank all who are taking time to follow this work and catch up as you choose through our website.

1 As you know, the mass casualty took place over a large area of
2 Nova Scotia. While our focus in recent weeks has been on RCMP command decisions,
3 there were other police agencies and emergency service organizations involved in
4 responding. This week we'll be focusing on the interoperability of these organizations,
5 which means how they work with each other to carry out their respective roles in
6 response to a critical incident.

7 Specifically, we will learn more about how the municipal police
8 services in Truro and Halifax responded during the mass casualty. We will also learn
9 more about the actions of the RCMP relating to air support and public communications
10 and how radio communications in Nova Scotia is shared by different organizations.

11 Today, Commission Counsel will present a Foundational Document
12 focused on the Truro Police Service. Then we will hear from Chief Dave MacNeil, who
13 will provide context for Truro Police Services operations during the mass casualty, his
14 role as a municipal Police Chief and the relationship between his force and the Nova
15 Scotia Department of Justice, the Nova Scotia Chiefs of Police and the RCMP.

16 I will now ask Senior Commission Counsel Rachel Young to begin.

17 Ms. Young.

18 **--- FOUNDATIONAL DOCUMENT : TRURO POLICE SERVICES**

19 **--- PRESENTATION BY MS. RACHEL YOUNG:**

20 **MS. RACHEL YOUNG:** Good morning, Commissioners,
21 Participants, people of Nova Scotia, Canada and beyond. My name is Rachel Young.
22 I'm one of the Senior Commission Counsel.

23 This morning, as Commissioner Fitch mentioned, I'll be presenting
24 a Foundational Document on the Truro Police Service on April 19th, 2020. Madam
25 Registrar, I would ask that that be made an exhibit, please.

26 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 1919.

27 **MS. RACHEL YOUNG:** And all the supporting materials, of
28 course.

1 **REGISTRAR DARLENE SUTHERLAND:** So exhibit.

2 **MS. RACHEL YOUNG:** Thank you.

3 **--- EXHIBIT No. 1919:**

4 Foundational Document Truro Police Service - April 19, 2020
5 and related source materials

6 **MS. RACHEL YOUNG:** So like the other Foundational Documents,
7 this is a summary of the Commission's understanding to date. It's not necessarily
8 definitive and final word on what happened on that day.

9 Just to situate people who are not here with us in Truro, Truro,
10 there's shown on a map here, is south of the Salmon River, which empties into the
11 easternmost point of Cobequid Bay. It's bordered by the 102 Highway to the west,
12 which proceeds south towards Halifax. Highway 104 to the north of Truro goes east
13 towards Cape Breton and west towards New Brunswick, so it's at the intersection of
14 those highways, essentially.

15 Here you can see where Truro is in relation to other locations that
16 were mentioned in the mass casualty events, so you see Debert and Glenholme to the
17 northwest and Bible Hill is to the east of Truro. And you can see where the Salmon
18 River is there on that map, with Brookfield to the south.

19 This initially came to the attention of the Truro Police Service that
20 there was a mass casualty happening shortly after midnight on April 19th, 2020. And so
21 the Truro Police dispatcher, Candice Chornoby, answers, and the caller's asking
22 whether she knows what's going on. She says no.

23 And this is on the Foundational Document.

24 The dispatcher's told there's been a shooting in Portapique and that
25 the RCMP is out there and, unofficially, there's a patient coming in and it looks like the
26 gunman had not been captured yet.

27 And so here's a timeline showing what happened. So that call was
28 at 12 o'clock and 28 seconds, just after midnight. Then the dispatcher transfers the call

1 to Sergeant Richard Hickox, and he calls Chornoby at 12:04 and asks for Constable
2 Young to go to the hospital, the Truro Hospital because there's -- one of the shooting
3 victims is there. The hospital's asking for a lockdown.

4 And so Constable Young does get there at 10 past 12:00 and stays
5 until he is relieved later by Constable Daniel Taylor.

6 So the first update from the RCMP to Truro Police is at 12:55 a.m.
7 RCMP dispatcher Jennifer MacCallum calls with an update to Truro Police dispatch.
8 She speaks to Ms. Chornoby and says, "I have a possible suspect, possible vehicle
9 information for you to guys to BOLO", which means "be on the lookout".

10 "We're also going to be following this up with a CPIC external
11 message for you." And that's Canadian Police Information Centre.

12 "But I just thought it would be faster at this point."

13 And so the RCMP dispatch says, "The SOC", which is the suspect,
14 is:

15 "...considered armed and dangerous. We're dealing
16 with him treating it as an active shooter investigation..."

17 And she provided the name and the date of birth of the perpetrator.

18 "We believe that he is very familiar with guns and is
19 possibly associated to...a white Mercedes..."

20 And she gives the licence plate number. So there's some vehicle
21 information there.

22 At 12:58, the call continues. Dispatcher MacCallum says:

23 "...also in that BOLO, just give me a second,... it's not
24 confirmed that he's driving that Mercedes. However,
25 he's known to be associated to a second vehicle, a white
26 and it's been described as a former police car."

27 And she says it seems like it might have a decal on it:

28 "...Canada decal or, you know, one of the former cars..."

1 So there's no license plate that we're aware of that's
2 associated to it. And we have a number of cars that are
3 burnt at the scenes so we don't know if that's the one
4 included."

5 So there was a BOLO issued, be on the lookout, that said the
6 suspect was arrestable, considered armed and dangerous, believed to be familiar with
7 firearms. And the association with the Mercedes was mentioned as well as the
8 perpetrator's name and date of birth, that he was associated with Lisa Banfield, who
9 was not currently accounted for.

10 There's an update on the perpetrator's vehicle at 4:15 a.m., TPS
11 dispatch Chornoby calls Truro Police units. She says she just got a call from
12 telecomms. That's what they call the OCC -- RCMP OCC. So Chornoby says:

13 "They just passing on two different vehicles, black Jeep
14 Wrangler and a white grayish colored F-150. Both these
15 vehicles are associated to SOC, but they have no idea
16 what vehicle he's driving. I have the plates if you need
17 them."

18 And she provides the licence plate numbers.

19 So that was at -- just after four in the morning, then there's a shift
20 change and we see here a list of which officers went off and which ones came on. And
21 there's information that continues to be flowing in, but nobody knows where the
22 perpetrator is at this point in time.

23 There's an updated Be On The Lookout sent to Truro Police at
24 8:07:43 a.m., and the text of it is there on the slide. It's an update on the active shooter,
25 and it provides the name, date of birth, that's he's arrestable for homicide, armed and
26 dangerous and very familiar with firearms. This is an update from the RCMP Risk
27 Manager Bruce Briers that he is potentially using a fully-marked Ford Taurus car,
28 Number -- with the number there, which I have trouble reading, 28B11, I think. Could

1 be anywhere in the province. The last information given was that the SOC was loading
2 firearms into that vehicle. Vehicle photo coming when available. He's associated to
3 registered his name, and it mentions the Jeep Wrangler and the Ford 150, et cetera.
4 The situation is still in progress, and it mentions that he's associated to an address in
5 Dartmouth. And there's a photo added to PROS, which is the police database.

6 Chief MacNeil of Truro Police, who will be testifying this morning,
7 learned of the mass casualty from his Deputy Chief Robert Hearn. Deputy Hearn called
8 in between 8:30 and 9:00 on the morning of April 19th, and he got a text first. He said --
9 Deputy Hearn said there was an incident in Portapique and that it was on social media.
10 Chief MacNeil said he hadn't been aware of any information about the active shooter
11 situation before that.

12 Deputy Hearn called the Truro Police station, spoke to
13 Corporal Cormier, who told him that Sergeant Hickox had given him a briefing, that the
14 Truro Hospital is on lockdown and an extra officer had been called in to help with that
15 during the daytime. So Deputy Hearn told Corporal Cormier that he should call the
16 RCMP to find out what was going on.

17 So now, Sergeant Cormier does call Bruce Briers in the RCMP to
18 ask what's happening, and -- so Sergeant Briers said, "I hope you got the updates", and
19 they're talking about possibly seeing someone behind a residence in Portapique, don't
20 know what's happening, and not sure if that was the subject that was being referred to.
21 And so he said he had sent through a photo of the vehicle.

22 Sergeant Briers did say there's a:

23 "Fully marked, newer model, looks like a Ford
24 Taurus."

25 And Cormier says, "Is it a Mountie marked car?" Briers says:

26 "Yeah, Mountie marked, yeah. If you've got an email
27 address Ed, I'll send it to you."

28 And Briers says:

1 "...so [that's the] vehicle you're going to get a picture
2 of [that] has not been accounted for."

3 So they don't actually know still if he's driving it at this point.

4 8:43, and the call continues. Brier says:

5 "...we don't know if he's in the area or if he's gone."

6 And he describes the situation that there's a BOLO out.

7 So 8:45 a.m., Constable Taylor calls the dispatcher to find out the
8 updated BOLO information, and they have the information:

9 "...the perpetrator was last seen loading firearms into
10 [the] replica police cruiser [and]...he still [might] be
11 driving it."

12 So it appears that's the information that was received from Lisa
13 Banfield that's being assimilated there:

14 "[8:49 A.M.] Dispatcher Brittane Steeves updated
15 Cst. Jason Reeves with the same [information]."

16 And then, 8:51 a.m., Corporal Cormier provides Constable Reeves,
17 Taylor, and Whidden with the information received from Briers, and Corporal Cormier
18 called Deputy Chief Hearn to update him. And that includes the information now about
19 the replica cruiser.

20 And so here we have a timeline of, as more information comes in,
21 9:43, OCC dispatcher is calling Truro Police dispatcher. They advise that there was a
22 woman found dead in Wentworth. The RCMP vehicle is seen leaving the scene headed
23 towards Truro. And Dispatcher Steeves called Constable Taylor and relays this
24 information about the casualty in Wentworth, and the information is passed along.

25 At 9:50 a.m., Chief MacNeil sends an email to RCMP Chief
26 Superintendent Chris Leather and Assistant Commissioner Lee Bergerman, offering the
27 support of Truro Police, what can they do to help, and at 10 o'clock, Chris Leather
28 emails back to say:

1 "It sounds like we...[have] the suspect pinned down in
2 Wentworth. Will be in touch."

3 9:53, Corporal Cormier messages Deputy Chief Hearn and relays
4 the information about the Wentworth casualty, says he's believed to be headed towards
5 Truro, "are you people ready?" Corporal Cormier said, "They're ready.":

6 "Deputy Hearn advised that Inspector Darrin Smith
7 would be coming in to assist."

8 And there were four Truro Police vehicles patrolling the Town of
9 Truro at 9:53 a.m. on April 19th.

10 And so we now know that the perpetrator drove through Truro, and
11 this map shows the perpetrator's route with the red line. The blue star in the middle is
12 the Truro Police station, and you can see that he more or less came in from the west
13 and headed east and south. There's an arrow at the bottom showing the direction of
14 travel. We see where the Best Western is there, and this was reconstructed after the
15 events using surveillance videos. And the location of the Truro Police officers is there
16 using the GPS information from their cars.

17 So these are some stills from the surveillance videos that show --
18 you can see the marked replica cruiser there in the -- towards the right hand side of the
19 frame at the top. And again, this is a camera from Century Honda in Truro. So this is
20 10:15 a.m., and we see on the right hand side the replica cruiser driving through Truro.
21 This is Wilson's Gas Stop surveillance camera showing the replica cruiser again at
22 approximately 10:15 a.m. As he makes his way through town, this is Dairy Queen at
23 10:16, and then NSCC Truro Campus, 10:19; and this is where we are right now,
24 Glengarry Best Western, 10:19 a.m., the perpetrator driving by.

25 And so at 10:22 a.m., OCC dispatch calls and tells Truro Police that
26 there have been more victims, and she is trying to update them on what's happening.
27 They don't know where he is, and she said he may be headed towards Truro and that
28 she would let the Truro Police dispatcher know as more information came in.

1 At 10:37 a.m., the OCC dispatch supervisor, Kirsten Baglee,
2 phoned at Truro Police. So first, she phoned dispatch, then she got patched through to
3 Corporal Cormier and said that the RCMP Risk Manager had asked for them to shut
4 down Truro. She said, "There have been multiple shooting victims, and he is in the area
5 it seems. The last one was seen in Debert."

6 Constable Cormier says:

7 "Okay....[so] when you say shut down, what do you
8 mean?"

9 The OCC dispatch supervisor says:

10 "Well I don't know if you need, uh, maybe you can do
11 some, some road blocks on the main. So we've got
12 some road blocks on some highways so that he's not
13 going back and forth and uh, going into different
14 areas. There's, I mean obviously there's um, a lot of
15 members out on the road right now."

16 That's referring to RCMP members.

17 Chief MacNeil went into the Truro Police Headquarters at --
18 between 10:25 a.m. and 11:07 a.m., and this is after he heard from a family member
19 that there were gunshots in Onslow.

20 He met up with Corporal Cormier, Inspector Darrin Smith. They
21 told him that Truro Police had multiple officers at the hospital overnight and into the
22 morning and that information was coming in sporadically from the RCMP.

23 Inspector Smith had told his officers to tell people outside to get
24 back in their cars or to go home. He'd also tasked the Truro Police dispatchers to
25 advise Walmart and other businesses that were open that there was an incident going
26 on in the county.

27 At 11:10, there was information that the suspect might be at the
28 Sobeys in Lower Truro and Robie Street, and so officers went there to look, but they did

1 not find him there.

2 Then at 11:29, the OCC called Truro Police dispatch and advised
3 that the suspect was down. 11:31:40 a.m., Inspector Darrin Smith issued a broadcast
4 stating that the suspect was down, and at 12:31 p.m. the RCMP sent a message to
5 Truro Police to cancel the BOLO related to the perpetrator.

6 So Commissioners, that's a summary of what is provided in more
7 detail in the Foundational Document, which is about 74 pages long, but just to give
8 people an idea if they weren't going to read the whole document that those are the
9 highlights of the times and the information that we know at the moment about the Truro
10 Police's involvement on April 19th.

11 **COMMISSIONER MacDONALD:** Thank you so much, Ms. Young.

12 I understand now we will hear from Chief MacNeil, and there has to
13 be some changes to the platform here, so we'll just stay on -- stay where we are and
14 you can arrange to have Chief MacNeil attend to testify.

15 Thank you.

16 **MS. RACHEL YOUNG:** Thank you.

17 If I might be excused for a moment.

18 **COMMISSIONER MacDONALD:** Absolutely.

19 **(SHORT PAUSE)**

20 **MS. RACHEL YOUNG:** Good morning, Chief MacNeil. I

21 understand you wish to be sworn this morning.

22 **CHIEF DAVE MacNEIL:** Yeah, I'll be sworn.

23 **--- CHIEF DAVE MacNEIL, Sworn**

24 **--- EXAMINATION IN-CHIEF BY MS. RACHEL YOUNG:**

25 **MS. RACHEL YOUNG:** Good morning, Chief MacNeil.

26 **CHIEF DAVE MacNEIL:** Good morning.

27 **MS. RACHEL YOUNG:** You already had a witness interview with
28 the Mass Casualty Commission; right?

1 **CHIEF DAVE MacNEIL:** Correct.

2 **MS. RACHEL YOUNG:** And so that has already been filed as an
3 exhibit, actually, Commissioners. It was COMM0003767. It's Exhibit P-001032, so
4 that's in the record.

5 And Chief MacNeil, I don't need to cover the same ground or repeat
6 what was in the Foundational Document that I just presented. What I'm going to do
7 today is ask you about several different topics.

8 First, your direct involvement in or knowledge of the events of April
9 19th, 2020, but also how your municipal police force interacts on a regular basis with
10 the provincial police, the RCMP, and how the Truro police and you as Chief interact with
11 other law enforcement agencies and organizations in the province and the country just
12 to help us situate Truro Police's role with respect to other organizations' roles.

13 **CHIEF DAVE MacNEIL:** Sure.

14 **MS. RACHEL YOUNG:** And starting with your background, how
15 long have you been Chief of Truro Police Service?

16 **CHIEF DAVE MacNEIL:** I've been Chief in Truro since 2008, two -
17 - late 2007, early 2008.

18 **MS. RACHEL YOUNG:** I understand that makes you the longest-
19 serving police Chief in Nova Scotia. Is that right?

20 **CHIEF DAVE MacNEIL:** Currently. There has been longer
21 serving, but I'm currently the longest, correct.

22 **MS. RACHEL YOUNG:** And so can you just tell us what the job of
23 a municipal police Chief entails?

24 **CHIEF DAVE MacNEIL:** Sure. It's a little bit of everything.

25 First and foremost, it's public safety and community building. So
26 we deal with a whole host of issues from budgeting to human resources to investigative
27 oversight and planning of investigations. Everything.

28 So it's the day-to-day operations of the police service, making sure

1 things are run smoothly, making sure we're accountable to the community, making sure
2 we're accountable to our Police Board, things of that nature, interacting with other
3 agencies, interacting with government and things of that nature.

4 **MS. RACHEL YOUNG:** And I guess you're the boss of the Truro
5 Police Service, right, so is there kind of a management role, leadership role there ---

6 **CHIEF DAVE MacNEIL:** Yeah.

7 **MS. RACHEL YOUNG:** --- too?

8 **CHIEF DAVE MacNEIL:** Yeah, Correct. Yeah. The Chief is in
9 charge of the budget and the human resources and all those issues that come with that,
10 good and bad.

11 **MS. RACHEL YOUNG:** And do you serve on other Boards and
12 committees outside the Truro Police Service?

13 **CHIEF DAVE MacNEIL:** Yeah, I've been very involved in the
14 community locally for as long -- you know, a long time. I've been a minor hockey coach
15 for 15 years, coach soccer, coach high school basketball. You know, various Boards,
16 the United Way, Colchester Partners. Lots of different community Boards.

17 CMHA, the local mental health Board. There's been lots of
18 community involvement.

19 So the role of the Chief, again, is to be part of this community
20 building and relationship building and giving back to the community and being involved.

21 **MS. RACHEL YOUNG:** And you would be a partner of the Nova
22 Scotia Chief of Polices Association?

23 **CHIEF DAVE MacNEIL:** Yeah, I'm on the professional side I'm a
24 member of Nova Scotia Chiefs of Police Association. I currently represent that
25 association at the national level. I'm on the Board of Directors for the Canadian
26 Association of Chiefs of Police representing Nova Scotia.

27 I'm also a member of the International Association of Chiefs of
28 Police.

1 **MS. RACHEL YOUNG:** And you're Past President of the Nova
2 Scotia Chiefs of Police Association as well?

3 **CHIEF DAVE MacNEIL:** Correct, I am.

4 **MS. RACHEL YOUNG:** How many officers or employees are there
5 in the Truro Police Service?

6 **CHIEF DAVE MacNEIL:** We have probably 54 employees. A total
7 of 36 of those are sworn police officers, including myself.

8 **MS. RACHEL YOUNG:** As you know, after this draft Foundational
9 Document was circulated to Participants, there was some feedback and questions. And
10 you provided some written questions -- or answers to those questions last week ---

11 **CHIEF DAVE MacNEIL:** Correct.

12 **MS. RACHEL YOUNG:** --- through your lawyer.

13 So that's been provided and, Commissioners, that -- those
14 questions and answers are in the supporting material for the Foundational Document
15 that was just filed. They're COMM No. COMM0058839, so those would already have
16 been exhibited as supporting materials.

17 It was in the form of a memo from Charles Thompson, who's
18 counsel for the Toronto [sic] Police Service, to me dated June 1st, 2022. And that was
19 mainly in response to questions posed by the NPF.

20 Commissioners, notice that there was one transcript of police --
21 Truro Police radio transmissions that was not in the supporting materials, so I would like
22 to file that as an exhibit at this time. It's COMM0046243.

23 **REGISTRAR DARLENE SUTHERLAND:** That's Exhibit 1967.

24 **--- EXHIBIT NO. 1967:**

25 (COMM0046243) - Transcript of Truro Police Service radio
26 transmissions

27 **MS. RACHEL YOUNG:** Taking you back to April 19th, 2020, then,
28 Chief MacNeil.

1 **CHIEF DAVID MacNEIL:** Okay.

2 **MS. RACHEL YOUNG:** I'm not going to go over the same ground
3 as in the Foundational Document, but I am going to ask you for a bit of context and for
4 your recollections of why you did and didn't do certain things ---

5 **CHIEF DAVID MacNEIL:** Sure.

6 **MS. RACHEL YOUNG:** --- that we might not be able to tell from
7 the documents.

8 **CHIEF DAVID MacNEIL:** Okay.

9 **MS. RACHEL YOUNG:** It was mentioned in the Foundational
10 Document that you only had three officers on duty the night of April 18th, 19th, 2020,
11 instead of the usual five because of the COVID pandemic. Can you please explain why
12 that is?

13 **CHIEF DAVID MacNEIL:** Sure. So go back to that period of time
14 in 2020, as everyone will recall, Nova Scotia was under a lockdown. There was lots of
15 restrictions in place and very little businesses were open. There wasn't much on the go.
16 So we -- being new in the pandemic, we didn't know really the ramifications to what it
17 was, how it spread, how easily it transmitted, so we wanted to take precautions and
18 make sure we had longevity in our staff.

19 So what would mean was we decided we'd split our shifts in half,
20 and we would put an extra officer on the shift. So we had six officers per shift and we
21 split them in half. So it would give three people on duty for the 12-hour period, while the
22 other three were at home, available to call in if required.

23 So what it did was our officers really worked a four days on, twelve
24 day off cycle to give them more time home with their families and not exposed to
25 potentially the virus. So those officers were to be at home and ready to come into work,
26 not out in the community or anywhere like that they could potentially be exposed, and
27 that was part of our business continuity plan for the pandemic.

28 So for the first few months of the pandemic, that's the shift schedule

1 that we worked.

2 **MS. RACHEL YOUNG:** And Commissioners, the Commission
3 investigators have or will interview all the Toronto Police officers ---

4 **CHIEF DAVID MacNEIL:** Truro?

5 **MS. RACHEL YOUNG:** Truro. When I see TPS, I think Toronto
6 Police Service.

7 Truro Police Services officers that were on duty, there was an
8 interview with Sergeant Bruce Lake and Deputy Chief Robert Hearn that has taken
9 place but the transcripts haven't yet been completed. So when they are, they will be
10 disclosed and filed in evidence. As well, Corporal Edwin Cormier, who has agreed to
11 answer written questions to be sent by the Commission.

12 There is one transcript that is done that was not in the supporting
13 material that I'd like to file now, please. It is the Commission interview of
14 Constable Thomas Whidden, W-H-I-D-D-E-N, and that's COMM number
15 COMM0058272. If that could be an exhibit, please, Madam Registrar?

16 **REGISTRAR DARLENE SUTHERLAND:** That's 1968.

17 **--- EXHIBIT NO. 1968:**

18 (COMM0058272) - Commission interview of Constable Thomas
19 Whidden

20 **MS. RACHEL YOUNG:** And just to clear something up from the
21 presentation I just did summarising the Foundational Document, I believe I said that the
22 BOLOs were sent from the RCMP to the Truro Police Service. But were they sent only
23 to Truro Police or to all police agencies in Nova Scotia?

24 **CHIEF DAVID MacNEIL:** It's my understanding any of the CPIC
25 BOLOs that were sent were sent provincially, so they would be sent province-wide to all
26 police agencies in the province. Again, that's my understanding of what the BOLO was.

27 **MS. RACHEL YOUNG:** Thank you. And so you're the leader of
28 the Truro Police. Is there other managers or leaders in the service? Can you describe

1 the structure of it ---

2 **CHIEF DAVID MacNEIL:** Yeah.

3 **MS. RACHEL YOUNG:** --- the service?

4 **CHIEF DAVID MacNEIL:** Sure. So our rank structure is the Chief,
5 obviously I'm the Police Chief, so I'm ultimately accountable and responsible for the
6 police service and the public safety in Truro. Underneath me, I have a Deputy Chief,
7 who is responsible for a whole host of duties, and in the absence of me, if I went away
8 or whatever, he would -- he would assume command of the police service. Under the
9 Deputy, we have an Inspector.

10 So those are the three non -- three -- the three commissioned
11 officers in our service, so it's Chief, Deputy Chief, and Inspector. And the Inspector is in
12 charge of our patrol operations and our lockup, and dispatch, and those types of things.
13 And from there, then we have Detective/Sergeant, which runs our Criminal Investigation
14 Section, then we have four watches or platoons with a sergeant on each as a
15 supervisor.

16 **MS. RACHEL YOUNG:** And the Deputy Chief of Police is Robert
17 Hearn ---

18 **CHIEF DAVID MacNEIL:** Correct.

19 **MS. RACHEL YOUNG:** --- and the Inspector is Darrin Smith?

20 **CHIEF DAVID MacNEIL:** Darrin Smith, correct; yeah.

21 **MS. RACHEL YOUNG:** And that's D-A-R-R-I-N?

22 **CHIEF DAVID MacNEIL:** I'm going to say E-N, but ---

23 **MS. RACHEL YOUNG:** It goes with E-N?

24 **CHIEF DAVID MacNEIL:** Yeah, I think so ---

25 **MS. RACHEL YOUNG:** Okay.

26 **CHIEF DAVID MacNEIL:** --- but I could be wrong. He'll be upset
27 with me if I don't know how to spell his name.

28 **MS. RACHEL YOUNG:** And so do you use a duty officer system?

1 **CHIEF DAVID MacNEIL:** We don't have a formal duty officer
2 system where we are a pretty close knit group, but we do ensure that one of the three
3 of us are always available. So what I mean by that, if I were away on a conference on
4 vacation, the Deputy Chief or Inspector would be on duty working their regular shifts
5 and be available for a call-in after hours. So all three of us wouldn't be out of the
6 community at one time, there would always be somebody that would be here to act in
7 my absence as the overall boss, if you will.

8 **MS. RACHEL YOUNG:** So it's noted in the Foundational
9 Document you weren't on duty on the morning of April 19th, but that you heard about it
10 from Deputy Chief Hearn between 8:30 and 9:00 a.m. on the 19th?

11 **CHIEF DAVID MacNEIL:** Yeah, I'd say closer to 9:00 a.m., but
12 yeah, correct, I was home.

13 **MS. RACHEL YOUNG:** And where -- you were at home, and
14 where was DC Hearn?

15 **CHIEF DAVID MacNEIL:** If I recall, the Deputy, he has a cottage in
16 the Tatamagouche area. He was over at the -- on the shore at the time.

17 **MS. RACHEL YOUNG:** Okay. And so when you heard from him
18 there was something happening, what did you do?

19 **CHIEF DAVID MacNEIL:** Well, it was -- I'd say it was probably
20 closer to 9:00, between 8:30 and 9:00, and it was just a phone call to say, I was out in
21 the yard working, and just to say there was something going on in Portapique. Didn't
22 have a lot of information other than that, you know, obviously there were some
23 casualties and -- but not much information other than just an FYI. So I continued to do -
24 - to do my yard work at that time.

25 **MS. RACHEL YOUNG:** So why did you not go into the station at
26 that time?

27 **CHIEF DAVID MacNEIL:** Based on what the Deputy told me, it
28 was something that was going on in Portapique. Obviously, didn't have any idea of the

1 scope and the severity of the incidence at the time, and it was something that was going
2 on in the RCMP jurisdiction.

3 **MS. RACHEL YOUNG:** We've heard that Inspector Smith was in
4 town, and that he went into work at about 10:25 a.m. That's in paragraph 91 of the
5 Foundational Document.

6 **CHIEF DAVID MacNEIL:** M'hm.

7 **MS. RACHEL YOUNG:** And so he was in at the station from about
8 that time ---

9 **CHIEF DAVID MacNEIL:** Yeah.

10 **MS. RACHEL YOUNG:** --- is your understanding? And you were
11 aware that the RCMP was leading the response; right?

12 **CHIEF DAVID MacNEIL:** Correct.

13 **MS. RACHEL YOUNG:** And so did you know that morning whether
14 Halifax Regional Police was assisting?

15 **CHIEF DAVID MacNEIL:** No, I had no idea of that.

16 **MS. RACHEL YOUNG:** And did an RCMP-led response mean that
17 Toronto, sorry, Truro Police Service was required to or could voluntarily assist the
18 RCMP?

19 **CHIEF DAVID MacNEIL:** Could you just ask that again
20 because...?

21 **MS. RACHEL YOUNG:** So knowing that the RCMP is leading the
22 response, does that ---

23 **CHIEF DAVID MacNEIL:** Right.

24 **MS. RACHEL YOUNG:** --- does that mean that there's a
25 requirement or an option for Truro Police Service to assist them?

26 **CHIEF DAVID MacNEIL:** There wouldn't be a requirement unless
27 we were asked. So typically, police agencies don't insert themselves in other people's
28 jurisdiction unless they're asked and tasked with something. So the offer or option

1 would be there. If asked, we would definitely help.

2 **MS. RACHEL YOUNG:** And were you asked to help?

3 **CHIEF DAVID MacNEIL:** No, not at that time.

4 **MS. RACHEL YOUNG:** And -- but you offered to help at a certain
5 point. At 9:50, we heard you emailed Chief Superintendent Chris Leather and Assistant
6 Commissioner Lee Bergerman of the RCMP to offer support?

7 **CHIEF DAVID MacNEIL:** Correct.

8 **MS. RACHEL YOUNG:** And is there a normal way of offering to
9 assist or support? Is there any formal protocol, or are you able to reach out any way
10 that you can get through?

11 **CHIEF DAVID MacNEIL:** Yeah, I would suggest to you any way
12 you can get through. So I opted to do the email to Lee and Chris, A, because I would
13 assume that the local detachment was tied with the situation at hand, and I have a
14 rapport with those two officers through, you know, my dealings provincially, and they're
15 the bosses, so I emailed those two and said if they need locally let us know.

16 **MS. RACHEL YOUNG:** And you did hear back from Chief
17 Superintendent Leather at about 10:00 a.m., so about 10-minutes later. He said it
18 looked they had the suspect pinned down in Wentworth and they'd be in touch; right?

19 **CHIEF DAVID MacNEIL:** Correct.

20 **MS. RACHEL YOUNG:** And did he get back in touch?

21 **CHIEF DAVID MacNEIL:** I didn't hear anything back.

22 **MS. RACHEL YOUNG:** Did you know that day that the perpetrator
23 had passed through Truro at 10:15 a.m.?

24 **CHIEF DAVID MacNEIL:** No idea.

25 **MS. RACHEL YOUNG:** When and how did you find out that the
26 perpetrator had passed through Truro at 10:15 on April 19th?

27 **CHIEF DAVID MacNEIL:** Well, we in fact didn't find out until it was
28 on the news, probably, and I'd be guessing now, a week, five days after the event. No

1 one reached out and told us that happened and no one said they were going to release
2 the video. So it caused a bit of concern in the community, you know, citizens were
3 upset, the mayor was being emailed and, of course, and then they were reaching out to
4 me to find out "How did this happen?", you know, "Why didn't you tell us this
5 happened?, and I had no idea.

6 **MS. RACHEL YOUNG:** When you offered support to the RCMP
7 that morning, what did you have in mind?

8 **CHIEF DAVID MacNEIL:** There's several things, probably, but
9 what comes to mind is anything operationally that they needed. Again, not knowing the
10 full scope of what happened or was happening at the time, my intention was more if
11 Colchester needed us to cover calls in their area we could have called extra people in to
12 assist with that. Assuming everyone was tied up at the scene in Portapique, it wouldn't
13 have left anybody to cover the rest of the county. So my intention to reaching out was
14 just that, if you need us to cover calls in the county, let us know.

15 We'll bring some people in and do that for you.

16 **MS. RACHEL YOUNG:** And you did reply back to Chief
17 Superintendent Leather at 10:02 after he emailed you to say, "Thanks, Chris. We can
18 cover local calls if the detachment members are tied up. Just ask"; right?

19 **CHIEF DAVE MacNEIL:** Correct, yeah.

20 **MS. RACHEL YOUNG:** And if you'd been called on to assist with
21 the active shooter, do your members have carbine training?

22 **CHIEF DAVE MacNEIL:** Yes, absolutely.

23 **MS. RACHEL YOUNG:** Have they been trained to deal with active
24 shooters?

25 **CHIEF DAVE MacNEIL:** Yes.

26 **MS. RACHEL YOUNG:** So you were offering assistance, but what
27 about the fact that you had fewer people on than usual because of COVID?

28 **CHIEF DAVE MacNEIL:** Well, we very easily could have had more

1 people in, so if -- if an offer came in to -- or a tasking came in to do something, then we
2 would have had people called back to work.

3 As I explained earlier, we had -- half the shift was off on call.

4 **MS. RACHEL YOUNG:** And we did see at paragraph 102 of the
5 Foundational Document that three extra Truro Police Service officers did come on shift
6 a little before and after 11:00 a.m. that day.

7 And so why was it that you were emailing the RCMP at 9:50 a.m. to
8 offer support as opposed to right when you first learned that there was something going
9 on?

10 **CHIEF DAVE MacNEIL:** Yeah. As I said earlier, it was probably
11 just around 9 o'clock the Deputy called to tell me there was something going on in
12 Portapique, but the details were fairly limited with the number of casualties, et cetera, so
13 it sounded like an isolated incident in Portapique at that time.

14 Once he had told me that he got Inspector Smith to come into the
15 office, then obviously I thought there may be more to this and I thought at that time I
16 would reach out and offer assistance.

17 **MS. RACHEL YOUNG:** Did the RCMP ever directly tell you why
18 they did not ask Truro Police Service for assistance?

19 **CHIEF DAVE MacNEIL:** No, not directly. No.

20 **MS. RACHEL YOUNG:** If there had been a request from the
21 RCMP to assist, how would you expect it to come? Who would have contacted your
22 service, and how?

23 **CHIEF DAVE MacNEIL:** An official request would probably come
24 from a supervisor, I would hope, someone in charge of the situation that has the
25 authority to task and has a meaningful task, so somebody in a command position.

26 **MS. RACHEL YOUNG:** Is there a formal Memorandum of
27 Understanding between the Truro Police and the RCMP about mutual assistance?

28 **CHIEF DAVE MacNEIL:** Nothing formalized, but we have a long

1 history of working together, obviously, provincially and locally, so in a situation that's an
2 emergency, you could pick up the phone and ask for resources and they would come
3 from all over the province.

4 **MS. RACHEL YOUNG:** We did hear -- and it's at paragraph 95 of
5 the Foundational Document -- that at 10:37:48 a.m. on April 19th, 2020 OCC Dispatch
6 Supervisor Kristen Bagley called the Truro Police Service dispatcher, Ms. Steeves, on
7 behalf of the RCMP risk manager, Sergeant Briers, to say the risk manager here is
8 asking for us to tell you to lock down your town.

9 And then Ms. Steeves broadcast for Corporal Cormier to call her.
10 He spoke directly to Ms. Bagley and she said, as we just heard, "Maybe there could be
11 some roadblocks".

12 So when you hear that, what does lock down your town mean to
13 you, if anything?

14 **CHIEF DAVE MacNEIL:** That's a good question.

15 Yeah, lock down the town. Good question.

16 So the hospital was already under lockdown because the hospital
17 requested that the night before. That could mean a whole lot of things and, really,
18 coming from a dispatcher, we weren't sure exactly what that meant.

19 So if there was a formal ask from the Staff Sergeant to Inspector
20 Smith, it may have been a little bit more clear and more concise, more direct. If they
21 requested, you know, roadblocks in certain areas, certain places, whatever, that would
22 be something that would be a bit more actionable than "lock down your town".

23 That's a pretty wide-open statement.

24 **MS. RACHEL YOUNG:** And so would a request like this, whether
25 from a dispatcher or the RCMP risk manager, would that be received by Truro Police as
26 a request or an order? What does it mean on your intake side?

27 **CHIEF DAVE MacNEIL:** I wouldn't suggest it was an order. I think
28 it was a request, possibly, but again, it was very vague and kind of time sensitive. It

1 takes some time to lock down a community, so it's a little bit of a last-minute hail Mary
2 type of a thing, I think.

3 **MS. RACHEL YOUNG:** And did that message get through to you,
4 this lockdown request, at the time?

5 **CHIEF DAVE MacNEIL:** I came in to the office some time between
6 10:30 and 11-ish, and no, I didn't know that until later on.

7 **MS. RACHEL YOUNG:** Is it possible to lock down Truro?

8 **CHIEF DAVE MacNEIL:** Yeah, it's possible. Absolutely.

9 Roadways, it would be. We have -- we have already, you know,
10 pre-planning around what roads would be blocked and things of that nature, but it would
11 require resources to do that and it would require some time to do it.

12 **MS. RACHEL YOUNG:** So Truro, there's two major highways near
13 the -- that intersect near the town, or ---

14 **CHIEF DAVE MacNEIL:** Well, there's -- yeah. There's two
15 TransCanada Highways, two 100 series highways, and then there's a whole host of
16 secondary highways as well.

17 **MS. RACHEL YOUNG:** We heard that Inspector Smith did have
18 officers telling people to go home and he told dispatch to tell some businesses to close.

19 So when you came in to the station, were you then assuming
20 command of Truro Police's response or was Inspector Smith carrying on as dealing with
21 it at that time?

22 **CHIEF DAVE MacNEIL:** Yeah, at that time, Inspector Smith was
23 still in charge. Like I say, I wasn't in the office long and then things seemed to end
24 quickly.

25 But yeah, I mean, I'm the boss, so the buck stops at me, so once I
26 came in, if there was decisions that needed to be made, then I would make them.

27 **MS. RACHEL YOUNG:** Has Truro Police assisted the RCMP in
28 the past with emergencies or investigations?

1 **CHIEF DAVE MacNEIL:** Yeah, on a routinely basis. Yeah.

2 **MS. RACHEL YOUNG:** Madam Registrar, could you please pull
3 up COMM0054260?

4 And if this could be made an exhibit, please.

5 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 1969.

6 **--- EXHIBIT No. 1969:**

7 (COMM0054260) Document of assistance to the RCMP from
8 2020 to parts of 2021

9 **MS. RACHEL YOUNG:** Chief MacNeil, what is this document?

10 **CHIEF DAVE MacNEIL:** That appears to be a document of
11 assistance to the RCMP from 2020 till -- and I don't see it on front of me when it ended,
12 but it was a document that we produced for 2020 and parts of 2021.

13 **MS. RACHEL YOUNG:** And who prepared it?

14 **CHIEF DAVE MacNEIL:** Deputy Chief Hearn, I believe.

15 **MS. RACHEL YOUNG:** Why?

16 **CHIEF DAVE MacNEIL:** Well, there was -- there was some
17 narrative that was being circulated, I would suggest a false narrative, that there was an
18 issue with Truro Police interacting with the RCMP or assisting the RCMP, and that
19 absolutely isn't true, so a document was produced to kind of put some reference to
20 those innuendos, I suppose.

21 **MS. RACHEL YOUNG:** What do you mean? What was the
22 content of the innuendos that you were trying to dispel?

23 **CHIEF DAVE MacNEIL:** There might have been a narrative that
24 was being put forward that we don't have a relationship working with the RCMP or
25 assisting them when called and, in fact, we do, and we always have.

26 There was some -- CBC Radio had a program here in the last few
27 months where an academic had made some allegations that one of the reasons the
28 RCMP may not have called Truro is because we're not trained, we don't have the

1 equipment, those types of things, we can't talk on our radios interoperably, all sorts of
2 things, and that just isn't true.

3 So the document was created more for the Commission's benefit to
4 suggest that that narrative that may have been put out there is inaccurate.

5 **MS. RACHEL YOUNG:** Did you follow up with that academic
6 about that ---

7 **CHIEF DAVE MacNEIL:** I did, yeah.

8 **MS. RACHEL YOUNG:** --- to correct the record?

9 **CHIEF DAVE MacNEIL:** Correct.

10 **MS. RACHEL YOUNG:** And so when the Truro Police has offered
11 assistance to the RCMP, has that included assistance involving the use of -- potential
12 use of carbines?

13 **CHIEF DAVE MacNEIL:** Yeah. There's a couple of incidents in
14 that document, I believe, in, I think, maybe 2016 or '17 and '18 that we were asked
15 specifically to assist because of our capacity with carbines and our containment ability.

16 And it's a two-way street, so we -- we get assistance from the
17 RCMP, they get assistance from us on a regular basis.

18 **MS. RACHEL YOUNG:** The RCMP assists Truro Police and other
19 municipal police forces when they need help with specialized services and back-up, for
20 example; right?

21 **CHIEF DAVE MacNEIL:** Correct.

22 **MS. RACHEL YOUNG:** So if there's specially-trained officers,
23 equipment or testing or things like that that municipal police services can ask that the
24 provincial police help out with that and help on investigations?

25 **CHIEF DAVE MacNEIL:** Yeah.

26 **MS. RACHEL YOUNG:** Okay. And so on that note, Madam
27 Registrar, I'd ask that that document be exhibited, COMM0056372.

28 **REGISTRAR DARLENE SUTHERLAND:** 1970.

1 **--- EXHIBIT No. 1970:**

2 (COMM0056372) RCMP Request for Action to Municipal
3 Police Forces for Financial Year 2020-21

4 **MS. RACHEL YOUNG:** And that's RCMP Request for Action to
5 Municipal Police Forces for Financial Year 2020-21.

6 So that's listing times that the provincial police, the RCMP, has
7 assisted municipal forces, and there would be other witnesses that can provide the
8 context for that document.

9 Commissioners, I'm now moving away from the events of April
10 19th, 2020. It's 10:20. I'm happy to continue or I don't know if you wish to take a
11 morning break now.

12 **COMMISSIONER MacDONALD:** I think -- it's only 10:20. Why
13 don't you keep going till maybe around 11:00 or so, whenever you're switching sub-
14 topics.

15 Thank you.

16 **MS. RACHEL YOUNG:** Will do.

17 Leaving aside the mass casualty events, Chief MacNeil, can you
18 please describe before -- starting before the events, what the ongoing working
19 relationship is like between Truro Police and the RCMP?

20 **CHIEF DAVID MacNEIL:** Sure. So I think I would probably
21 categorise that into two relationships. So locally, with the Colchester detachment, we
22 have a strong working relationship with that detachment for years. We're integrated in a
23 couple of different sections. We have a Criminal Intelligence Service of Nova Scotia,
24 there's a Truro officer and an RCMP officer that work in the Truro Police station
25 responsible for gathering intelligence for Colchester/Cumberland/East Hants. We also
26 have a Integrated Street Crime Enforcement Unit, since 2007 or '08. It's a Colchester
27 RCMP officer and a Truro officer that work in that unit.

28 For 10-years, we had an officer seconded to the Northeast Nova

1 Major Crime Unit with the RCMP. So one of our officers worked on major crime files all
2 across Nova Scotia with the RCMP. Prior to that, in the early nineties and into the mid
3 two-thousands, we had a Joint Forces officer with the Northeast Nova Drug Section, a
4 federal drug section that was here in this area until it was relocated to their
5 headquarters in Dartmouth, but we had an officer in there fore years. Worked on many
6 projects, continued to work on projects. And on a day-to-day basis, you know, routinely
7 we get asked to go to their lockup with a female officer to search a female prisoner.
8 There's different things back and forth all the time.

9 Speaking of lockup, for about 15-years, we housed all the RCMP
10 prisoners at our police station, which was a -- kind of a good setup because the RCMP
11 were in our building on a daily basis, so the frontline officers, we were talking with them
12 all the time, they were using our computers for paperwork, things of that nature. So that
13 stopped, I think, in about 2017, when they had some renovations done to their building.
14 But we have a long relationship working back and forth in public safety and different
15 things, investigations.

16 **MS. RACHEL YOUNG:** I'm just going to remind you, like I always
17 have to remind myself, to speak slowly because we have ---

18 **CHIEF DAVID MacNEIL:** Sure.

19 **MS. RACHEL YOUNG:** --- accessibility partners trying to ---

20 **CHIEF DAVID MacNEIL:** Okay. Sorry.

21 **MS. RACHEL YOUNG:** --- keep a record.

22 **CHIEF DAVID MacNEIL:** I have a bad habit of speaking fast. I'm
23 sorry.

24 **MS. RACHEL YOUNG:** That's okay. And so for example, as well,
25 if Truro Police were pursuing a suspect and the suspect crossed some kind of
26 boundary, municipal boundary, I take it that on a daily basis officers would help each
27 other to continue pursuits and things like that?

28 **CHIEF DAVID MacNEIL:** Yeah, there's protocols for that. I mean,

1 if -- and if, you know, if we're coming into their area to serve papers on someone or --
2 we're a small geographic location, so the criminals aren't -- people we're dealing with
3 aren't from Truro, they're from all over the county and beyond. So if we have to the
4 county and arrest somebody and -- or go serve a piece of paper on someone, we go,
5 but we let them know we're going. And conversely, if they come into Truro, they
6 typically let us know they're coming into Truro for a whole bunch of reasons. If it's for
7 deconfliction. If somebody calls and said "There's a police car here" or our officer
8 needs help and they're in Onslow serving a paper, then at least they know we're in their
9 area. So -- or we may ask them to go with us for that matter. So there is -- there is
10 back and forth that happens all the time in that regard.

11 **MS. RACHEL YOUNG:** You mentioned that the RCMP was using
12 the Truro Police lockup for a number of years. Was that pursuant to a formal
13 Memorandum of Understanding?

14 **CHIEF DAVID MacNEIL:** Yes. Yeah.

15 **MS. RACHEL YOUNG:** And Joint Operations, could they be -- you
16 talked about some integration, like with drug investigations, that were ongoing for years.
17 So ---

18 **CHIEF DAVID MacNEIL:** Yeah.

19 **MS. RACHEL YOUNG:** --- are some of them ongoing surveillance
20 investigation and some of them particular projects? How does that work?

21 **CHIEF DAVID MacNEIL:** Yeah, typically project-based, yeah.

22 **MS. RACHEL YOUNG:** And then, we can talk about this more
23 later, but there'd be some communication between the Truro Police and the RCMP via
24 the Nova Scotia Chiefs Association as well?

25 **CHIEF DAVID MacNEIL:** M'hm.

26 **MS. RACHEL YOUNG:** And -- so in terms of the RCMP assisting
27 Municipal Police with specialised services ---

28 **CHIEF DAVID MacNEIL:** M'hm.

1 **MS. RACHEL YOUNG:** --- over the years does that just happen on
2 an as-needed basis?

3 **CHIEF DAVID MacNEIL:** So we're fortunate in Truro, we have a
4 lot of services that bigger centres have. So we have our own K9 Unit, we have our own
5 Forensic Unit, things of that nature. So our reliance isn't as much or frequent as some
6 departments may be, but from our perspective, the Provincial Police of the province
7 have always provided specialised support. So every police service doesn't need a Dive
8 Team, they don't need an Explosive Disposal Unit, those types of things, Emergency
9 Response Team, things like that. So if we did require those services, we would, yeah,
10 we would draw on the Provincial Police Service for that, and that's always been the way
11 it has been in Nova Scotia.

12 **MS. RACHEL YOUNG:** How does that work? How do you make
13 that request?

14 **CHIEF DAVID MacNEIL:** Typically, you'd contact the telecoms and
15 speak to the Risk Manager and say, you know, we have this, we're requesting a Dive
16 Team, or whatever that looks like and they would -- they would facilitate that.

17 **MS. RACHEL YOUNG:** When you say "telecoms" that's the same
18 thing as the RCMP OCC ---

19 **CHIEF DAVID MacNEIL:** Yeah.

20 **MS. RACHEL YOUNG:** --- dispatch?

21 **CHIEF DAVID MacNEIL:** Yeah. Sorry.

22 **MS. RACHEL YOUNG:** And so if that happens, and the RCMP
23 helped out with specialised services, does Truro Police get billed back the cost of those
24 things?

25 **CHIEF DAVID MacNEIL:** No, that's never happened in the past,
26 and I guess we assumed as Nova Scotia Police Chiefs that that would be part of a
27 Provincial Service Agreement. All taxpayers in Nova Scotia are paying on their
28 provincial taxes for a portion of the Provincial Police, whether you have your own police

1 or not, so that would be assumed to be the way it was. And past practice has shown
2 that was the way it was.

3 **MS. RACHEL YOUNG:** Has there been any changes to that in the
4 last couple of years?

5 **CHIEF DAVID MacNEIL:** There has been a lot of discussion
6 around that at the Department of Justice level and the Nova Scotia Chiefs level with the
7 RCMP. You referenced the form that was created last year, I believe, and that was part
8 of that, I think, is tracking, and it does say that, financial tracking and things. But I'm not
9 aware of -- our agency, at least, has never received a bill yet, but again, we don't draw
10 down on it too often. But there is a lot of discussions at the provincial level about who
11 pays for what, what services the Provincial Police provide to municipalities, and those
12 things --those discussions are ongoing.

13 **MS. RACHEL YOUNG:** And Commissioners, I'd like to file a
14 number of exhibits on this point, including correspondence between the Police Services
15 on this.

16 So we have COMM number COMM0056383, A Briefing Note by
17 Donna Jewers, RCMP Liaison to the Department of Justice of Nova Scotia, approved by
18 Hayley Crichton, Public Safety Division, Department of Justice Nova Scotia, regarding
19 Cost Recovery for RCMP Services to Municipal Police, dated November 12th, 2020,
20 updated January 19th, 2021.

21 **REGISTRAR DARLENE SUTHERLAND:** It's Exhibit 1971.

22 **--- EXHIBIT NO. 1971:**

23 (COMM0056383) A Briefing Note by Donna Jewers, RCMP
24 Liaison to the Department of Justice of Nova Scotia,
25 approved by Hayley Crichton, Public Safety Division,
26 Department of Justice Nova Scotia, regarding cost recovery
27 for RCMP Services to Municipal Police, dated
28 November 12th, 2020, updated January 19th, 2021

1 **MS. RACHEL YOUNG:** The next one is COMM0056366, dated
2 May 27th, 2021, a letter from Chris Leather, RCMP Criminal Operations Officer, to
3 Chief Julia Cecchetto, regarding provision of specialized support to Municipal Police
4 Agencies.

5 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 1972.

6 **--- EXHIBIT NO. 1972:**

7 (COMM0056366) - A letter from Chris Leather, RCMP
8 Criminal Operations Officer, to Chief Julia Cecchetto,
9 regarding provision of specialized support to Municipal
10 Police Agencies, dated May 27th, 2021

11 **MS. RACHEL YOUNG:** Next one is COMM0056371, dated
12 May 28th, 2021, an email from Chief Scott Feener of Bridgewater, to Hayley Crichton,
13 and copying the Municipal Chiefs of Police, asking for clarification on the letter from
14 Chris Leather the previous day.

15 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 1973.

16 **--- EXHIBIT NO. 1973:**

17 (COMM0056371) - Email from Chief Scott Feener of
18 Bridgewater, to Hayley Crichton, and copying the Municipal
19 Chiefs of Police, asking for clarification on the letter from
20 Chris Leather the previous day, dated May 28th, 2021

21 **MS. RACHEL YOUNG:** And the next one is COMM0056367,
22 dated June 2nd, 2021, an email from Trevor Thompson of the Contract Management
23 Committee Secretariat regarding specialized services.

24 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 1974.

25 **--- EXHIBIT NO. 1974:**

26 (COMM0056367) - An email from Trevor Thompson of the
27 Contract Management Committee Secretariat regarding
28 specialized services, dated June 2nd, 2021

1 **MS. RACHEL YOUNG:** Next, is COMM056370, dated June 3rd,
2 2021, letter from Chief Julia Cecchetto, on behalf of the Municipal Chiefs of Police, to
3 Chris Leather of the RCMP, asking for clarification.

4 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 1975.

5 **--- EXHIBIT NO. 1975:**

6 (COMM056370) - A letter from Chief Julia Cecchetto, on
7 behalf of the Municipal Chiefs of Police, to Chris Leather of
8 the RCMP, asking for clarification, dated June 3rd, 2021

9 **MS. RACHEL YOUNG:** And lastly in this group, COMM0056365, a
10 June 11th, 2021 letter from Chris Leather in reply to Chief Julia Cecchetto and the Nova
11 Scotia Chiefs of Police Association.

12 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 1976.

13 **--- EXHIBIT NO. 1976:**

14 (COMM0056365) - A letter from Chris Leather in reply to
15 Chief Julia Cecchetto and the Nova Scotia Chiefs of Police
16 Association, June 11th, 2021

17 **MS. RACHEL YOUNG:** And so Chief MacNeil, you weren't the
18 author of those correspondence, but I take it the letters back and forth you would have
19 been copied on?

20 **CHIEF DAVID MacNEIL:** As far as I know, yeah. I didn't catch all
21 the ones you were speaking of, but yeah, I would have been as part of the Chiefs
22 Association, yeah.

23 **MS. RACHEL YOUNG:** Yeah, maybe not the one -- probably not
24 the one email from Trevor Thompson, but the correspondence between the Chiefs.

25 **CHIEF DAVID MacNEIL:** Yeah. More than likely, yeah.

26 **MS. RACHEL YOUNG:** Yeah. Now, I'd like to ask about the
27 relationship between Truro Police and other municipal police forces.

28 **CHIEF DAVID MacNEIL:** M'hm.

1 **MS. RACHEL YOUNG:** And also, how they interact with the Nova
2 Scotia Department of Justice.

3 **CHIEF DAVID MacNEIL:** Right.

4 **MS. RACHEL YOUNG:** So we heard at the beginning of the
5 Commission proceedings, there was a report done on the structure of policing in Nova
6 Scotia, and I believe as one of the contributing police services you would have seen a
7 draft of that and had input. Is that right?

8 **CHIEF DAVID MacNEIL:** Correct, yeah.

9 **MS. RACHEL YOUNG:** Yeah. And -- so that explains how the
10 *Police Act* puts the Province in charge of policing standards in Nova Scotia?

11 **CHIEF DAVID MacNEIL:** M'hm.

12 **MS. RACHEL YOUNG:** Right. And so, what I'd like to ask you
13 about today is that report and the presentation sets out what's there on paper, but for
14 you, how does that work at a practical level? Does the Province impose standards on
15 your service, or do you come up with them on your own, or a bit of both?

16 **CHIEF DAVE MacNEIL:** Okay. So we don't have a whole lot of
17 day-to-day dealings with the Department of Justice, you know, not on the operational
18 side of things.

19 A bit of history, I think. Over the years, Department of Justice has
20 undergone lots of changes in their leadership in Halifax, so there's been a whole host of
21 different Executive Directors and Acting Executive Directors, et cetera. But essentially,
22 there's always been standards in Nova Scotia.

23 They rephrased them. They used to be policies. Back in the
24 nineties when I started, there was actual policies that the Department of Justice had
25 written and all the departments kind of followed. Then the terminology changed to
26 governance standards, so they were kind of high-level standards that each department
27 would then write their own policy to that governance standard.

28 So it may be as simple as each department has to have a policy on

1 firearms training, for example. There's lots of provincial groups. Some of them I've
2 been involved with over the years would be the domestic violence training, areas of
3 domestic violence and protocols and training.

4 So they wouldn't train all police, but what they would do is offer
5 train the trainer programs, so the Department of Justice would bring subject matter
6 experts to Nova Scotia, train police officers. I was a domestic violence trainer in the
7 early 2000s, so we all went and had training, all the police agencies, so when we went
8 back to our home agency we delivered the same standard in training on domestic
9 violence investigations and protocol, all police.

10 There was also use of force working group that established training
11 as far as use of force goes. I was a member of that for years. They would, you know,
12 set a standard of qualifications for use of force training, frequency and then the
13 Department of Justice every year would send all the municipal departments this year --
14 your use of force training would be active shooter and OC or baton training, so
15 everybody had the same direction as far as training goes.

16 So those are the types of things Department of Justice were
17 historically involved in.

18 Also audits. They would provide audits of police services. As a
19 matter of fact, the -- our service just had our lock-up audit probably three weeks ago
20 now by the province, so that's kind of an annual thing where they come around and
21 inspect everybody's lock-up and make sure it's conforming to provincial standard.

22 They also do -- on the investigative side, they were very heavily
23 involved in audits, got away from it for a while, then they came back to that. So they'll
24 come and they've done domestic violence audits of all municipal agencies. They've
25 done sexual assault investigative audits. They'll do exhibit audits and things of that
26 nature.

27 So that's -- that's kind of our relationship operationally with the
28 Department of Justice. Through involvement with the Chiefs Association, there's a lot of

1 committee work with the Department of Justice as well, so if the province is looking at a
2 new piece of legislation that may be impactful to police, they would have representation
3 from Nova Scotia Chiefs on that panel or that committee.

4 So a lot of it's that kind of work, so more than -- more than
5 operational.

6 So there's a standard, an audit piece and there's the committee
7 work that we are involved with the Department of Justice with.

8 **MS. RACHEL YOUNG:** And a lot of the auditing by the
9 Department of Justice would be by or in consultation with Sharon Flanagan from the
10 Public Safety Division?

11 **CHIEF DAVE MacNEIL:** Over the years, Sharon's been kind of the
12 project lead for that, yeah.

13 **MS. RACHEL YOUNG:** And her current manager is Hayley
14 Crichton?

15 **CHIEF DAVE MacNEIL:** Hayley is the Executive Director of
16 Policing Services for the province, so yes.

17 **MS. RACHEL YOUNG:** And the term "governance standards" that
18 you used, you said it was a more recent term.

19 Do you know the origin of that or why that got adopted?

20 **CHIEF DAVE MacNEIL:** I say recent, but it's probably -- and this is
21 just a recollection. I'm thinking like 2015-ish.

22 I know my retired Deputy Chief was on a committee back then
23 working with Department of Justice and there was a few police representatives on the
24 committee to try to update or move forward new governance standards. And they did
25 like a national scan, so I know there was some -- they've gotten some from Ontario,
26 some from Alberta and places like that and then were working on just modernizing or
27 refreshing the standards in Nova Scotia.

28 **MS. RACHEL YOUNG:** When the Department of Justice trains

1 officers, is that -- would Truro Police go in on their own or would there be other police
2 services there, too? Would it be joint training?

3 **CHIEF DAVE MacNEIL:** Yeah. So anything -- again, typically
4 Department of Justice put on train the trainer courses, that type of thing has been my
5 experience, and it would be police agencies from all over Nova Scotia would attend,
6 yeah.

7 **MS. RACHEL YOUNG:** Would that include the RCMP?

8 **CHIEF DAVE MacNEIL:** Yeah, most times. Yeah.

9 **MS. RACHEL YOUNG:** You mentioned that there are audits by the
10 Department of Justice. Do you know what happens with the results of those audits? Do
11 they get fed through into future training, for example?

12 **CHIEF DAVE MacNEIL:** Yeah. I can speak to what I know from
13 my perspective, not from the Department of Justice said of the house.

14 But from the Chiefs perspective, we do receive an audit report and
15 our Board Chair also receives an audit report, so my Board -- I report to a Police Board
16 and our Chair would get the results of the audit as well to make sure that we are in
17 compliance and that we're -- you know, we're doing things as per best practice and that
18 type of thing.

19 From the Department of Justice side, I'm not sure what they do with
20 their results, but I know from ours, we do get an audit report highlighting some of the
21 things that may need improvement or if things are great, that's great, too. But then from
22 there, we would action anything that we needed to action to improve, and yeah, that's
23 what would happen on our side of the house.

24 **MS. RACHEL YOUNG:** So in terms of the administration of the
25 PPSA, the contract with the RCMP for provincial policing, including services provided to
26 the municipalities as needed, do you have any involvement in that, or that's not ---

27 **CHIEF DAVE MacNEIL:** No.

28 **MS. RACHEL YOUNG:** --- part of your responsibility?

1 **CHIEF DAVE MacNEIL:** No, that's -- that would be between the
2 RCMP on the provincial side and the province.

3 **MS. RACHEL YOUNG:** And between municipal police agencies,
4 do you assist each other formally or informally? Do you have any written agreements or
5 is it all informal?

6 **CHIEF DAVE MacNEIL:** No, a bit of both.

7 So municipal Chiefs and municipal departments work together very
8 well. You know, we share resources. You know, we do joint training. You know, some
9 departments will bring subject matter experts from out of province and host a course at
10 their own training facility and open seats up to other agencies on a cost-recovery basis.

11 We just had our patrol Sergeants all went to Amherst within the last
12 six or eight months and received critical incident training that they brought from Ontario.

13 You know, Halifax Regional Police, we do have an MOU with them
14 for the use of our range. So we're very fortunate in Truro, we have our own police only
15 range and we have an MOU with Halifax where their Emergency Response Team come
16 to Truro once or twice a month and use our range and train there.

17 So conversely, our last four K9 units were trained by Halifax
18 Regional Police at no cost to our municipality, so we do things back and forth all the
19 time. And it's great because it -- you know, it gets the officers to build relationships and
20 rapport and get some work in together on common platforms.

21 So we do a lot of training back and forth, yeah. Absolutely.

22 **MS. RACHEL YOUNG:** When you say range, you mean for
23 firearms training, like a gun range?

24 **CHIEF DAVE MacNEIL:** So we have had -- like Kentville Police
25 come and use our range by times. We've had -- we just hosted a course in Truro last
26 month from Colt Canada -- or sorry, it was the SIG Academy out of the States. So they
27 came up and used our range and we had officers from, you know, Amherst and
28 Bridgewater, some from New Brunswick all came and trained on the firearms instructor

1 course.

2 So it's -- and it gives those officers an opportunity to, you know,
3 build relationships and get to know each other and then they have kind of a cohort of
4 people that they can refer to later on for questions or best practices and those types of
5 things.

6 **MS. RACHEL YOUNG:** What was the name of the academy in the
7 United States you mentioned?

8 **CHIEF DAVE MacNEIL:** SIG Sauer Academy, so that's the type of
9 firearm that municipal police use as our pistol. It's the SIG Academy of New
10 Hampshire, is what they're called.

11 M.D. Charlton is the company that brought them to Canada and
12 they used our range, so M.D. Charlton put the course on, but it was instructors from
13 SIG.

14 **MS. RACHEL YOUNG:** Do you know how to spell that?

15 **CHIEF DAVE MacNEIL:** Yeah, it's simple. It's S-I-G, S-a-u-e-r,
16 two words.

17 **MS. RACHEL YOUNG:** Thank you.

18 Would the RCMP be involved in that joint firearms training?

19 **CHIEF DAVE MacNEIL:** They weren't in that, no.

20 **MS. RACHEL YOUNG:** Okay. And so Commissioners, I believe
21 we will be hearing from Ms. Flanagan and Ms. Crichton in the proceedings, but at this
22 juncture I would like to file their Commission interview transcripts as exhibits, please, for
23 context.

24 Madam Registrar, the numbers are COMM0051428. That's Hayley
25 Crichton's Commission interview. She's from the Public Safety Division, Department of
26 Justice Nova Scotia.

27 **REGISTRAR DARLENE SUTHERLAND:** That's 1977.

28 **--- EXHIBIT No. 1977:**

1 (COMM0051428) Commission Interview of Hayley Crichton

2 **MS. RACHEL YOUNG:** And there were two interviews of Ms.
3 Flanagan. The numbers are COMM0051431. Start with that one.

4 **REGISTRAR DARLENE SUTHERLAND:** 1978.

5 **--- EXHIBIT No. 1978:**

6 (COMM0051431) Commission Interview of Sharon Flanagan

7 **MS. RACHEL YOUNG:** And COMM005662.

8 **REGISTRAR DARLENE SUTHERLAND:** 1979.

9 **--- EXHIBIT No. 1979:**

10 (COMM005662), Commission Interview of Sharon Flanagan

11 **MS. RACHEL YOUNG:** Those are both Commission interviews of
12 Sharon Flanagan.

13 Chief MacNeil, I'd like to ask you about the Truro Police Services
14 relationship with the criminal -- or Canadian Intelligence Services, so CIS Nova Scotia
15 and CIS Canada.

16 Can you please explain how your service and municipal police
17 forces generally interact with those intelligence services?

18 **CHIEF DAVE MacNEIL:** Yes, sure I can.

19 So in Nova Scotia, there's a body called the Criminal Intelligence
20 Service of Nova Scotia, and you refer to it as CISNS, and that's what it's referred to. So
21 it's a provincially funded program the Department of Justice funds. The structure of that
22 program is the province is divided into, and I'm going to say six, but I could be wrong, it
23 could be seven, but I'm pretty sure it's six districts for Operations for Intelligence.

24 We're fortunate enough in Truro, as I mentioned earlier, we have
25 the Northwest Mainland Office is in my building, so what that means is I have an RCMP
26 officer and one of my officers that are trained Intelligence and they're seconded to the
27 Province to provide that work for Cumberland/Colchester and East Hants.

28 So in their role, their role is to gather and circulate intelligence

1 information among police services so we're all making sure we're -- we know what's
2 going on in the province. They go out and they can do it a few ways. They go out in the
3 field and they drop into the different police stations and RCMP detachments, speak to
4 the officers on the ground; they're encouraged to cultivate sources through a source
5 program; and they basically get the intelligence at the grassroots level, filter it back to
6 the CISNS office in the RCMP headquarters where analysts go through that data. And
7 then it's fed into what's called a Provincial Threat Assessment, or PTA. And each
8 province in Canada has to file a PTA every year, and that goes into the National Threat
9 Assessment or the NTA.

10 So I -- I'm the past Chair of the CISNS Board of Directors or
11 Provincial Executive Committee. So in that role, I chaired the committee for two years,
12 and what the committee is, is all police leadership in Nova Scotia. So we would have
13 the head of CBSA in Nova Scotia, RCMP leadership and the 10 Municipal Chiefs, we
14 form the PEC, or the Provincial Executive Committee, and that's who CISNS in Nova
15 Scotia reports to.

16 So right now, there's an inspector with the RCMP that's the Bureau
17 Director. Prior to that, there was a Halifax Regional Police inspector that was a Bureau
18 Director. The Bureau Director basically runs CISNS in the province, but they're
19 accountable to the Provincial Executive Committee made up of police leadership.

20 So what that looks like is all the information the Intelligence officers
21 gather in the field goes to the analysts at RCMP headquarters. They put it into
22 actionable information that we can either do a -- do a project on or we could use it for a
23 further Intelligence probe.

24 So the PEC meets twice a year. So all the police leaders of the
25 province get together twice a year. The analysts present the information that has been
26 gathered over that six month period, and then each district takes a project to work on
27 together. So in our area, for example, typically the projects have been in the county or
28 in East Hants, but we would contribute officers to that as part of our commitment to

1 public safety in Nova Scotia. So they are typically an Organised Crime group, and then
2 we would all sit together as a Joint Management Team.

3 So the PEC agrees to take that project on, then it goes back to the
4 district, which would be Colchester RCMP, ourselves, and East Hants RCMP, for
5 example, usually inspector level or a staff sergeant level would get together and form a
6 Joint Management Team and manage that project for six months. Then they would
7 come back and report at the next PEC if there was a disruption or arrests were made or
8 whatever the case may be.

9 So I don't know if that answers the question.

10 Then at the national level, our Provincial Threat Assessment feeds
11 into the Canadian Threat Assessment. And while I was the PEC Chair, I had to go to,
12 another acronym, it's called NEC, it's the National Executives Committee on Criminal
13 Intelligence with the Canadian Criminal Intelligence Service, and then we would put our
14 Nova Scotia information into that national plan.

15 **MS. RACHEL YOUNG:** And so there's a database, right, that CIS
16 has? Is that...

17 **CHIEF DAVE MacNEIL:** So they -- there is a database for
18 Intelligence called ACISS, and that's a national program. So a lot of the information is
19 uploaded to ACISS, and ---

20 **MS. RACHEL YOUNG:** Can you spell that acronym, please, if you
21 know?

22 **CHIEF DAVE MacNEIL:** Yeah, it's A-C-I-S-S, as far as I know,
23 Automated Criminal Intelligence something Service, or System. I don't know what the
24 acronym stands for, sorry, but something like that.

25 But yeah, so we operate on ACISS, it's a secure intelligence
26 platform, and -- yeah, that's where that information would go.

27 **MS. RACHEL YOUNG:** And so correct me if I'm wrong, I'm just
28 trying to make sure I understand. Is it that Police Services would upload intelligence

1 into the ACISS database ---

2 **CHIEF DAVE MacNEIL:** Yeah, so ---

3 **MS. RACHEL YOUNG:** --- and that's how it works?

4 **CHIEF DAVE MacNEIL:** Yeah, some, and a lot of it's uploaded.

5 So if we had intelligence, for example, we would put a bulletin to CISNS, and a lot of
6 times they would upload it, or -- that was the past practice. Now, we would upload it
7 ourselves to ACISS. But it does get uploaded so all police in the country can have
8 access to it.

9 **MS. RACHEL YOUNG:** Okay. And then does CIS itself load any
10 information onto this database, or is it just a repository?

11 **CHIEF DAVE MacNEIL:** It's a repository for information. Now,
12 they can load it or the police agency can load it.

13 **MS. RACHEL YOUNG:** And so you mentioned integrated positions
14 with CIS analysis.

15 **CHIEF DAVE MacNEIL:** M'hm.

16 **MS. RACHEL YOUNG:** Are there -- are there investigators who
17 are direct employees of CIS, or analysts, or ---

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. RACHEL YOUNG:** --- are they all seconded from Police
20 Services?

21 **CHIEF DAVE MacNEIL:** No. So the way the program's set up is
22 the RCMP have stewardship of the program in the province. So it's not their program,
23 but it comes under their -- the Province must, and I don't know, I'm assuming the
24 Province gives them money to run it in Nova Scotia. It's out of their headquarters in
25 Dartmouth. So a lot of the analytical staff are RCMP civilian employees.

26 There has been in the past, I'm not sure if it's still the case, an HRP
27 analyst was seconded there as well, but again, I don't know if that's still the practice.
28 But there -- so the police officers are the intelligence officers in the field, and typically --

1 and there's a Staff Sergeant and an Inspector on the RCMP in the Bureau, but typically
2 the rest of the analysts are all civilians.

3 **MS. RACHEL YOUNG:** And do you actually have some sitting in
4 the Truro Police station?

5 **CHIEF DAVE MacNEIL:** No. The analysts for CISNS are -- we
6 had one assigned to us, but it's to the district. So our analyst would cover
7 Cumberland/Colchester/East Hants, but they work out of headquarters in Dartmouth.

8 **MS. RACHEL YOUNG:** Did you ever have someone in your
9 building?

10 **CHIEF DAVE MacNEIL:** Not from CISNS, no. But if we're running
11 a project our analysts can come up and assist with those things, but they don't typically
12 have a full-time office in anyone's building.

13 **MS. RACHEL YOUNG:** You mentioned that you're past Chair of
14 the Provincial Executive Committee. Are you still on the Provincial Executive
15 Committee?

16 **CHIEF DAVE MacNEIL:** Yeah. All the chiefs and the leadership of
17 the RCMP are members of the PEC, or Provincial Executive Committee. And the Chair
18 rotates every two years, so for two years it's a Municipal rep and for two years it's a
19 Federal rep, and then two years it goes back to Municipal, so it flip-flops. So when I
20 finished my term, Dominic Mallette, he's the CBSA Director in -- for Nova Scotia, he's
21 now currently the PEC Chair, and in September, Chief Kinsella from Halifax is the Vice-
22 Chair, he becomes the PEC Chair. So it flops every two years.

23 **MS. RACHEL YOUNG:** So as a Provincial Executive Committee
24 member, what is your job as a Municipal Chief?

25 **CHIEF DAVE MacNEIL:** Yeah. So our job is to make high-level
26 decisions on organised and serious crime in Nova Scotia. So when the PEC committee
27 meets, we meet, again, every six months or so, we hear the presentations from the
28 districts and we have to agree on are we going to accept that target for Tactical

1 Operations or do we refer them to a -- more of an Intelligence probe? So we're kind of
2 the decision-makers at the high-level of what that six month window looks like in Nova
3 Scotia. Then from there, it gets operationalised in each district.

4 So then I talked about the Joint Management Team. So we
5 basically would set the -- we would accept -- "This is the group from CIS in Truro area
6 that they're putting forward. It's ABC Crime Group. Do you accept that as the
7 direction?" "Yes, we do." Then the Joint Management Team in the district then has to
8 staff that up and come up with an ops plan to address that.

9 So we basically just kind of set the priorities and hold the people on
10 the ground accountable to do the work if that makes sense.

11 **MS. RACHEL YOUNG:** Yes, thanks.

12 **CHIEF DAVE MacNEIL:** Okay.

13 **MS. RACHEL YOUNG:** And you mentioned the road hitting role of
14 Bureau Director?

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. RACHEL YOUNG:** Is that ---

17 **CHIEF DAVE MacNEIL:** No, a Bureau Director isn't as much of a -
18 - it was the Chair of PEC is the rotating ---

19 **MS. RACHEL YOUNG:** The Chair of PEC.

20 **CHIEF DAVE MacNEIL:** --- every two years.

21 **MS. RACHEL YOUNG:** Okay. The Bureau Director, that would be
22 of CISNS?

23 **CHIEF DAVE MacNEIL:** Correct. Yeah.

24 **MS. RACHEL YOUNG:** And did you say that was an RCMP
25 Inspector right now?

26 **CHIEF DAVE MacNEIL:** Currently, now it is. Prior to, it was an
27 HRP Inspector.

28 **MS. RACHEL YOUNG:** Do you know the name of the person in

1 that role right now?

2 **CHIEF DAVE MacNEIL:** Yeah, yeah. Duane Cooper is the
3 Inspector in charge.

4 **MS. RACHEL YOUNG:** I also wanted to ask you about the
5 Canadian Association of Chiefs of Police.

6 **CHIEF DAVE MacNEIL:** Okay.

7 **MS. RACHEL YOUNG:** So you're on the board of that
8 organisation?

9 **CHIEF DAVE MacNEIL:** Correct. I've been a member for -- since
10 I've been a Chief; however, the last two years, I've been Nova Scotia's representative
11 on the CACP, or the Canadian Association of Chiefs of Police, I'm on their board. So I
12 represent Nova Scotia at the national level.

13 **MS. RACHEL YOUNG:** So is that a representative of the Nova
14 Scotia Chiefs of Police Association?

15 **CHIEF DAVE MacNEIL:** Correct. Yeah.

16 **MS. RACHEL YOUNG:** And so what is that organisation, the
17 Canadian Association of Chiefs of Police? What does it do?

18 **CHIEF DAVE MacNEIL:** It's typically -- one of the main roles is to
19 ensure best practices, to lobby government for change on legislation on things public
20 safety related. So a big portion of it is -- at the -- at the national level, a big portion of it's
21 lobbying Ottawa for, you know, for policy change or legislative changes.

22 So one of the big things we're -- we have been, we just -- obviously,
23 the firearms, handgun ban was something we were consulted a little bit on,
24 decriminalisation of drugs was another thing recently that we've been working on. So
25 more national policy broader picture things at the national level.

26 **MS. RACHEL YOUNG:** Does it have any operational or
27 intelligence role?

28 **CHIEF DAVE MacNEIL:** No. It's strictly -- it's strictly a

1 professional association, more in line with lobbying government and we have some
2 committees that we do research in and we have a CACP research foundation where
3 we're looking at new and innovative things that we can bring across Canada for
4 policing, so more high level, more political, more policy driven than operations.

5 **MS. RACHEL YOUNG:** As Nova Scotia rep on that Board, what is
6 your job?

7 **CHIEF DAVE MacNEIL:** So it's to represent Nova Scotia, so any
8 interests from Nova Scotia from our association to make sure that we have a voice at
9 the national level. Also, to give a Nova Scotia perspective on topics such as this
10 handgun ban, on decriminalization of possession for drugs, things of that nature. So we
11 bring -- to bring a regional perspective and voice to national issues.

12 **MS. RACHEL YOUNG:** Commissioners, I am moving into another
13 area. Would this be a convenient time to take the morning break?

14 **COMMISSIONER MacDONALD:** Yes. Thank you so much, Ms.
15 Young.

16 We'll take a 15-minute break.

17 **MS. RACHEL YOUNG:** Thank you.

18 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

19 The proceedings are now on break and will resume in 15 minutes.

20 --- Upon breaking at 10:53 a.m.

21 --- Upon resuming at 11:13 a.m.

22 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
23 proceedings are again in session.

24 **COMMISSIONER MacDONALD:** Over to you, Ms. Young.

25 **MS. RACHEL YOUNG:** Good morning again, Commissioners.

26 I just wanted to point something out which one of the Participant's
27 Counsel kindly pointed out to me, which is a correction to the slides from this morning.
28 The correction was made to the Foundational Document pursuant to feedback, it's just

1 on some of the maps they still show Constable Quinn at a time when she was off duty
2 as of 6:00 a.m.

3 So that correction will be made to the maps on the slides prior to
4 them being posted on the website.

5 **COMMISSIONER MacDONALD:** Thank you so much.

6 **MS. RACHEL YOUNG:** Thank you for that.

7 **--- CHIEF DAVE MacNEIL, Resumed**

8 **--- EXAMINATION IN-CHIEF BY MS. RACHEL YOUNG, cont'd:**

9 **MS. RACHEL YOUNG:** Chief MacNeil, you were telling us about
10 the role of CISNS investigations, and the Commission's heard about a BOLO, about the
11 perpetrator from 2011. And you were Chief of Truro Police at that time?

12 **CHIEF DAVE MacNEIL:** I was, yeah.

13 **MS. RACHEL YOUNG:** Can you tell us what you know about that
14 BOLO and how it emerged more recently?

15 **CHIEF DAVE MacNEIL:** I don't know a lot about the BOLO itself
16 from 2011. Obviously, that was a number of years ago. But what I do know about it
17 since is one of our officers received some information from a member of the community
18 about this individual potentially having weapons or firearms that he was storing in his
19 cottage in Portapique ---

20 **MS. RACHEL YOUNG:** The individual being the perpetrator?

21 **CHIEF DAVE MacNEIL:** Correct.

22 And that he also resided in Dartmouth. So our officer took those --
23 that information seriously and he did an officer safety submission to CISNS, or the
24 Criminal Intelligence Service of Nova Scotia, outlining the information that he received
25 from the member of the public and then CISNS would have distributed that to all police
26 agencies in Nova Scotia in 2011.

27 **MS. RACHEL YOUNG:** And that was Officer Greg Densmore,
28 who's now retired?

1 **CHIEF DAVE MacNEIL:** Correct. He's now retired.

2 **MS. RACHEL YOUNG:** Densmore?

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **MS. RACHEL YOUNG:** All right. So that was in 2011.

5 And then how did it surface after the events?

6 **CHIEF DAVE MacNEIL:** It did not surface from our office. From
7 what I gather, an officer with the Amherst Police Department recalled seeing that
8 bulletin or having that bulletin and he then shared it -- and this -- again, this isn't first-
9 hand information. This is my understanding of how this bulletin surfaced.

10 He then shared it with a colleague of his in the RCMP on the day --
11 on Sunday and suggested that this was the gentleman or the person that we were --
12 that they were looking for.

13 **MS. RACHEL YOUNG:** Sunday being April 19th, 2020?

14 **CHIEF DAVE MacNEIL:** Yeah. Correct.

15 **MS. RACHEL YOUNG:** Okay. And what about within the Truro
16 Police Service? When was it brought to your attention?

17 **CHIEF DAVE MacNEIL:** I don't know the exact date, but it was
18 after -- it was days after, for sure, after -- after April 19th.

19 Our local intelligence officer with CISNS said, you know, "Are you
20 aware of this bulletin from 2011?". I said, "I'm not -- don't know what you're talking
21 about".

22 And he produced the bulletin and showed us the bulletin at that
23 time.

24 **MS. RACHEL YOUNG:** Okay. And then what happened?

25 You received a request for that bulletin from -- through a *FOIPOP*
26 request?

27 **CHIEF DAVE MacNEIL:** So specifically not the -- not the bulletin.
28 However, after the 18th and 19th of April, 2020, we did receive several *FOIPOP*

1 requests, or *Freedom of Information Act* requests, from Global News and the CBC
2 requesting anything to do with Truro's involvement or any information we had on this, so
3 that became part of the *FOIPOP* package that legal advised we were duty bound to
4 disclose immediately.

5 **MS. RACHEL YOUNG:** And did you have any conversations with
6 the RCMP about that?

7 **CHIEF DAVE MacNEIL:** We did, yeah. I did have a phone
8 conversation with two high-ranking members of the RCMP, yes.

9 **MS. RACHEL YOUNG:** And who was that?

10 **CHIEF DAVE MacNEIL:** At the time it was Chris Leather and Janis
11 Gray.

12 **MS. RACHEL YOUNG:** And what was the gist of that
13 conversation?

14 **CHIEF DAVE MacNEIL:** I found the conversation -- initially I
15 thought it was a little bit of a strange request the way it came, so I received a call from
16 an administrative assistant with the RCMP asking if I'd participate in a phone
17 conference call at 1 o'clock in the afternoon on whatever date it was. I don't recall the
18 date offhand.

19 I checked my calendar and I was free to do that, and I asked what
20 the topic was. And she put me on hold, came back and it just seemed kind of strange.
21 She kind of whispered "This is for your ears only", and went on to tell me it was about
22 the bulletin. So asked me if I had knowledge of the bulletin. I said I did, and she said,
23 "Have you seen the bulletin?" I said, "I have." And then she said, "Well, that's what
24 they want to talk about." So that was the basis of the conversation.

25 **MS. RACHEL YOUNG:** And so what happened in the
26 conversation?

27 **CHIEF DAVE MacNEIL:** My Deputy Chief sat in with me on the
28 conversation, and you know, explained that they wanted to come, have -- bring a Major

1 Crime triangle team to Truro to go through our holdings, which we thought was kind of
2 odd because source information obviously is classified and we have to protect that
3 information. So we declined that request and said the officer that authored the bulletin
4 was on his days off for a couple of days. When he came back to work, we would talk to
5 him about it, see if he could check his notebook and see what else he had from 2011,
6 and we left it at that.

7 **MS. RACHEL YOUNG:** And did you do that later, or did he do
8 that?

9 **CHIEF DAVE MacNEIL:** We did -- we did follow up with Corporal -
10 - retired Corporal Densmore at the time, yes, and he didn't have any further information
11 other than what was already submitted on the bulletin.

12 **MS. RACHEL YOUNG:** I'd like to turn next to your, as Chief and
13 the Truro Police Service in general's, relationship with the Municipality and the County.

14 **CHIEF DAVE MacNEIL:** Okay.

15 **MS. RACHEL YOUNG:** Just so that we understand how those
16 entities interact.

17 As a Municipal Police Service, can you please describe how your
18 accountability to the Municipality works?

19 **CHIEF DAVE MacNEIL:** Sure. So in Nova Scotia, there's a --
20 what's called the *Nova Scotia Police Act*. It's a -- it's provincial legislation, and it gives
21 power for a whole bunch of things police related, one being jurisdiction, and sets up
22 boards and how we report and how we interact and all those things in Nova Scotia. It
23 sets kind of framework for municipal policing.

24 So as part of that, each municipality that has its own police service
25 has a police board or board of governance, and the board is made of up of citizens of
26 the community, and it's also made up of municipal politicians. So in Truro, we have a
27 seven person board; we have three council members on the board, and we have four
28 community members. So they get their authority under the *Police Act*.

1 So I don't -- I do not report to a mayor and council, I report to a
2 police board. So it keeps policing non -- is -- it takes politics out of policing, basically.
3 So the mayor can't call me and say, "Chief, I need you to do A, B, and C." That's not
4 how it works. I report to the board.

5 So the board approves my budget, recommends the budget to
6 Council for approval, provides strategic governance and strategic oversight to municipal
7 police, provides accountability and governance to the board. So they ensure that police
8 chiefs have appropriate police and training in place. They have nothing to do with
9 operations day-to-day or directing investigations, but they have strategic oversight and
10 governance.

11 **MS. RACHEL YOUNG:** And who administers the budget on the
12 municipal side? Would that be the chief administrative officer of...?

13 **CHIEF DAVE MacNEIL:** For the Police Service? That's me.

14 **MS. RACHEL YOUNG:** For the Municipality.

15 **CHIEF DAVE MacNEIL:** Yeah, so ---

16 **MS. RACHEL YOUNG:** Who is your liaison on the other side?

17 **CHIEF DAVE MacNEIL:** Yeah. So the Municipality has many
18 departments, obviously, one being Finance, so there's a Director of Finance. So in
19 consultation with all the directors, Parks and Rec, Public Works, Fire, Police,
20 Transportation, Engineering, like any municipal government or city government, they all
21 have a budget out of a greater budget. So my budget's a slice of that municipal budget,
22 and it's my responsibility. But I do liaise with the chief administrative officer for Truro --
23 he -- for administrative support. So we get our HR support from the Town, we get our IT
24 support from the Town, we would get our financial support if we required it from the
25 Finance Department. Does that make sense? Is that the answer?

26 **MS. RACHEL YOUNG:** Yes.

27 **CHIEF DAVE MacNEIL:** Okay.

28 **MS. RACHEL YOUNG:** And so can you help us understand, then,

1 the difference between the municipal and the county level entities? So Truro is in
2 Colchester County, and ---

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **MS. RACHEL YOUNG:** --- what is the -- there's a Police Advisory
5 Board at the county level? Is that -- that's Colchester/Stewiacke; is that right?

6 **CHIEF DAVE MacNEIL:** Yeah. So the Municipality -- the County
7 of Colchester has several municipalities. So there's Millbrook First Nation, there's the
8 Town of Truro, there's the Town of Stewiacke, and then there's the -- Colchester
9 Regional Municipality, which is the county area. So again, I don't have firsthand
10 experience with a police advisory board, but my experience through Nova Scotia Chiefs,
11 I know that municipal police services have police governance boards or police
12 commissions, and RCMP police communities can choose to have police advisory
13 boards.

14 So there's -- they're not quite the same. They don't have a -- they
15 don't have as much -- I'm not -- oversight, I guess, with the RCMP. So they're more or
16 less, from what I understand, they're more or less a advisory body, so citizens and
17 councillors would have a voice with the RCMP detachment, but they don't set strategic
18 governance, they don't set, you know, financial, and they don't ensure policy and things
19 of that nature.

20 **MS. RACHEL YOUNG:** And Commissioners, we have the minutes
21 of the Municipality, so it would be the Colchester Council, or it's Colchester Police
22 Advisory Board. I've got two different sets of minutes. I just want to make sure I have
23 the right ones. So we've got the Municipality of Colchester Council minutes on the topic
24 of policing from 2001 to 2021. If that could be made an exhibit. It's COMM0043329.

25 **REGISTRAR DARLENE SUTHERLAND:** It's 1980.

26 **--- EXHIBIT NO. 1980:**

27 (COMM0043329) - Municipality of Colchester Council
28 minutes on the topic of policing from 2001 to 2021

1 **MS. RACHEL YOUNG:** And then, we have the minutes of the
2 Colchester/Stewiacke Police Advisory Board between 2015 and 2021, and that's
3 COMM0043331.

4 **REGISTRAR DARLENE SUTHERLAND:** One-nine-eight-one
5 (1981).

6 **--- EXHIBIT NO. 1981:**

7 (COMM0043331) Minutes of the Colchester/Stewiacke
8 Police Advisory Board between 2015 and 2021

9 **MS. RACHEL YOUNG:** Chief MacNeil, I understand there have
10 been some policing reviews over the last few years in Colchester County. Can you
11 explain to us, starting in about 2019, what happened and what's been discussed on that
12 front?

13 **CHIEF DAVE MacNEIL:** I can, yeah. So again, it didn't really have
14 a lot to do with the police service per se. Policing is a municipal responsibility under the
15 *Police Act of Nova Scotia*, so that means municipalities can choose what their police
16 service would look like. They can either have their own, they can have a regional police
17 service with another municipality or they can contract with the RCMP for a local policing.

18 So I don't know the backstory because I wasn't involved, obviously,
19 but at some point in time, the County of Colchester or Council decided that they wanted
20 to ask the Truro Council if there was an interest in looking at a regional policing model.
21 So the two municipalities are very close together. Obviously, we now share lots of
22 things, wastewater treatment, and you know, the rec centre. There's all kinds of things
23 that they partner with and have joint ownership or user -- using, so policing was another
24 one of these things they looked at.

25 So in 2019 -- so yes, Council reached out to our Council, a formal
26 request came. The two CAOs were tasked with working out logistics, so what that
27 would look like. So our police board agreed that that would be something we'd be
28 interested in looking at going forward. So I was tasked with my Command Team in

1 coming up with a -- an overview of what -- that's a very high-level overview of that the
2 operational concept of a regional police force -- municipal regional police force could
3 look like between the County and the Town.

4 So we set about that work. And again, the ask wasn't for specifics,
5 it was very high-level, just an operational concept of what it could look like. We
6 presented that to County Council at their request in June of 2019. At the time, it
7 seemed very well received, and that was pretty much the end of that.

8 We did hear -- have some follow up questions submitted to us in
9 the fall of 2019, which we answered, and from there, we gathered that the County was
10 going to have a policing presentation from the Department of Justice on behalf of the
11 RCMP, and we kind of waited for that to happen.

12 **MS. RACHEL YOUNG:** And so the Commission doesn't have your
13 presentation to the County Council from 2019. So will you be able to produce that and
14 we can ---

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. RACHEL YOUNG:** --- disclose it? All right.

17 **CHIEF DAVE MacNEIL:** Absolutely. We still have that.

18 **MS. RACHEL YOUNG:** We'll do that and file it later on.

19 **CHIEF DAVE MacNEIL:** M'hm.

20 **MS. RACHEL YOUNG:** But we do have the presentations of the
21 Province and the RCMP from 2020.

22 And so Commissioners, I would ask to file those. So we have
23 COMM0043327, which is a PowerPoint presentation to the Municipality of
24 Colchester/Stewiacke, dated September 29th, 2020, by the Department of Justice Nova
25 Scotia regarding RCMP financial overview.

26 **REGISTRAR DARLENE SUTHERLAND:** One-nine-eight-two
27 (1982).

28 **--- EXHIBIT NO. 1982:**

1 (COMM0043327) PowerPoint presentation to the
2 Municipality of Colchester/Stewiacke by the Department of
3 Justice Nova Scotia regarding RCMP financial overview,
4 dated September 29th, 2020

5 **MS. RACHEL YOUNG:** And then we have COMM0043328,
6 PowerPoint presentation to the Municipality of Colchester/Stewiacke, dated
7 September 22nd, 2020, by the RCMP re review of policing.

8 **REGISTRAR DARLENE SUTHERLAND:** Exhibit 1983.

9 **--- EXHIBIT NO. 1983:**

10 (COMM0043328) - PowerPoint presentation to the
11 Municipality of Colchester/Stewiacke by the RCMP re review
12 of policing, dated September 22nd, 2020

13 **MS. RACHEL YOUNG:** And then, I understand that the County
14 Council retained Bill Moore as a consultant in 2021?

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. RACHEL YOUNG:** Or at least he reported back in 2021?

17 **CHIEF DAVE MacNEIL:** Yeah.

18 **MS. RACHEL YOUNG:** And so Commissioners, I have three --
19 four exhibits on that topic to submit to you. We have Bill Moore's résumé; he's the
20 former Deputy Chief of Police of Halifax Regional Police, and now a consultant. It's
21 COMM0053494.

22 **REGISTRAR DARLENE SUTHERLAND:** That's 1984.

23 **--- EXHIBIT NO. 1984:**

24 (COMM0053494) Résumé of Bill Moore

25 **MS. RACHEL YOUNG:** And then there were two Commission
26 interviews of Mr. Moore; COMM0053487, and we'll start with that one.

27 **REGISTRAR DARLENE SUTHERLAND:** One nine eight five
28 (1985).

1 **--- EXHIBIT NO. 1985:**

2 (COMM0053487) Commission interview of Bill Moore

3 **MS. RACHEL YOUNG:** And COMM0053511, also a Commission
4 interview of Bill Moore.

5 **REGISTRAR DARLENE SUTHERLAND:** One nine eight six
6 (1986).

7 **--- EXHIBIT NO. 1986:**

8 (COMM0053511) Commission interview of Bill Moore

9 **MS. RACHEL YOUNG:** And then we have COMM0053492, Police
10 Service Survey Results prepared by Bill Moore for the Municipality of Colchester, dated
11 November 14th, 2021.

12 **REGISTRAR DARLENE SUTHERLAND:** One nine eight seven
13 (1987).

14 **--- EXHIBIT NO. 1987:**

15 (COMM0053492) Police Service Survey Results prepared by
16 Bill Moore for the Municipality of Colchester, dated
17 November 14th, 2021.

18 **MS. RACHEL YOUNG:** And we have COMM0053491,
19 Presentation to the Municipality of Colchester by Bill Moore re: Police Review, dated
20 November 25th, 2021.

21 **REGISTRAR DARLENE SUTHERLAND:** One nine eight eight
22 (1988).

23 **--- EXHIBIT NO. 1988:**

24 (COMM0053491) Presentation to the Municipality of
25 Colchester by Bill Moore re: Police Review, dated
26 November 25th, 2021.

27 **MS. RACHEL YOUNG:** And were you there for those
28 presentations, Chief MacNeil?

1 **CHIEF DAVE MacNEIL:** With the County? We did an initial
2 presentation in June of 2019, and the rest we were not. October 2021, I think it was
3 October, we were invited to participate virtually when Mr. Moore went over his --
4 whatever his findings were to the County Council. So they invited our CAO, myself, and
5 I believe our Board chair to participate virtually in a Council meeting when Bill -- Mr.
6 Moore presented his evidence or documents, however you want to put it, his findings.

7 **MS. RACHEL YOUNG:** Are you aware of any final report by him or
8 any resolution of the County, in terms of a decision on regional policing?

9 **CHIEF DAVE MacNEIL:** No, I'm not.

10 **MS. RACHEL YOUNG:** So that would be -- what he was
11 presenting about was the idea of could there a regional police force like there is in Cape
12 Breton?

13 **CHIEF DAVE MacNEIL:** Correct.

14 **MS. RACHEL YOUNG:** And so there hasn't been any change for
15 now, I take it?

16 **CHIEF DAVE MacNEIL:** Correct.

17 **MS. RACHEL YOUNG:** Do you know if regional policing is still
18 under consideration in Colchester County?

19 **CHIEF DAVE MacNEIL:** That would be a question to ask County
20 Council. I'm not sure about that.

21 **MS. RACHEL YOUNG:** Now I'd like to ask you about the Nova
22 Scotia Chiefs of Police Association.

23 **CHIEF DAVE MacNEIL:** Okay.

24 **MS. RACHEL YOUNG:** So that Association is itself a participant in
25 this Commission.

26 **CHIEF DAVE MacNEIL:** Yes.

27 **MS. RACHEL YOUNG:** And you're a member, I take it?

28 **CHIEF DAVE MacNEIL:** I am.

1 **MS. RACHEL YOUNG:** And you're a past president?

2 **CHIEF DAVE MacNEIL:** I'm currently a past president, correct.

3 **MS. RACHEL YOUNG:** And you indicated you're a current
4 representative of the Nova Scotia Chiefs of Police Association on the Canadian
5 Association of Chiefs of Police, is that right?

6 **CHIEF DAVE MacNEIL:** Yeah, correct.

7 **MS. RACHEL YOUNG:** Okay. Who's the current president of the
8 Nova Scotia Chiefs?

9 **CHIEF DAVE MacNEIL:** Chief Robert Walsh from the Cape Breton
10 Regional Municipality.

11 **MS. RACHEL YOUNG:** And what's the purpose of the Nova Scotia
12 Chiefs' body?

13 **CHIEF DAVE MacNEIL:** It's similar to the Canadian Association,
14 so really not a whole lot of operational work gets down at that table. It's more of a
15 professional development liaise with the provincial government, those types of things.
16 Advocacy and things of that nature.

17 **MS. RACHEL YOUNG:** Is it for all the Chiefs in the province, or
18 just municipal Chiefs?

19 **CHIEF DAVE MacNEIL:** All the -- well, there's only municipal
20 Chiefs in the province, other than the RCMP leadership, and they're involved as well.
21 CBSA are members, they're associate members. The chief military police officer in the
22 province is an associate member. And there's, you know, other groups that are
23 associate members.

24 **MS. RACHEL YOUNG:** And I understand the Nova Scotia Chiefs
25 of Police Association Constitution was amended on April 1st of 2022 to change the
26 RCMP from active to associate members?

27 **CHIEF DAVE MacNEIL:** It was, yes.

28 **MS. RACHEL YOUNG:** And why did that happen?

1 **CHIEF DAVE MacNEIL:** There's several reasons. So the make-
2 up of the Association, there's active membership and there's associate membership.
3 Prior to the date you just gave, the RCMP -- the five senior RCMP officers in the
4 province, so the Commanding Officer, the Criminal Operations Officer, or CrOps Officer,
5 and the three district policing officers, so the Superintendent from Southwest Nova,
6 Halifax District, and Northeast Nova were all active members. The rest of the RCMP
7 leadership, inspectors -- so the Association is only for inspectors and above, so any
8 RCMP inspector would be an associate member. The Military Police, or CBSA, rather,
9 are associate members. So there were already associate members.

10 So we -- I guess why it changed, why the membership changed, all
11 10 chiefs signed off on a motion to amend the Constitution to reallocate the military
12 Police Chief and the RCMP to associate members. And it was done for a few reasons.
13 We felt at this point in time, the Nova Scotia municipal Chiefs needed to have a voice
14 directly to the Province of Nova Scotia, and often times, I'm going to say our -- we may
15 not have aligned on the RCMP leadership with some of the -- where they fell on a few of
16 the issues.

17 So a case in point, there's been a few over the last two years but --
18 and some directly related to this tragedy here. So the Alert Ready, for example, there
19 was a difference of -- a difference of opinion, I guess, or a difference or where we all
20 aligned on that. So the RCMP leadership, you know, wanted the Nova Scotia Chiefs to
21 endorse that the Alert Ready system doesn't work in the province, it fundamentally
22 doesn't work for police use. Nova Scotia Chiefs disagreed with that narrative, and we
23 suggested that we weren't going to support that publicly. So that caused a bit of
24 concern among police leaders.

25 **MS. RACHEL YOUNG:** Was there anything specific about what
26 didn't work about it that they were saying?

27 **CHIEF DAVE MacNEIL:** I can recall maybe overload the 9-1-1
28 system, different things like that. But anyway, that was one -- that was one thing

1 recently.

2 More recent than that we had the Government of Canada's
3 decision to have military sexual assaults transferred to local police to investigate. Many
4 police leaders across Canada, and I know from my participation at the Canadian Chiefs
5 Board, felt that that wasn't something we were willing to take on at this point in time.
6 There was very little consultation, a very hard and fast deadline when this had to
7 happen, and there was a lot more questions than answers.

8 So Nova Scotia Chiefs did write the government -- we were going
9 to write the government to say we're not in favour of that decision, and it put the RCMP
10 leadership in a bit of a bad spot because nationally they were being told they had to;
11 whether they agreed to or not is a different story, but they had to do it. And our
12 Association -- so we were kind of at odds, not negatively but it could put them in a bad
13 way because us as municipal Chiefs wanted to say this, they're part of our Association.
14 It put them in a bad light with Ottawa. So that was another reason -- I mean, there's
15 been a number.

16 The trucker convoy in Ottawa here over the winter, there was some
17 discussion of moving RCMP resources to Ottawa to assist. We as Nova Scotia Chiefs
18 felt that that would, you know, create a public safety issue in the province if, all of a
19 sudden, tactical resources or a tactical vehicle were moved to Ottawa for an
20 undisclosed period of time. We just thought that was not a -- it really became a safety
21 issue for us, and we wanted to write the government about that, just regardless if the
22 RCMP in Nova Scotia agreed or disagreed with Ottawa's decision, they were
23 handcuffed by that.

24 So there's been a few examples that we just didn't align on some
25 policy things or some things like that, so that's -- we decided if we moved to an
26 associate membership with the RCMP they can still participate in all our committees,
27 they can still participate in our professional development. The only thing it prohibits is
28 membership on -- they had one seat on the Executive, so they wouldn't be an Executive

1 member and they wouldn't have a vote when we came to lobbying government on
2 things of that nature. So it gave us a bit more of an independent voice.

3 **MS. RACHEL YOUNG:** Did the municipal Chiefs talk to the RCMP
4 before making this decision?

5 **CHIEF DAVE MacNEIL:** I know our President and Vice President
6 did. They had -- several times they spoke with Chief Superintendent Leather about this
7 and put it on the radar. I wasn't privy to those conversations, but I do know from our
8 Executive meetings afterwards that they did offer the RCMP to come up with an
9 alternative to this. You know, they gave them notice and they were aware, they knew
10 what the issues were, they wanted to work collaboratively with the RCMP on some kind
11 of resolution, and so there was consultation for sure.

12 **MS. RACHEL YOUNG:** And so you've told us the President is
13 Chief Robert Walsh from Cape Breton. Who's the Vice President, then?

14 **CHIEF DAVE MacNEIL:** Chief Scott Feener from Bridgewater.

15 **MS. RACHEL YOUNG:** And do you know of anyone else who was
16 involved in those discussions, other than Chris Leather?

17 **CHIEF DAVE MacNEIL:** I wasn't party to the discussions but I -- I
18 mean, again, I don't -- it's second hand but I believe Inspector Sean Auld was present
19 on the phone call or the Zoom call or whatever they had, but it's not firsthand, so I can't
20 say for sure.

21 **MS. RACHEL YOUNG:** And so if there's correspondence from the
22 RCMP saying they weren't consulted about this decision, that's not your understanding?

23 **CHIEF DAVE MacNEIL:** Definitely not my understanding.

24 **MS. RACHEL YOUNG:** Has there been a meeting of the Nova
25 Scotia Chiefs since this decision was made?

26 **CHIEF DAVE MacNEIL:** We had a meeting not since -- we'd have
27 an executive meeting since, but we had a full meeting with all membership just for the
28 vote and the RCMP were there at that meeting as well when the vote was -- when the

1 motion was passed unanimously there by the municipal Chiefs.

2 **MS. RACHEL YOUNG:** Would there normally have been a
3 meeting by now? How often are the meetings?

4 **CHIEF DAVE MacNEIL:** No, we usually have a fall meeting and a
5 spring meeting, so our fall meeting's more -- it's a joint meeting with the Police Boards,
6 the advisory Boards, and it's on professional development. And the Department of
7 Justice attends that as well.

8 And in the spring in April we usually have what's known as the
9 business meeting, which we had in April, and that was more like business of the
10 association and something like this constitutional amendment was front and centre.

11 **MS. RACHEL YOUNG:** Can you describe the current state of
12 relations between the Nova Scotia Municipal Chiefs and the RCMP and whether it was
13 always like that?

14 **CHIEF DAVE MacNEIL:** I can give you my perspective on it. I
15 don't want to speak for other Chiefs, although I do have a feeling of the temperature in
16 the province with the police leadership.

17 Right now, currently, it's not very good for a whole bunch of
18 reasons, and some of them are from the events surrounding this Mass Casualty
19 Commission. However, it hasn't always been that way, no. It's been -- we've had a
20 great relationship with the RCMP both locally in Truro -- I'll speak for my agency -- and
21 provincially with the Nova Scotia Chiefs.

22 It really has gone -- it's been deteriorating the last two years.
23 There's no doubt about it.

24 **MS. RACHEL YOUNG:** And you -- I take it as a member of the
25 Nova Scotia Chiefs you would have been copied on some of the correspondence on
26 this topic?

27 **CHIEF DAVE MacNEIL:** Correct.

28 **MS. RACHEL YOUNG:** Commissioners, I do have some

1 correspondence on this to file, if I may.

2 We have COMM0058841, which is an amendment to the Nova
3 Scotia Chiefs of Police Association Constitution dated April 1st, 2022.

4 **REGISTRAR DARLENE SUTHERLAND:** That's 1989.

5 **--- EXHIBIT No. 1989:**

6 (COMM0058841) Amendment to the Nova Scotia Chiefs of
7 Police Association Constitution dated April 1, 2022

8 **MS. RACHEL YOUNG:** COMM0058843 -- sorry. I have that twice.
9 I have the amendment as 58843 as well, so I guess we'll double
10 check that later, Madam Registrar.

11 Let's make that Exhibit 1990 for now and we'll correct it if we need
12 to.

13 **--- EXHIBIT No. 1990:**

14 (COMM0058843)

15 **MS. RACHEL YOUNG:** And then we have COMM0058842, a
16 letter dated May 4th, 2022 from Chief Robert Welsh regarding the Constitutional
17 Amendment regarding the Nova Scotia Chiefs membership.

18 **REGISTRAR DARLENE SUTHERLAND:** That's 1991.

19 **--- EXHIBIT No. 1991:**

20 (COMM0058842) letter dated May 4th, 2022 from Chief
21 Robert Walsh re the Constitutional Amendment

22 **MS. RACHEL YOUNG:** COMM0058840, letter dated May 10th,
23 2022 from Brenda Lucki, Commissioner of the RCMP, to Chief Robert Walsh regarding
24 the RCMP status in the Nova Scotia Chiefs of Police.

25 **REGISTRAR DARLENE SUTHERLAND:** 1992.

26 **--- EXHIBIT No. 1992:**

27 (COMM0058840) letter dated May 10th, 2022 from Brenda
28 Lucki, Commissioner of the RCMP, to Chief Robert Walsh

1 **MS. RACHEL YOUNG:** COMM0058845, May 10th, 2002 RCMP
2 speaking notes regarding Nova Scotia Chiefs of Police Association vote.

3 **REGISTRAR DARLENE SUTHERLAND:** 1993.

4 **--- EXHIBIT No. 1993:**

5 (COMM0058845) May 10th, 2002 RCMP speaking notes reg
6 Nova Scotia Chiefs of Police Association vote

7 **MS. RACHEL YOUNG:** And COMM0058844, May 13th, 2022
8 letter regarding membership status of the Nova Scotia Chiefs of Police.

9 **REGISTRAR DARLENE SUTHERLAND:** 1994.

10 **--- EXHIBIT NO. 1994:**

11 (COMM0058844) May 13th, 2022 letter re membership
12 status of the Nova Scotia Chiefs of Police

13 **MS. RACHEL YOUNG:** On the topic of public alerting, Chief
14 MacNeil, we heard last month that since the mass casualty, Halifax Regional Police and
15 the RCMP have opted to have direct access to be able to issue alerts themselves, but
16 the remaining police services in Nova Scotia have stayed with the model of requesting
17 alerts through the Nova Scotia Emergency Management Office.

18 Can you please explain why you have opted not to have direct
19 access?

20 **CHIEF DAVE MacNEIL:** Sure.

21 So the Alert Ready program has always been managed by the
22 EMO and it works fine, so for my agency I'll speak to -- I don't want to speak for the
23 other Chiefs -- the offer came in to have direct access. We didn't take them up on that
24 because we felt the system works fine as it is.

25 If we took them up on that, there would be additional training to our
26 dispatch centre, there would be -- you know, we have to exercise this, so there may be
27 some equipment that would be required and it just seemed to be something that we
28 didn't want to take on at the time.

1 The province was still content offering that service and, again, we
2 had no reason to do it ourselves, so we didn't.

3 **MS. RACHEL YOUNG:** If the Truro Police did request an alert
4 from the Emergency Management Office, who at Truro Police specifically would be
5 asking?

6 **CHIEF DAVE MacNEIL:** Yeah. So currently right now, it's myself,
7 the Deputy Chief and Inspector Smith have the authority to request that alert. That's set
8 up through the Alert Ready system with EMO.

9 **MS. RACHEL YOUNG:** So how does that work? Who would you
10 call and what information do you need to give them?

11 **CHIEF DAVE MacNEIL:** Yeah, so we would call their duty officer
12 or Shubie Radio, whatever the number is. There's a number that we would call. I don't
13 know on their side who answers it.

14 We do have an agency PIN number that identifies us as persons
15 that are authorized to request that alert, and that PIN number is specific to the three
16 individuals that I named from my police service and identifies them as having the
17 preapproval to authorize those alerts for Truro. And we would submit our alert and they
18 would send it out.

19 **MS. RACHEL YOUNG:** And just for the record, you said Shubie
20 Radio which we heard last month is the Public Safety Division, not ---

21 **CHIEF DAVE MacNEIL:** Yeah, sorry.

22 **MS. RACHEL YOUNG:** --- the Department of Justice, but the Field
23 Communication Office.

24 **CHIEF DAVE MacNEIL:** Yeah. That's just -- I think that's just a
25 Nova Scotia -- we've always called it that, so I apologize, but that's what it is. You're
26 right.

27 **MS. RACHEL YOUNG:** That's okay. Just making sure everyone
28 else knows what we're talking about.

1 **CHIEF DAVE MacNEIL:** Yeah.

2 **MS. RACHEL YOUNG:** And so in your mind, both before -- if it's a
3 different answer, before and after the events, would an active shooter in Truro be a
4 reason to request an alert from EMO?

5 **CHIEF DAVE MacNEIL:** Yes, it's definitely an emergency.
6 And again, it would depend on a whole bunch of variables and a
7 whole bunch of things, but yeah. That would be an emergency.

8 **MS. RACHEL YOUNG:** And is the answer different before or after
9 April 2020?

10 **CHIEF DAVE MacNEIL:** No.

11 **MS. RACHEL YOUNG:** If EMO were to contact you about an
12 emergency that was going on in Truro that Truro Police was leading and -- to ask if you
13 wanted an alert, how would that factor into your decision whether to request an alert?

14 **CHIEF DAVE MacNEIL:** Well, I think if the -- if the experts were
15 suggesting that it would probably be a good idea to do, we would -- we would take them
16 up on that.

17 **MS. RACHEL YOUNG:** Before and after the mass casualty, have
18 you or others at Truro Police had training as to what kinds of situations call for an alert?

19 **CHIEF DAVE MacNEIL:** I'm not going to say formal training. I was
20 aware of the Alert system through my involvement with our REMO, which is our
21 Regional Emergency Management Organization. What that looks like is each region of
22 Nova Scotia has a local REMO, so what the Regional Emergency Management
23 Organization does is it's made up of representatives from the Town of Stewiacke, the
24 Town of Truro and the Municipality of Colchester. And we have our own command post
25 in Bible Hill.

26 So they're meant to manage local emergencies, so if a local
27 emergency could be localized flooding, for example, it could be localized power
28 blackout or something that affects the Colchester area, Truro-Colchester area, so that

1 would be -- so we would stand up our REMO for that. And if it became broader than
2 that or too big for us to look after at the regional level, then we would engage the EMO
3 provincial centre and they would stand that up.

4 So I've -- I was familiar with the Alert Ready system from my
5 involvement in our REMO. And the REMO's made up of -- so all three CAOs from each
6 municipality, police, fire, Truro Fire, volunteer fire from the county, public works. The
7 RCMP District Commander sits at that table as well, so we do meet. We exercise and
8 do things on a regional basis.

9 **MS. RACHEL YOUNG:** Have there been conversations about
10 alerting since the events that you've been a part of, meetings, consultation?

11 **CHIEF DAVE MacNEIL:** Yeah, there has been. There's been lots
12 of meetings, probably more meetings around Alert Ready than I've seen in my time as a
13 police officer, to be honest. It's taken on a real life of its own.

14 I was involved in a few early ones like all the Chiefs were.
15 However, the government was looking for a representative from Nova Scotia Chiefs to
16 sit on the committee so we all wouldn't have to be there, and they asked us to put a
17 name forward, which we did.

18 For some reason, they wanted someone else, so they asked for a
19 specific Chief, so a specific Chief was named to that committee and they would then
20 filter that information back on anything that was going on with that committee. But that
21 committee met a lot.

22 **MS. RACHEL YOUNG:** So who did the Chief end up being that
23 was the representative of that?

24 **CHIEF DAVE MacNEIL:** Chief Cecchetto was our President at the
25 time. She's since retired, but she was the Chief in Kentville, so she took that on.

26 **MS. RACHEL YOUNG:** And you may not know, but do you know
27 why she was chosen as opposed to a different Chief?

28 **CHIEF DAVE MacNEIL:** No, I don't know.

1 **MS. RACHEL YOUNG:** Okay. And have there been any changes
2 to how the actual messaging works since the mass casualty, like the content of the
3 messages?

4 **CHIEF DAVE MacNEIL:** I'm not aware of any changes. I mean...

5 **MS. RACHEL YOUNG:** Has there been any training, for example,
6 about how -- what they need to say or how the messages are delivered from EMO?

7 **CHIEF DAVE MacNEIL:** Well, I know -- I know there's been
8 discussion at the provincial committee level about messaging and the importance of...
9 You know, there has always been a certain number of characters that you could put.
10 So you couldn't write an essay and put that out to the public, but there's a pretty
11 prescriptive amount of characters that your message could say.

12 So you know, I know ourselves, we've discussed putting our head
13 around some pre-canned messages, so if we had to get them out in a hurry, and I know
14 at the provincial level there was some discussion around that too. And I'm not on the
15 committee so I don't want to say for sure that that's been a topic, but I know locally we
16 have discussed it internally.

17 **MS. RACHEL YOUNG:** So pre-canned messages, you mean like
18 sort of pre-packaged messages for a type of situation that would be ready to go?

19 **CHIEF DAVE MacNEIL:** Yeah.

20 **MS. RACHEL YOUNG:** Have you developed anything like that?

21 **CHIEF DAVE MacNEIL:** We've discussed it internally, but to be
22 honest we haven't put pen to paper yet, but we are -- we are planning to do that.

23 **MS. RACHEL YOUNG:** Have you ever asked EMO for an alert?

24 **CHIEF DAVE MacNEIL:** Yeah.

25 **MS. RACHEL YOUNG:** And when and why?

26 **CHIEF DAVE MacNEIL:** We had a missing child in 2020, and we
27 did ask for an alert to be put out at that point in time. However, it didn't meet the criteria
28 for a full Alert Ready, but they were very good to deal with, and they did suggest --

1 there's two types of alerts. There's an intrusive alert, which goes out to everybody en
2 masse. You would see that, and we've seen it recently with, you know, storms or
3 whatever would come out across your cell phone, it would go to your TV at home. And
4 then there's a non-intrusive alert, which is given to media and social media platforms,
5 and that's what this criteria was. If -- they wanted to help, but they couldn't put a full
6 alert out, but this is the option they put forward so we took them up on it.

7 **MS. RACHEL YOUNG:** So by a full alert, you mean an intrusive
8 alert?

9 **CHIEF DAVE MacNEIL:** Correct, yeah.

10 **MS. RACHEL YOUNG:** And was -- what was the reason why it
11 didn't qualify as that? Because of the situation the child was in?

12 **CHIEF DAVE MacNEIL:** Yeah, correct.

13 **MS. RACHEL YOUNG:** Can you explain that?

14 **CHIEF DAVE MacNEIL:** Yeah. So there's a -- people get
15 confused all the time about Ready Alert/Alert Ready and Amber Alert. So there's two
16 different programs. So an Amber Alert is if there is -- there is suggested criminality, like
17 a child was abducted or something of that nature. In this case, there was no suggested
18 criminality, so the Province said, "Look, we'd still like to help you. We can't put out a full
19 Amber Alert for this, it doesn't meet the criteria, really doesn't meet the Alert Ready full
20 on alert, but we can do a non-intrusive alert for you." So that was something they
21 offered and we took them up on.

22 **MS. RACHEL YOUNG:** So that was because the child was lost as
23 opposed to taken?

24 **CHIEF DAVE MacNEIL:** Correct, yeah.

25 **MS. RACHEL YOUNG:** And was the child found?

26 **CHIEF DAVE MacNEIL:** No, not yet.

27 **MS. RACHEL YOUNG:** If you were in a situation where you were
28 considering requesting an alert, would you consider the impact on the 9-1-1 system,

1 and if so, how?

2 **CHIEF DAVE MacNEIL:** That's a good question. If -- I think if we
3 were to the level that we needed to put out a public alert for a police operation, that -- I
4 mean, that's a really high-level thing, situation. So it's obviously -- public safety is
5 paramount and it's obviously a life and death situation. So if you're to the level where
6 you have to put out or consider putting out an alert, a lot of things have gone wrong for
7 that, so the impact on the 9-1-1 system I think would be not really a front of mind for me,
8 it would be letting the public know what's going on.

9 **MS. RACHEL YOUNG:** Are you aware of any means of minimising
10 the impact of an alert on the 9-1-1 system? For example, preventing too many calls to
11 9-1-1?

12 **CHIEF DAVE MacNEIL:** Well, for me, I think -- I think there needs
13 to be a training component to that. So much like when there's a new piece of legislation
14 or a new change, you know, you see social media campaigns, you see advertising. It
15 may be something the Province is looking at or is -- has considered, but maybe... And
16 in the messaging itself, so if you're putting out a message just say then "Don't call
17 9-1-1." I know people probably would -- still will, but you know, I think it's like anything.
18 Like, you know, like when we had to start wearing seatbelts, obviously there's public
19 awareness around that. Now, it's not an issue.

20 So if we make this more common and get information out to the
21 public on -- when you have these alerts around -- especially around police type of alerts,
22 don't call 9-1-1, maybe set up a second line. Maybe there's a tip line, maybe there's
23 something else, but there's probably ways to minimise the impact to 9-1-1. You're not
24 going to prevent people from calling 9-1-1, but the idea of this alert is to get the
25 information out to as many people as possible quickly to save lives. And if people call
26 with information that's -- that may be a good thing too; right?

27 **MS. RACHEL YOUNG:** So I just want make sure I understand.
28 When you say a training component, you mean public education in advance of an

1 emergency ---

2 **CHIEF DAVE MacNEIL:** Yeah, I think that would be helpful.

3 **MS. RACHEL YOUNG:** --- if you have to call 9-1-1? Okay.

4 **CHIEF DAVE MacNEIL:** Yeah, for an EMO-led campaign or a
5 provincial campaign on that would be helpful.

6 **MS. RACHEL YOUNG:** And so then you said at the time of the
7 alert there could be in the message itself "Don't call 9-1-1." Would there be an option to
8 provide a, for example, a non-emergency number to call if you had information?

9 **CHIEF DAVE MacNEIL:** There could be. But again, you only have
10 so many characters in your message, so you'd have to be cognizant of that.

11 **MS. RACHEL YOUNG:** Is that something Truro Police would be in
12 a position to set up? Like what number would they use?

13 **CHIEF DAVE MacNEIL:** Well, we could use our general
14 information number. But you'd have to -- obviously, then, that causes staffing issues for
15 that line. So however you go about doing this, there's going to be impact, but you got to
16 -- you got to weigh public safety versus impact. And if you're to the level where you're
17 considering putting out an alert, provincial-wide alert for a police-involved event, it's a
18 fairly serious event.

19 **MS. RACHEL YOUNG:** Commissioners, the Commission's
20 Investigators have or will interview all of the police chiefs in the Province and the RCMP
21 leadership. They will not all testify before you orally, not all the municipal chiefs, but we
22 do have the transcripts of those interviews today to provide you.

23 And so at this time, I'd like to tender exhibits the transcripts of the
24 interviews that have been done. We did hear already Chief Cecchetto's interview has
25 been filed an exhibit. She was interviewed jointly, because she was retiring in a matter
26 of days, with incoming Chief Janis Butler, in the same interview, and that is
27 COMM0015891, which is already Exhibit P-001031. So that one you have.

28 And then we have four more to add. We have COMM0058816,

1 which is the transcript of the Commission interview with Chief Howard Dunbar of
2 Westville.

3 **REGISTRAR DARLENE SUTHERLAND:** One-nine-nine-five
4 (1995).

5 **--- EXHIBIT NO. 1995:**

6 (COMM0058816) Transcript of the Commission interview
7 with Chief Howard Dunbar of Westville

8 **MS. RACHEL YOUNG:** COMM0058525, the Commission
9 interview of Chief Stephen Chisholm from New Glasgow.

10 **REGISTRAR DARLENE SUTHERLAND:** One-nine-nine-six
11 (1996).

12 **--- EXHIBIT NO. 1996:**

13 (COMM0058525) Transcript of the Commission interview
14 with Chief Stephen Chisholm from New Glasgow

15 **MS. RACHEL YOUNG:** COMM0056390, Commission interview
16 with Chief Scott Feener of Bridgewater.

17 **REGISTRAR DARLENE SUTHERLAND:** One-nine-nine-seven
18 (1997).

19 **--- EXHIBIT NO. 1997:**

20 (COMM0056390) Transcript of the Commission interview
21 with Chief Scott Feener of Bridgewater

22 **MS. RACHEL YOUNG:** COMM0051442, Commission interview of
23 Chief Dwayne Pike of Amherst.

24 **REGISTRAR DARLENE SUTHERLAND:** One-nine-nine-eight
25 (1998).

26 **--- EXHIBIT NO. 1998:**

27 (COMM0051442) Transcript of the Commission interview
28 with Chief Dwayne Pike of Amherst

1 **MS. RACHEL YOUNG:** And Commissioners, you've already
2 decided in your ruling of March 9th, 2022, that you'll hear as witnesses from the
3 commissioned officers in the RCMP, Dan Campbell, Chris Leatherman, Lee Bergerman,
4 and Brenda Lucki of the RCMP, and Commission Counsel will file those transcripts as
5 exhibits after they've been created and disclosed to Participants.

6 I wonder if I might just have a moment to speak to
7 Madam Registrar? Excuse me.

8 **COMMISSIONER MacDONALD:** Absolutely.

9 **MS. RACHEL YOUNG:** We have one exhibit number to clear up,
10 but we'll do it after the break.

11 Thank you, Chief MacNeil. Those are the questions I have for you
12 right now.

13 **COMMISSIONER MacDONALD:** Thank you so much, Ms. Young.

14 So Chief, thank you so much for being here, we greatly appreciate
15 it. The process we'll be following is that we will now break for lunch until 1:30. During
16 that time, our Commission Counsel will meet with counsel for the various Participants to
17 determine if there are more questions for you, and if so, who will be asking them. So ---

18 **CHIEF DAVE MacNEIL:** Certainly.

19 **COMMISSIONER MacDONALD:** --- I guess you'll remain under
20 oath at that time, and thank you again, and we'll ask you come back at 1:30.

21 **CHIEF DAVE MacNEIL:** Certainly. Thank you, sir.

22 **COMMISSIONER MacDONALD:** Thank you.

23 **REGISTRAR DARLENE SUTHERLAND:** Thank you. The
24 proceedings are now on break. We'll resume at 1:30.

25 --- Upon recessing at 11:56 a.m.

26 --- Upon resuming at 1:37 p.m.

27 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
28 proceedings are again in session.

1 **COMMISSIONER MacDONALD:** Thank you.

2 We'll wait for Ms. Young and Chief MacNeil
3 Ms. Young?

4 **MS. RACHEL YOUNG:** Thank you, Commissioners.

5 The Participants and I had a productive caucus with Mr. Van Wart,
6 and there will be some questions from Participant's Counsel, five in total, for a total of
7 about two and a half hours. They've established their own order, and so I will just let
8 them take it from there.

9 **COMMISSIONER MacDONALD:** Thank you.

10 **CHIEF DAVE MacNEIL, Resumed**

11 **COMMISSIONER MacDONALD:** Thank you again, Chief.

12 I can report that the counsel have met, the Commission Counsel
13 and Counsel for the various Participants, and there are -- there will be more questions
14 for you.

15 **CHIEF DAVE MacNEIL:** Okay, sure.

16 **COMMISSIONER MacDONALD:** Five different counsel will be
17 asking you questions, and they have agreed upon the order in which each one will ask
18 questions, and beginning with Ms. Nijhawan.

19 And I would ask each counsel before they begin questioning the
20 witness to identify their retainer.

21 Thank you.

22 **CHIEF DAVE MacNEIL:** Thank you, sir.

23 **--- CROSS-EXAMINATION BY MS. NASHA NIJHAWAN:**

24 **MS. NASHA NIJHAWAN:** Good afternoon, Chief MacNeil.

25 **CHIEF DAVE MacNEIL:** Good afternoon.

26 **MS. NASHA NIJHAWAN:** You'll have to excuse me. My voice is a
27 little sketchy today.

28 My name is Nasha Nijhawan. I'm a lawyer for the National Police

1 Federation.

2 **CHIEF DAVE MacNEIL:** Okay.

3 **MS. NASHA NIJHAWAN:** The NPF represents RCMP members
4 below the rank of Inspector, so all the way up to Staff Sergeant, which includes basically
5 everyone who was on the ground during the mass casualty event.

6 **CHIEF DAVE MacNEIL:** For sure.

7 **MS. NASHA NIJHAWAN:** And I have a number of questions for
8 you.

9 I just wanted to start by confirming that you had a chance before
10 you came in today to review the statement that you provided to the Mass Casualty
11 Commission investigators. That was on August 3rd, 2021.

12 **CHIEF DAVE MacNEIL:** Yeah. Correct, yeah.

13 **MS. NASHA NIJHAWAN:** You had a chance to review that
14 statement in some detail?

15 **CHIEF DAVE MacNEIL:** I had a chance to look at it. I wouldn't
16 say in some detail, but I have looked at it.

17 **MS. NASHA NIJHAWAN:** Okay. And when you looked at it, did
18 anything jump out to you that you needed to correct based on things you've learned
19 since then or just a review?

20 **CHIEF DAVE MacNEIL:** No.

21 **MS. NASHA NIJHAWAN:** So you stand by the statements you
22 made in that ---

23 **CHIEF DAVE MacNEIL:** Yeah.

24 **MS. NASHA NIJHAWAN:** --- interview?

25 **CHIEF DAVE MacNEIL:** Yeah.

26 **MS. NASHA NIJHAWAN:** And have you been following the
27 Commission's work? Are you familiar with the information presented to date?

28 **CHIEF DAVE MacNEIL:** No, to be honest, I haven't. I find it ---

1 **MS. NASHA NIJHAWAN:** You haven't.

2 **CHIEF DAVE MacNEIL:** I find it a little disturbing, to be honest.
3 My family -- my wife's from West Colchester and, you know, all my in-laws live there,
4 Lower Debert, Debert and Masstown area, and I find it a little disturbing to watch, so I
5 haven't been tuning in, to be honest.

6 **MS. NASHA NIJHAWAN:** It is a difficult topic for a lot of people. I
7 can understand that.

8 There is, of course, a Foundational Document that relates
9 specifically to the Truro Police's involvement.

10 **CHIEF DAVE MacNEIL:** Correct.

11 **MS. NASHA NIJHAWAN:** And is that a document that you've had
12 a chance to review?

13 **CHIEF DAVE MacNEIL:** Yeah. I have looked at that, yeah.

14 **MS. NASHA NIJHAWAN:** You've looked that and you've had
15 counsel representing you through this process at the Commission as well?

16 **CHIEF DAVE MacNEIL:** Correct, yeah.

17 **MS. NASHA NIJHAWAN:** And was there anything presented in
18 that document that gave you pause or raised any concerns for you?

19 **CHIEF DAVE MacNEIL:** No, nothing in particular.

20 **MS. NASHA NIJHAWAN:** Nothing new in that document you didn't
21 know before?

22 **CHIEF DAVE MacNEIL:** No.

23 **MS. NASHA NIJHAWAN:** Okay. And nothing from that document
24 causes you to need to change any of your answers from your interview in August 2021?

25 **CHIEF DAVE MacNEIL:** Not that I can recall offhand, no.

26 **MS. NASHA NIJHAWAN:** Okay. So if I refer to a fact that you
27 haven't otherwise become aware of, please let me know.

28 **CHIEF DAVE MacNEIL:** Sure.

1 **MS. NASHA NIJHAWAN:** And if you have any reason to doubt it,
2 I'm happy to find a reference for you. I may be referring to some of the other
3 information that's come out ---

4 **CHIEF DAVE MacNEIL:** Sure.

5 **MS. NASHA NIJHAWAN:** --- during the course of these events.

6 **CHIEF DAVE MacNEIL:** Okay.

7 **MS. NASHA NIJHAWAN:** Nothing too arcane I hope.

8 **CHIEF DAVE MacNEIL:** Okay.

9 **MS. NASHA NIJHAWAN:** I understand that you spoke in your
10 interview about the chain of command at the TPS.

11 **CHIEF DAVE MacNEIL:** M'hm.

12 **MS. NASHA NIJHAWAN:** You went over that a little bit today. So
13 I understand that there are three senior officers.

14 **CHIEF DAVE MacNEIL:** Correct, yeah.

15 **MS. NASHA NIJHAWAN:** You, Deputy Chief Hearn, and
16 Inspector Smith?

17 **CHIEF DAVE MacNEIL:** Correct.

18 **MS. NASHA NIJHAWAN:** And it's Inspector Smith who's the
19 officer in charge of Patrol; correct?

20 **CHIEF DAVE MacNEIL:** Correct.

21 **MS. NASHA NIJHAWAN:** And he's also the officer in charge of
22 Dispatch?

23 **CHIEF DAVE MacNEIL:** Yeah.

24 **MS. NASHA NIJHAWAN:** Okay. And senior officers work Monday
25 to Friday, straight days; is that right?

26 **CHIEF DAVE MacNEIL:** Typically, yeah.

27 **MS. NASHA NIJHAWAN:** Typically? And when there isn't an
28 officer on duty ---

1 **CHIEF DAVE MacNEIL:** M'hm.

2 **MS. NASHA NIJHAWAN:** --- the highest ranking officer would be
3 the supervisor of the Patrol or the Watch?

4 **CHIEF DAVE MacNEIL:** Correct, yeah.

5 **MS. NASHA NIJHAWAN:** What do you call it, a watch or a patrol?

6 **CHIEF DAVE MacNEIL:** Shift.

7 **MS. NASHA NIJHAWAN:** Either way. Shift?

8 **CHIEF DAVE MacNEIL:** Yeah, whatever.

9 **MS. NASHA NIJHAWAN:** Okay. And so on the night of April 18th,
10 I understand it was Sergeant Richard Hickox who was the Road Sergeant.

11 **CHIEF DAVE MacNEIL:** Correct.

12 **MS. NASHA NIJHAWAN:** So he would have been the ranking
13 officer on duty?

14 **CHIEF DAVE MacNEIL:** Yeah.

15 **MS. NASHA NIJHAWAN:** And sometimes it's an -- a corporal
16 acting in the supervisory role, depending on who's on shift?

17 **CHIEF DAVE MacNEIL:** Yeah. Our shifts have a Sergeant and
18 Corporal and a Constable. So if the Sergeant is on vacation or off, then the Corporal is
19 the next supervisor in charge.

20 **MS. NASHA NIJHAWAN:** Okay. So on the morning of April 19th, I
21 understand it was Corporal Cormier who was ---

22 **CHIEF DAVE MacNEIL:** Correct.

23 **MS. NASHA NIJHAWAN:** --- the ranking officer.

24 **CHIEF DAVE MacNEIL:** Yeah.

25 **MS. NASHA NIJHAWAN:** And that's because there wasn't a
26 Sergeant working that day.

27 **CHIEF DAVE MacNEIL:** Well, it's because we split our shifts for
28 COVID, but yes, Ed was the ---

1 **MS. NASHA NIJHAWAN:** I see. Okay.

2 **CHIEF DAVE MacNEIL:** --- Ed was the supervisor in charge, yeah.

3 **MS. NASHA NIJHAWAN:** Okay. And those officers ---

4 **CHIEF DAVE MacNEIL:** M'hm.

5 **MS. NASHA NIJHAWAN:** --- I understand you call them officers,
6 we call them members ---

7 **CHIEF DAVE MacNEIL:** Yeah.

8 **MS. NASHA NIJHAWAN:** --- so I'm going to try and use your
9 terminology. Those police officers, the supervisors on shifts, report to Inspector Smith?

10 **CHIEF DAVE MacNEIL:** They do, yeah, but when Inspector Smith
11 is not there, they're the boss.

12 **MS. NASHA NIJHAWAN:** They're the boss.

13 **CHIEF DAVE MacNEIL:** Correct.

14 **MS. NASHA NIJHAWAN:** But if they had an issue that arose ---

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. NASHA NIJHAWAN:** --- they would -- they would bring it
17 directly to him?

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** That's your -- that's how the reporting
20 structure works?

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** So -- and that Inspector reports to the
23 Deputy Chief or directly to you, or is it a little more amorphous than that?

24 **CHIEF DAVE MacNEIL:** We're a smaller service, so to say the
25 Corporal has to go to the Inspector, he could go to -- they could go to the Deputy, yeah.
26 But typically they go to the Deputy or the -- or the Inspector, to me.

27 **MS. NASHA NIJHAWAN:** So the three of you work as a team ---

28 **CHIEF DAVE MacNEIL:** Yeah.

1 **MS. NASHA NIJHAWAN:** --- covering each other.

2 **CHIEF DAVE MacNEIL:** Correct, yeah.

3 **MS. NASHA NIJHAWAN:** So even though it's the Inspector who's
4 in charge of Patrol ---

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **MS. NASHA NIJHAWAN:** --- it could be you that the Sergeant on
7 the Road calls?

8 **CHIEF DAVE MacNEIL:** Yeah, if the inspector was on vacation, or
9 out of the -- out of the community, sure, yeah.

10 **MS. NASHA NIJHAWAN:** So on---

11 **CHIEF DAVE MacNEIL:** But usually it's the deputy. But I'm
12 usually the last.

13 **MS. NASHA NIJHAWAN:** You're usually the last.

14 **CHIEF DAVE MacNEIL:** Right, yeah.

15 **MS. NASHA NIJHAWAN:** Okay. So on the night of April 18th, and
16 to the morning of April 19th, I understand that you were home ---

17 **CHIEF DAVE MacNEIL:** Yes.

18 **MS. NASHA NIJHAWAN:** --- in the Truro area?

19 **CHIEF DAVE MacNEIL:** Yeah.

20 **MS. NASHA NIJHAWAN:** Deputy Chief Hearn was out of town at
21 his cottage on the North Shore?

22 **CHIEF DAVE MacNEIL:** Yeah, he was at his cottage.

23 **MS. NASHA NIJHAWAN:** On the North Shore?

24 **CHIEF DAVE MacNEIL:** Yeah.

25 **MS. NASHA NIJHAWAN:** And Inspector Smith was available?

26 **CHIEF DAVE MacNEIL:** Yeah.

27 **MS. NASHA NIJHAWAN:** So is there some way to communicate
28 to members who is around and who is not around on a particular shift?

1 **CHIEF DAVE MacNEIL:** Yeah, if we're going to be away, like,
2 yeah, but on a day-to-day, like on a weekend, they typically know the first call is
3 Inspector Smith, or -- and if we're going to be away we'll write on the board somewhere
4 that the Chief's gone to, you know, out of province or whatever, so they know that.

5 **MS. NASHA NIJHAWAN:** So there shouldn't be any confusion for
6 those shift supervisors who to call or that they can call a senior officer?

7 **CHIEF DAVE MacNEIL:** Correct. Yeah, they know they can call a
8 senior officer, either the Deputy or the Inspector would be the one. Yeah.

9 **MS. NASHA NIJHAWAN:** And how does that contact usually
10 happen? By phone, by text message? How do you usually receive that kind of call?

11 **CHIEF DAVE MacNEIL:** Typically, I would receive probably a
12 phone call, I would think, but I don't know how they communicate with the Inspector or
13 the Deputy. They may have it a little bit more informal, but I'm not sure.

14 **MS. NASHA NIJHAWAN:** Okay. And that's 24/7?

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. NASHA NIJHAWAN:** And among the three senior officers at
17 the TPS, am I correct to understand that none of you are qualified as Critical Incident
18 Commanders?

19 **CHIEF DAVE MacNEIL:** Through the CPC?

20 **MS. NASHA NIJHAWAN:** Yes.

21 **CHIEF DAVE MacNEIL:** Yeah, that's correct.

22 **MS. NASHA NIJHAWAN:** So none of you have a Critical Incident
23 Commander designation?

24 **CHIEF DAVE MacNEIL:** Not from the CPC. So we have, like,
25 through EMO, so we would have like the Emergency Management things like that, like
26 400 level, 200 level, but we have not -- we have had officers at the CPC before, but
27 currently the three of us do not have the course from CPC.

28 **MS. NASHA NIJHAWAN:** And that EMO training, is that specific to

1 police officers, or is ---

2 **CHIEF DAVE MacNEIL:** No, it's general emergency training.

3 **MS. NASHA NIJHAWAN:** So it's a general emergency response?

4 **CHIEF DAVE MacNEIL:** Yeah, it's the ISC system, so it's Incident
5 Command System that fire and most first responding agencies would use. Yeah.

6 **MS. NASHA NIJHAWAN:** But not police specific?

7 **CHIEF DAVE MacNEIL:** No. Inspector Smith has some Critical
8 Incident Command training from his time in the military and otherwise, but not from the
9 CPC.

10 **MS. NASHA NIJHAWAN:** And not from a policing context?

11 **CHIEF DAVE MacNEIL:** Probably from the military police, but I
12 don't -- I don't know 100-percent sure offhand.

13 **MS. NASHA NIJHAWAN:** Okay. So I understand from your --
14 from your interview that there is no question that it's the TPS that has jurisdiction over
15 policing the Town of Truro ---

16 **CHIEF DAVE MacNEIL:** Correct.

17 **MS. NASHA NIJHAWAN:** --- and that -- that's not a joint project
18 with the RCMP, there is a boundary, and you respect it. Is that fair?

19 **CHIEF DAVE MacNEIL:** Yeah, it's like any policing jurisdiction,
20 yeah, there would be an agency of jurisdiction, but we do integrate on project-based or
21 file-based. But yeah, typically there's an agency of jurisdiction; correct.

22 **MS. NASHA NIJHAWAN:** You're a *Police Act* municipal police
23 force?

24 **CHIEF DAVE MacNEIL:** Correct.

25 **MS. NASHA NIJHAWAN:** And so the buck stops at the Truro
26 Police ---

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MS. NASHA NIJHAWAN:** --- for what happens inside Truro ---

1 **CHIEF DAVE MacNEIL:** Yeah.

2 **MS. NASHA NIJHAWAN:** --- town boundaries?

3 **CHIEF DAVE MacNEIL:** Correct.

4 **MS. NASHA NIJHAWAN:** And I think you were pretty clear in your
5 statement, and correct me if I'm wrong, that you don't really see a role for the RCMP
6 responding to incidents inside Truro ---

7 **CHIEF DAVE MacNEIL:** M'hm.

8 **MS. NASHA NIJHAWAN:** --- unless there's been some request or
9 agreement ---

10 **CHIEF DAVE MacNEIL:** Correct.

11 **MS. NASHA NIJHAWAN:** --- that they would be involved?

12 **CHIEF DAVE MacNEIL:** Yeah.

13 **MS. NASHA NIJHAWAN:** And actually, you would discourage
14 that? That could cause you problems?

15 **CHIEF DAVE MacNEIL:** Yeah. Unless we knew they were coming
16 or requested them, had specifics, and those are lessons that would have been learned
17 from Moncton. They had police from all over, you know, rolling into the city, and no one
18 really knew who was doing what. So yeah, absolutely, it's important to know who is
19 doing what, and be requested to come.

20 **MS. NASHA NIJHAWAN:** And if no one says anything about
21 anything, it's you who's in charge of Truro?

22 **CHIEF DAVE MacNEIL:** Correct. Yeah.

23 **MS. NASHA NIJHAWAN:** And similarly, if Bible Hill members, for
24 example, needed your help in their jurisdiction across the Salmon River ---

25 **CHIEF DAVE MacNEIL:** Yeah.

26 **MS. NASHA NIJHAWAN:** --- they would make that request to
27 bring you over?

28 **CHIEF DAVE MacNEIL:** Yeah, and if they made that request we

1 would assist, yes.

2 **MS. NASHA NIJHAWAN:** And you don't take direction from the
3 RCMP about how to police inside the Town of Truro?

4 **CHIEF DAVE MacNEIL:** Correct.

5 **MS. NASHA NIJHAWAN:** And so RCMP NCOs or senior officers
6 wouldn't have any authority to direct your members inside the Town of Truro?

7 **CHIEF DAVE MacNEIL:** Correct.

8 **MS. NASHA NIJHAWAN:** And on April 18th and 19th, I think it's
9 pretty clear that the RCMP didn't ask you to leave the Town of Truro and help them in
10 RCMP jurisdiction. Is that fair?

11 **CHIEF DAVE MacNEIL:** That's correct, yeah.

12 **MS. NASHA NIJHAWAN:** And so during the mass casualty do you
13 think there was any ambiguity about who was responsible for policing Truro itself?

14 **CHIEF DAVE MacNEIL:** None.

15 **MS. NASHA NIJHAWAN:** That was you?

16 **CHIEF DAVE MacNEIL:** Yes, absolutely.

17 **MS. NASHA NIJHAWAN:** Okay. And it's fair to expect that it
18 would be the RCMP's understanding and expectation that it would be the Truro Police
19 policing Truro?

20 **CHIEF DAVE MacNEIL:** Yeah, absolutely.

21 **MS. NASHA NIJHAWAN:** And it wouldn't be for the RCMP to task
22 you to do anything inside the Truro boundaries.

23 **CHIEF DAVE MacNEIL:** Well, in -- that's a little bit of a difficult
24 question to answer. So if you're asking me in the context of this mass casualty event or
25 you're asking me in general?

26 **MS. NASHA NIJHAWAN:** In general.

27 **CHIEF DAVE MacNEIL:** In general? On day-to-day? No, it
28 wouldn't be -- they wouldn't task us to do "You need to go do this." Now, they could

1 request us to go assist with something or request us to do this, but not to ask or to -- to
2 more to ask than to direct, yes.

3 **MS. NASHA NIJHAWAN:** And so, on any day, wouldn't you agree
4 with me that it's up to you as the Chief of Truro or whatever is the most senior acting
5 officer is to determine how best to police the Town of Truro?

6 **CHIEF DAVE MacNEIL:** Yeah, absolutely.

7 **MS. NASHA NIJHAWAN:** I want to talk to you a little bit about
8 training and equipment of your ---

9 **CHIEF DAVE MacNEIL:** M'hm.

10 **MS. NASHA NIJHAWAN:** --- of your members.

11 **CHIEF DAVE MacNEIL:** Sure.

12 **MS. NASHA NIJHAWAN:** You were asked in your interview to talk
13 about the normal kit or equipment that a member -- a patrol constable would receive.

14 **CHIEF DAVE MacNEIL:** Yeah.

15 **MS. NASHA NIJHAWAN:** I wasn't clear from that answer whether
16 every patrol constable would be given their own hard body armour.

17 **CHIEF DAVE MacNEIL:** Yeah. So we have probably a dozen sets
18 of hard body armour, so there's more than enough for everybody that's on duty. So
19 every one of our police vehicles have hard body armour, they also have a equipment
20 bag with spare magazines, knee pads, ballistic helmet, carbine, a shotgun as well.

21 **MS. NASHA NIJHAWAN:** Okay. So there's a distinction between
22 what each officer is personally assigned and what's available for a shift?

23 **CHIEF DAVE MacNEIL:** Correct, yeah.

24 **MS. NASHA NIJHAWAN:** So there is hard body armour available
25 to every officer?

26 **CHIEF DAVE MacNEIL:** Absolutely, yeah.

27 **MS. NASHA NIJHAWAN:** I thought that it had to be personally fit.
28 Am I wrong about that?

1 **CHIEF DAVE MacNEIL:** No. Your ballistic -- your internal Level 3
2 vest is individually fit because you wear it yourself.

3 **MS. NASHA NIJHAWAN:** Yeah.

4 **CHIEF DAVE MacNEIL:** But the others just -- they go over top. It's
5 the same issued body armour as the RCMP have. Your members have the same
6 equipment.

7 **MS. NASHA NIJHAWAN:** Okay. And what about carbines? Are
8 all of your members carbine trained?

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. NASHA NIJHAWAN:** And do they each take a carbine out on
11 every patrol shift?

12 **CHIEF DAVE MacNEIL:** Our patrol vehicles are equipped with
13 patrol carbine, so they're in the vehicle.

14 **MS. NASHA NIJHAWAN:** Okay. So I understand that that's not
15 where we store guns long-term.

16 **CHIEF DAVE MacNEIL:** That's where we store our -- our firearms
17 are in the vehicle, so ---

18 **MS. NASHA NIJHAWAN:** So when the vehicle is unattended
19 that's where the firearm is?

20 **CHIEF DAVE MacNEIL:** Yeah, same as the RCMP cruiser. Their
21 -- C8 or carbine's in the police car, so when it's parked on the side of the road or on a
22 call the rifle is in the vehicle. So ---

23 **MS. NASHA NIJHAWAN:** That's your -- that's your knowledge of
24 how the RCMP handles firearms?

25 **CHIEF DAVE MacNEIL:** Well, if you're asking me if the police car
26 is empty and the rifle is in it, if I signed a rifle out and I go on a call and I don't have the
27 rifle with me, then it's obviously in my vehicle.

28 **MS. NASHA NIJHAWAN:** No, I guess I mean between shifts.

1 **CHIEF DAVE MacNEIL:** Oh, between shifts?

2 **MS. NASHA NIJHAWAN:** Yeah.

3 **CHIEF DAVE MacNEIL:** Yeah. So our cars are -- we're a little
4 different. So our fleet is kind of like hot-seated, so our cars are on the road 24/7, so
5 there's not a lot of down time for our vehicles. So if our vehicles go into the repair shop,
6 or something like that, then obviously the firearm is taken out of the vehicle, the radio is
7 disabled and all those things, but... So when I come on at six o'clock in the morning, I
8 have my police vehicle for twelve hours, I park it, the next shift comes out and gets in
9 the same vehicle and goes, so they check the equipment to make sure it's all there, and
10 that's how we operate. So if the car's going to be out of service for a period of time, if
11 that's what you're asking me, then the firearms are stored back in the building. So I'm --
12 I guess I wasn't understanding what you were saying.

13 **MS. NASHA NIJHAWAN:** Sure. So then does each officer who
14 takes possession newly of each car proof and save the ---

15 **CHIEF DAVE MacNEIL:** There's a -- yeah. There's a pre-shift
16 check that they would go through to make sure the equipment's in their vehicle and
17 serviceable, the lights work, the sirens work, all those things.

18 **MS. NASHA NIJHAWAN:** All right. Okay. Thank you.

19 **CHIEF DAVE MacNEIL:** Yeah.

20 **MS. NASHA NIJHAWAN:** Sorry. That was maybe a little bit of a
21 tangent.

22 **CHIEF DAVE MacNEIL:** No, that's fine.

23 **MS. NASHA NIJHAWAN:** So we can expect that any patrol officer
24 in a Truro police car has access to a carbine and has access to hard body armour at all
25 times?

26 **CHIEF DAVE MacNEIL:** A marked vehicle, correct.

27 **MS. NASHA NIJHAWAN:** A marked vehicle. And that includes all
28 of the patrol officers who would have been on on the 18th and 19th.

1 **CHIEF DAVE MacNEIL:** Yeah.

2 **MS. NASHA NIJHAWAN:** Okay.

3 **CHIEF DAVE MacNEIL:** As far as I know, yeah.

4 **MS. NASHA NIJHAWAN:** And in terms of training, there's some
5 information in the record about the firearms training that your officers go through.

6 I just wanted to be really clear about IARD training in particular.

7 **CHIEF DAVE MacNEIL:** Yeah.

8 **MS. NASHA NIJHAWAN:** Do your officers engage in regular or
9 periodic scenario-based IARD training?

10 **CHIEF DAVE MacNEIL:** Yeah. So the Province of Nova Scotia for
11 the municipal side of the house, they offer use of force. Every year they come out with
12 the use of force topics for the year, so you know, next year it might be IARD training or
13 rapid deployment or whatever the -- the language may differ, but it's essentially the
14 same thing. Could be baton, pepper spray, taser, whatever, so we would get those
15 annually and that's how we train.

16 So Department of Justice kind of says to the police services these
17 are the three topics you got to do this year, and that's what we would do.

18 **MS. NASHA NIJHAWAN:** And do you do scenario-based active
19 shooter training?

20 **CHIEF DAVE MacNEIL:** Yeah.

21 **MS. NASHA NIJHAWAN:** And do you do tabletop active shooter
22 training for commanders?

23 **CHIEF DAVE MacNEIL:** We have done some tabletop. Not full
24 exercises, but on our -- at our Sergeants' meetings, we've definitely gone over active
25 shooter scenarios and active shooter policy, those types of things, yeah.

26 **MS. NASHA NIJHAWAN:** So when you look ---

27 **CHIEF DAVE MacNEIL:** Planning.

28 **MS. NASHA NIJHAWAN:** And was that true in April of 2020?

1 **CHIEF DAVE MacNEIL:** The -- prior to that. April -- or not April.
2 Sorry, 2018 is the last time we did it with our supervisors, but we've done it since.

3 **MS. NASHA NIJHAWAN:** And so when you look back at the
4 training that was available to your officers on April 18th or 19th, do you see any deficits
5 in training or any changes you would make to your training protocol?

6 **CHIEF DAVE MacNEIL:** No.

7 **MS. NASHA NIJHAWAN:** Do you think they were fully trained and
8 fully equipped for the events that took place?

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. NASHA NIJHAWAN:** Okay. So I understand that on the night
11 of April 18th, I think you've already agreed with me that Sergeant Hickox was on duty ---

12 **CHIEF DAVE MacNEIL:** M'hm.

13 **MS. NASHA NIJHAWAN:** --- as the most senior member, and
14 then he was replaced in the morning by Corporal Cormier.

15 **CHIEF DAVE MacNEIL:** Correct.

16 **MS. NASHA NIJHAWAN:** And you've already told me that senior
17 officers remain available for these members.

18 Sergeant Hickox gave an interview to the Mass Casualty
19 Commission in which he described himself in his role as the shift supervisor as taking
20 on a role of risk manager. Are you familiar with that term ---

21 **CHIEF DAVE MacNEIL:** I am, yeah.

22 **MS. NASHA NIJHAWAN:** --- risk manager?

23 Is that a term that you use inside of your police service?

24 **CHIEF DAVE MacNEIL:** Not typically, no.

25 **MS. NASHA NIJHAWAN:** It's an analogy to a position in the
26 RCMP? Is that more accurate?

27 **CHIEF DAVE MacNEIL:** I don't know what he's referring to.

28 **MS. NASHA NIJHAWAN:** You don't know what he's referring to.

1 **CHIEF DAVE MacNEIL:** No, it wasn't my statement.

2 **MS. NASHA NIJHAWAN:** So if Sergeant Hickox would describe
3 himself as the risk manager on shift ---

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** --- what would that mean to you?

6 **CHIEF DAVE MacNEIL:** I would assume -- I think what he was
7 trying to say, and again, this is just my opinion ---

8 **MS. NASHA NIJHAWAN:** Yeah.

9 **CHIEF DAVE MacNEIL:** --- as the Sergeant when I did the job, my
10 job is to process the information that comes in to the police service and make sure
11 we're making informed decisions and our officers are working in a safe manner and
12 we're protecting the community.

13 So maybe that's what he meant, but I'm not sure. It's not my
14 statement.

15 **MS. NASHA NIJHAWAN:** Okay. So whose role would it be to
16 determine whether or not more staffing is required?

17 **CHIEF DAVE MacNEIL:** So the Sergeant on duty, we empower
18 our supervisors to make those decisions and in consultation, if they required extra duty
19 officers to come in, they would notify the Inspector or Deputy and say, "I need to call in
20 X amount of resources" and that would happen.

21 **MS. NASHA NIJHAWAN:** So if the supervisor on shift is taking on
22 this role of sort of assessing needs of the police service, what's necessary in order to
23 protect Truro at any given moment in any given circumstance, would you agree with me
24 that there are also circumstances during which it's appropriate for them to engage a
25 senior officer in the process?

26 **CHIEF DAVE MacNEIL:** Yeah, at some point, sure, depending on
27 the situation, I would think.

28 **MS. NASHA NIJHAWAN:** And so what kind of situations would

1 merit calling in a senior officer?

2 **CHIEF DAVE MacNEIL:** It would have to be a serious incident that
3 was outside of the normal scope of business, so if we had a crime scene that they
4 needed a constable to guard, then they could make that call themselves, right. If they --
5 if the bars were busy and they felt they needed a couple of extra officers to come in,
6 then they could make those calls themselves.

7 So I guess that's -- does that answer your question?

8 **MS. NASHA NIJHAWAN:** Yeah, that does.

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. NASHA NIJHAWAN:** What about an active shooter situation?
11 Would that require calling in a senior officer?

12 **CHIEF DAVE MacNEIL:** Yeah, absolutely. Yeah.

13 **MS. NASHA NIJHAWAN:** So any time that you would need to
14 engage sort of that tactical level of response?

15 **CHIEF DAVE MacNEIL:** Yeah, provided it was in our jurisdiction,
16 sure. Yeah.

17 **MS. NASHA NIJHAWAN:** Okay. What if it wasn't in your
18 jurisdiction?

19 **CHIEF DAVE MacNEIL:** Then I guess you'd have to look at the
20 totality of the situation and see what information we were given.

21 **MS. NASHA NIJHAWAN:** So if you were given a BOLO that said
22 that there was an armed and dangerous suspect and that suspect was the subject of an
23 active shooter investigation and he was familiar with guns and he could be anywhere in
24 the province ---

25 **CHIEF DAVE MacNEIL:** Right.

26 **MS. NASHA NIJHAWAN:** --- would that merit calling in a senior
27 officer?

28 **CHIEF DAVE MacNEIL:** No, not necessarily.

1 **MS. NASHA NIJHAWAN:** Not necessarily.

2 **CHIEF DAVE MacNEIL:** No.

3 **MS. NASHA NIJHAWAN:** Okay. And what if that armed and
4 dangerous suspect was last seen within Colchester County? Would that change your
5 view on that?

6 **CHIEF DAVE MacNEIL:** Not necessarily. Colchester County's a
7 large geographic area.

8 **MS. NASHA NIJHAWAN:** Okay. So an armed and dangerous on
9 the loose arrestable for homicide suspect in Colchester County is not a trigger for calling
10 in senior management.

11 **CHIEF DAVE MacNEIL:** Not necessarily, no.

12 **MS. NASHA NIJHAWAN:** Not necessarily.

13 **CHIEF DAVE MacNEIL:** Correct.

14 **MS. NASHA NIJHAWAN:** Okay. I understand that on the night of
15 April 18th, in fact, Sergeant Hickox did not call in a senior officer. Is that fair?

16 **CHIEF DAVE MacNEIL:** Yeah, that's correct.

17 **MS. NASHA NIJHAWAN:** And he went off shift and transferred his
18 command to Corporal Cormier without notifying anybody above him in rank. Is that
19 accurate?

20 **CHIEF DAVE MacNEIL:** Yeah. I would say based on the
21 information he had overnight, I don't believe he decided to call a senior officer or give
22 them that notification.

23 **MS. NASHA NIJHAWAN:** And do you think a senior officer ought
24 to have been called out that night?

25 **CHIEF DAVE MacNEIL:** Based on the information we had
26 overnight, I don't think, no.

27 **MS. NASHA NIJHAWAN:** You don't think there was any need for
28 Inspector Smith to have been involved overnight?

1 **CHIEF DAVE MacNEIL:** No, not overnight.

2 **MS. NASHA NIJHAWAN:** And what information would have
3 merited calling in a senior officer?

4 **CHIEF DAVE MacNEIL:** Well ---

5 **MS. NASHA NIJHAWAN:** What would have tipped the balance?

6 **CHIEF DAVE MacNEIL:** I think had the RCMP requested us to do
7 something, staff up, you know, provide officers for an outside perimeter, a secondary
8 perimeter, something like that, then I would -- I would assume that a senior officer would
9 have been engaged in that. But there was no such request for any of that overnight, so
10 that's probably ---

11 **MS. NASHA NIJHAWAN:** So are you talking about something to
12 be done outside of the Town of Truro, or inside the Town of Truro?

13 **CHIEF DAVE MacNEIL:** I would say outside at that point.

14 **MS. NASHA NIJHAWAN:** Okay. So ---

15 **CHIEF DAVE MacNEIL:** The information we had at the point was
16 this was a Portapique-centric event. There was no indication overnight that it was
17 impactful for our area at that point in time.

18 **MS. NASHA NIJHAWAN:** There was no indication overnight that it
19 could impact your area? Is that your evidence?

20 **CHIEF DAVE MacNEIL:** That's what I believe, yeah.

21 **MS. NASHA NIJHAWAN:** That's what you believe.

22 **CHIEF DAVE MacNEIL:** Yeah.

23 **MS. NASHA NIJHAWAN:** Okay. So I want to just understand a
24 little bit about how the TPS collects information ---

25 **CHIEF DAVE MacNEIL:** Sure.

26 **MS. NASHA NIJHAWAN:** --- and how it disseminates information
27 to its officers.

28 **CHIEF DAVE MacNEIL:** Okay.

1 **MS. NASHA NIJHAWAN:** You have a small dispatch office. Is
2 that fair to say?

3 **CHIEF DAVE MacNEIL:** We do, yeah.

4 **MS. NASHA NIJHAWAN:** And that dispatch office is not a PSAP
5 or a ---

6 **CHIEF DAVE MacNEIL:** Correct.

7 **MS. NASHA NIJHAWAN:** --- Public Safety ---

8 **CHIEF DAVE MacNEIL:** Answering Centre.

9 **MS. NASHA NIJHAWAN:** --- Answering Point.

10 **CHIEF DAVE MacNEIL:** Right, yeah.

11 **MS. NASHA NIJHAWAN:** Or whatever it's called.

12 **CHIEF DAVE MacNEIL:** That's right.

13 **MS. NASHA NIJHAWAN:** And so does that mean that 9-1-1 calls
14 don't go directly to your dispatch centre?

15 **CHIEF DAVE MacNEIL:** Correct. Yeah.

16 **MS. NASHA NIJHAWAN:** Where do they go?

17 **CHIEF DAVE MacNEIL:** They would go to one of the four
18 provincial PSACs, or Provincial -- whatever the acronym is.

19 **MS. NASHA NIJHAWAN:** PSAP.

20 **CHIEF DAVE MacNEIL:** Yeah. So there's one in Halifax, one in
21 Cape Breton, one in Kentville and one at RCMP headquarters.

22 **MS. NASHA NIJHAWAN:** Okay.

23 **CHIEF DAVE MacNEIL:** At the time, it was on Prince Street in
24 Truro, but it's since moved.

25 **MS. NASHA NIJHAWAN:** So your calls would go to the RCMP
26 OCC and ---

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MS. NASHA NIJHAWAN:** --- if it was a Truro matter, something

1 that fell within your jurisdiction, that call would be routed to your ---

2 **CHIEF DAVE MacNEIL:** Correct.

3 **MS. NASHA NIJHAWAN:** --- dispatcher ---

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** --- who acted both as a dispatcher and
6 a call-taker.

7 **CHIEF DAVE MacNEIL:** Correct. Yeah.

8 **MS. NASHA NIJHAWAN:** Okay. And do your dispatchers use a
9 computed -- computer-aided dispatch system, or CAD system?

10 **CHIEF DAVE MacNEIL:** No. So we have the PROS system, so
11 we have a computer records management system and we have a GPS system, but we
12 don't have -- we don't dispatch our cars via computer.

13 **MS. NASHA NIJHAWAN:** So that means that information coming
14 from dispatch to officers doesn't go to the computer in their car?

15 **CHIEF DAVE MacNEIL:** Correct.

16 **MS. NASHA NIJHAWAN:** And what is the computer in their car
17 for?

18 **CHIEF DAVE MacNEIL:** For PROS, for our records management
19 system, so they can do some reports. There's also electronic ticketing in the car with
20 the computer. They can access JENS, which is the motor vehicle -- provincial motor
21 vehicle system, so things of that nature.

22 **MS. NASHA NIJHAWAN:** Okay.

23 **CHIEF DAVE MacNEIL:** We do accident reports from the car,
24 those types of things.

25 **MS. NASHA NIJHAWAN:** Can they receive a text message -- a
26 message in text format, I mean, of any kind from the dispatcher to their car? Is there
27 any way for a dispatcher to send a text-based message ---

28 **CHIEF DAVE MacNEIL:** Yes.

1 **MS. NASHA NIJHAWAN:** --- to an in-car computer?

2 **CHIEF DAVE MacNEIL:** Yeah. We have -- we have cell phones in
3 the cars.

4 **MS. NASHA NIJHAWAN:** Sorry. I'm asking about the computer in
5 the car.

6 **CHIEF DAVE MacNEIL:** No. No, that's correct.

7 **MS. NASHA NIJHAWAN:** So there's no way for your dispatcher to
8 send a text-based message to your car computer.

9 **CHIEF DAVE MacNEIL:** Correct. Our officers, when they log on
10 the computer, they can go on PROS and bring up an occurrence or a picture of
11 someone and that kind of thing, but for the dispatcher to send it electronically, no.

12 **MS. NASHA NIJHAWAN:** But they -- the officer in the car could
13 search PROS on their own.

14 **CHIEF DAVE MacNEIL:** Yeah.

15 **MS. NASHA NIJHAWAN:** Okay. And the dispatcher can search
16 PROS in ---

17 **CHIEF DAVE MacNEIL:** Correct.

18 **MS. NASHA NIJHAWAN:** --- her dispatch centre.

19 **CHIEF DAVE MacNEIL:** Yeah.

20 **MS. NASHA NIJHAWAN:** And you mentioned cell phones, so are
21 these work cell phones that your members have?

22 **CHIEF DAVE MacNEIL:** Yeah. There are work phones in the
23 cars, yeah.

24 **MS. NASHA NIJHAWAN:** And do they stay with the car or do they
25 stay with the member?

26 **CHIEF DAVE MacNEIL:** Yeah, stay with the car.

27 **MS. NASHA NIJHAWAN:** Okay. So there's a cell phone in the car
28 which is attached to the car ---

1 **CHIEF DAVE MacNEIL:** Correct.

2 **MS. NASHA NIJHAWAN:** --- and that's the way that a text-based
3 message can be sent to individuals.

4 **CHIEF DAVE MacNEIL:** Could be, yeah.

5 **MS. NASHA NIJHAWAN:** Could be.

6 **CHIEF DAVE MacNEIL:** Yeah.

7 **MS. NASHA NIJHAWAN:** Okay. And is that done frequently? Is
8 that how text ---

9 **CHIEF DAVE MacNEIL:** I don't know. I don't know ---

10 **MS. NASHA NIJHAWAN:** --- based messages are circulated?

11 **CHIEF DAVE MacNEIL:** Yeah, I don't know if the dispatcher texts
12 the phone cars or -- I'm not sure. I don't know. I'm not -- I don't work shifts any more,
13 so I'm not sure. I'm sorry.

14 **MS. NASHA NIJHAWAN:** Okay. Fair enough.

15 And I understand that in their ability, both your dispatcher and your
16 patrol officers' ability to access PROS, they're able to access not just Truro PROS files,
17 but also any RCMP PROS file.

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** That's fair. Unless it's been restricted
20 for some reason.

21 **CHIEF DAVE MacNEIL:** Yeah, and vice versa. The RCMP can
22 access ours unless it's restricted. That's right.

23 **MS. NASHA NIJHAWAN:** Okay. And I also understand, and
24 correct me if I'm wrong, that at the time of the incident and until February of 2021, Truro
25 operated on a non-encrypted radio channel.

26 **CHIEF DAVE MacNEIL:** Yeah, we had a hybrid model, so we had
27 encrypted radios for our CID and detective section which were fully encrypted, and we
28 had our primary channels non-encrypted, correct.

1 **MS. NASHA NIJHAWAN:** So the channel that dispatch would be
2 communicating with patrol members on would be non-encrypted.

3 **CHIEF DAVE MacNEIL:** Correct, yeah.

4 **MS. NASHA NIJHAWAN:** And that non-encrypted channel would
5 be -- I understand anyone could -- with a radio scanner could tune into it.

6 **CHIEF DAVE MacNEIL:** Yeah, it could be scannable, but it's -- it
7 was on the provincial TMR system and it's a digital system, so a little -- little more
8 challenging than years ago. But yeah, it could be -- it could be, sure.

9 **MS. NASHA NIJHAWAN:** And you'll agree with me that in critical
10 incidents, it's important for many reasons -- it can be important for various reasons -- to
11 have the ability for police officers to communicate on an encrypted basis.

12 **CHIEF DAVE MacNEIL:** Yeah, there's a benefit to that, sure.

13 **MS. NASHA NIJHAWAN:** Okay. And one of the decisions that
14 you weren't able to have your officers operating on an encrypted system at that time is
15 because your portable radios weren't capable of taking an encrypted channel. Is that
16 fair?

17 **CHIEF DAVE MacNEIL:** Correct, yeah.

18 **MS. NASHA NIJHAWAN:** Okay. And that's ---

19 **CHIEF DAVE MacNEIL:** Now -- so we had half a dozen radios that
20 are encrypted, but the ones that patrol were using at the time, right. You're correct,
21 yeah.

22 **MS. NASHA NIJHAWAN:** So fair to say that that means that you
23 couldn't be patched on an encrypted channel to the RCMP's encrypted radio channels.

24 **CHIEF DAVE MacNEIL:** Right. We have the ability to be patched
25 on one of the lock channels that are non-encrypted, but correct, we couldn't patch over
26 to an encrypted one in our car at that time.

27 **MS. NASHA NIJHAWAN:** You had -- you had an agreement at
28 that time with the RCMP about patching onto a non-encrypted law enforcement

1 channel?

2 **CHIEF DAVE MacNEIL:** Yeah.

3 **MS. NASHA NIJHAWAN:** So if the RCMP were concerned about
4 encryption in a particular incident, there wouldn't be a way for Truro to be joining their
5 channels.

6 **CHIEF DAVE MacNEIL:** Well, we could use our six encrypted
7 portable radios, so we could, in fact, go to an encrypted channel, yes.

8 **MS. NASHA NIJHAWAN:** But not in the patrol car.

9 **CHIEF DAVE MacNEIL:** Well, we could have brought a portable
10 radio in our car with us, so there is a way -- there is fixes around ---

11 **MS. NASHA NIJHAWAN:** Okay. So it would have been possible -
12 --

13 **CHIEF DAVE MacNEIL:** Absolutely. Yeah, absolutely.

14 **MS. NASHA NIJHAWAN:** All right. I understand.

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. NASHA NIJHAWAN:** Now, I understand that on the night of
17 April 18th to 19th, your dispatcher would have received a number of text-based BOLO
18 messages via CPIC external message.

19 **CHIEF DAVE MacNEIL:** Okay.

20 **MS. NASHA NIJHAWAN:** Do you understand that to be true?

21 **CHIEF DAVE MacNEIL:** That they receive BOLOs via CPIC?
22 Yeah.

23 **MS. NASHA NIJHAWAN:** Yeah. And so now that we've sort of
24 talked about the way that information can be disseminated, there wouldn't be a way for
25 your dispatcher to send that text-based message to forward it to the cars.

26 **CHIEF DAVE MacNEIL:** Correct.

27 **MS. NASHA NIJHAWAN:** Is that fair?

28 **CHIEF DAVE MacNEIL:** Yeah.

1 **MS. NASHA NIJHAWAN:** She would have to input it herself into a
2 text message?

3 **CHIEF DAVE MacNEIL:** Radio, phone or input into a text
4 message, sure.

5 **MS. NASHA NIJHAWAN:** Okay. So ---

6 **CHIEF DAVE MacNEIL:** So there's three ways to do it.

7 **MS. NASHA NIJHAWAN:** So those are the three ways that a
8 BOLO that arrives at TPS dispatch could contact your members.

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. NASHA NIJHAWAN:** Do you agree with me that there's a risk
11 of a delay or a miscommunication or a broken telephone if dispatch is voicing BOLOs to
12 members instead of sending them in a text-based manner?

13 **CHIEF DAVE MacNEIL:** Well, I -- I mean, if they're reading a
14 BOLO over the air, there's not a whole lot of margin for error, I wouldn't think.

15 **MS. NASHA NIJHAWAN:** What about if the officer couldn't write it
16 down or didn't write it down?

17 **CHIEF DAVE MacNEIL:** Well, it came in a text-based -- it came
18 from a CPIC message, so typically they print the CPIC message and read it verbatim.

19 **MS. NASHA NIJHAWAN:** No, I mean, in terms of the officer
20 receiving the message. They would just hear it once. They wouldn't be able to refer
21 back to the information in the message.

22 You don't think that's a problem.

23 **CHIEF DAVE MacNEIL:** If it's a problem, they could ask for some
24 clarity, I suppose, but yeah.

25 **MS. NASHA NIJHAWAN:** Okay. And you don't see any need to
26 improve that system where a -- there wasn't a direct way to send a BOLO.

27 **CHIEF DAVE MacNEIL:** Well, there is a direct way via radio or
28 phone or text.

1 You mean electronically?

2 **MS. NASHA NIJHAWAN:** I mean in a text-based ---

3 **CHIEF DAVE MacNEIL:** Yeah, no.

4 **MS. NASHA NIJHAWAN:** --- in the same format.

5 **CHIEF DAVE MacNEIL:** No, it's -- it works.

6 **MS. NASHA NIJHAWAN:** It works just fine.

7 **CHIEF DAVE MacNEIL:** Yeah. For us it works, yeah.

8 **MS. NASHA NIJHAWAN:** And do you believe it worked on the
9 night of April 18th?

10 **CHIEF DAVE MacNEIL:** Yeah, I believe so.

11 **MS. NASHA NIJHAWAN:** You believe it did.

12 **CHIEF DAVE MacNEIL:** Yeah.

13 **MS. NASHA NIJHAWAN:** Okay. So there's been some issue, and
14 I think you raised it even just now, about what the Truro Police Service knew that night
15 and whether that information was sufficient. Is that fair?

16 **CHIEF DAVE MacNEIL:** Yeah.

17 **MS. NASHA NIJHAWAN:** That's been a concern of yours?

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** So I want to just review what was
20 known that night and explore a little bit with you your ---

21 **CHIEF DAVE MacNEIL:** Sure.

22 **MS. NASHA NIJHAWAN:** --- your position on that issue.

23 **CHIEF DAVE MacNEIL:** Okay.

24 **MS. NASHA NIJHAWAN:** I'm going to start with what the night
25 shift knew, so we're going to take us up from the initial incident until Sergeant Hickox
26 would have handed off ---

27 **CHIEF DAVE MacNEIL:** Okay.

28 **MS. NASHA NIJHAWAN:** --- his command to Corporal Cormier.

1 **CHIEF DAVE MacNEIL:** Sure.

2 **MS. NASHA NIJHAWAN:** So I understand that Sergeant Hickox
3 gave a report to Inspector Smith on May 1st, 2020 after the incident which outlined his
4 involvement as a supervisor that night. Is that a document that you're familiar with?

5 **CHIEF DAVE MacNEIL:** I believe I've seen it. I -- yeah.

6 **MS. NASHA NIJHAWAN:** A narrative?

7 **CHIEF DAVE MacNEIL:** Yeah.

8 **MS. NASHA NIJHAWAN:** It is an exhibit in this proceeding and I
9 wonder if we could bring it up, Madam Registrar. It's Exhibit No. 1922.

10 And I'd like to just go to page 2.

11 So this appears to me to be a letter or a report addressed directly to
12 Inspector Smith, so that would be Sergeant Hickox's supervisor.

13 **CHIEF DAVE MacNEIL:** Okay.

14 **MS. NASHA NIJHAWAN:** And he goes through conversations that
15 are not included in the transcriptions, so he's filling in some blanks here.

16 And I'd like to take us down to the second page the statement,
17 Madam Registrar. And he's -- he goes through a number of the information that he
18 saw. And if we could just go down further to the bottom.

19 The beginning of the second-last paragraph, "There was very little
20 information regarding the severity of the situation." Is that a statement you agree with?

21 **CHIEF DAVE MacNEIL:** Is it -- yeah. I'm just trying to find it in the
22 document.

23 **MS. NASHA NIJHAWAN:** Sorry.

24 **CHIEF DAVE MacNEIL:** So it ---

25 **MS. NASHA NIJHAWAN:** So we're the first sentence of the
26 second-last paragraph.

27 **CHIEF DAVE MacNEIL:** Okay. It's moving on my thing, so just
28 give me a second.

1 **MS. NASHA NIJHAWAN:** Yeah, sorry.

2 **CHIEF DAVE MacNEIL:** Okay. I see it there, yeah.

3 **MS. NASHA NIJHAWAN:** So as I understand it, this report from
4 Sergeant Hickox lays out essentially all the information that he had.

5 **CHIEF DAVE MacNEIL:** Okay.

6 **MS. NASHA NIJHAWAN:** And then he comes to this conclusion
7 that that information was very little information. It wasn't, I suppose, by implication
8 enough information for him to have taken any further steps that night.

9 **CHIEF DAVE MacNEIL:** Okay.

10 **MS. NASHA NIJHAWAN:** And this is a -- this is a statement or
11 language that I've seen mirrored in your statements as well. You say, you know, that
12 night the Police Service had no indication of the magnitude of the events.

13 **CHIEF DAVE MacNEIL:** Right.

14 **MS. NASHA NIJHAWAN:** And that's your opinion today ---

15 **CHIEF DAVE MacNEIL:** It is, yeah.

16 **MS. NASHA NIJHAWAN:** --- that up to 6:00 a.m., the magnitude
17 of the events was unapparent ---

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** --- and unknowable to the Truro Police
20 Service.

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** Okay. So I just want to review the
23 information that you did have.

24 I understand that there were, before 6:00 a.m., three BOLOs ---

25 **CHIEF DAVE MacNEIL:** Okay.

26 **MS. NASHA NIJHAWAN:** --- from the RCMP that would have
27 gone to your dispatcher.

28 **CHIEF DAVE MacNEIL:** Okay.

1 **MS. RACHEL YOUNG:** Commissioners, I just wonder if Ms.
2 Nijhawan, she says -- asking the witness -- she said what you knew must to specify is
3 she referring to the Truro Police Service in general or Chief MacNeil because he's
4 already said he was not aware till 8:30 -- between 8:30 and 9:00 a.m. on Sunday, and I
5 believe Ms. Nijhawan's asking about information now that's more like 6:00 in the
6 morning, before he knew.

7 **MS. NASHA NIJHAWAN:** I'm happy to clarify.

8 I'm absolutely ---

9 **CHIEF DAVE MacNEIL:** Sure. Thank you.

10 **MS. NASHA NIJHAWAN:** --- asking about the information that
11 was available to the Truro Police Service, to the officers who were on duty at that time.

12 **CHIEF DAVE MacNEIL:** Okay.

13 **MS. NASHA NIJHAWAN:** And I'm asking you those questions in
14 your capacity as the Chief of the Truro Police Service ---

15 **CHIEF DAVE MacNEIL:** All right. Yeah.

16 **MS. NASHA NIJHAWAN:** --- based on the evidence that's before
17 the Commission.

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** And the reason I'm asking this question
20 is because you've made this -- you've expressed an opinion that it wasn't enough
21 information ---

22 **CHIEF DAVE MacNEIL:** Correct.

23 **MS. NASHA NIJHAWAN:** --- for your service to have done
24 anything.

25 **CHIEF DAVE MacNEIL:** Okay.

26 **MS. NASHA NIJHAWAN:** So that's the framework in which I'm
27 asking these questions.

28 **CHIEF DAVE MacNEIL:** Sure.

1 **MS. NASHA NIJHAWAN:** So I understand that the dispatcher had
2 received three BOLOs from the RCMP before 6:00 a.m., so this is during Sergeant
3 Hickox's shift.

4 **CHIEF DAVE MacNEIL:** Right.

5 **MS. NASHA NIJHAWAN:** I understand from your statement that
6 you were not aware of the BOLOs until after the incident was over. Have you since
7 been -- had a chance to take a look at those BOLOs?

8 **CHIEF DAVE MacNEIL:** I have at one point, yeah.

9 **MS. NASHA NIJHAWAN:** And you've seen them represented in
10 the Truro -- the Foundational Document as well.

11 **CHIEF DAVE MacNEIL:** The Foundational Document. Correct,
12 yeah.

13 **MS. NASHA NIJHAWAN:** So we know what we're talking about,
14 three ---

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. NASHA NIJHAWAN:** --- BOLOs that came in.

17 **CHIEF DAVE MacNEIL:** Yeah.

18 **MS. NASHA NIJHAWAN:** In addition to those BOLOs, which
19 would have been relayed from the dispatcher to Sergeant Hickox by one of the methods
20 that you described, his statement also adverts to the fact that he had contact with a
21 couple of members of the RCMP from Antigonish. Do you recall that?

22 Do you recall hearing about that?

23 **CHIEF DAVE MacNEIL:** I just -- I just saw it there, yeah.

24 **MS. NASHA NIJHAWAN:** You saw it there.

25 And are you aware now that those are officers that were sent from
26 another area to cover Colchester County that night?

27 **CHIEF DAVE MacNEIL:** No, not aware at all.

28 **MS. NASHA NIJHAWAN:** You weren't aware of that.

1 **CHIEF DAVE MacNEIL:** No.

2 **MS. NASHA NIJHAWAN:** That is the evidence before the
3 Commission. That's a surprise to you.

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** So to the extent that you've said in your
6 statement that nobody was covering Colchester County, you'll acknowledge that you
7 just didn't know that there were officers.

8 **CHIEF DAVE MacNEIL:** Yeah. For what Rick had reported, they
9 were there to do a next-of-kin notification, but yeah. I don't know. I'm not -- I wasn't
10 privy to that.

11 **MS. NASHA NIJHAWAN:** Okay. Thank you.

12 So in addition to contact with those Antigonish members who had,
13 according to Sergeant Hickox's statement -- we can pull it up again if necessary -- said
14 that there were four or five casualties. He also received information through the officers
15 that were posted at the Truro Hospital, who had encountered the victims, the surviving
16 victims, the MacDonalds ---

17 **CHIEF DAVE MacNEIL:** Okay.

18 **MS. NASHA NIJHAWAN:** --- and their families. And then some of
19 the folks who were coming to attend either as next-of-kin or social services of the Blair
20 and McCully children whose parents had been murdered. So they were aware that
21 there were both surviving victims and the children of deceased victims.

22 **CHIEF DAVE MacNEIL:** Okay. So we know that this is a multiple
23 homicide.

24 **MS. NASHA NIJHAWAN:** And so just in terms of canvassing the
25 information available to Sgt. Hickox, my understanding is that from these three sources,
26 the BOLOs, the contact with the Antigonish members, and the contact with the folks at
27 the hospital, he knew that there were four or five people murdered.

28 **CHIEF DAVE MacNEIL:** Okay.

1 **MS. NASHA NIJHAWAN:** And the suspect was arrestable for
2 homicide. He knew that there was at least one surviving casualty, the fellow who was in
3 the hospital and subsequently discharged. From the BOLO he knew that there were
4 houses burned in Portapique; he had the suspect's name and date of birth from the
5 BOLOs?

6 **CHIEF DAVE MacNEIL:** M'hm.

7 **MS. NASHA NIJHAWAN:** He knew also from the BOLOs that
8 there were -- the suspect had a known address in Dartmouth.

9 **CHIEF DAVE MacNEIL:** M'hm.

10 **MS. NASHA NIJHAWAN:** He had a PROS file number, which he
11 would have been able to search on his computer for more information.

12 **CHIEF DAVE MacNEIL:** M'hm.

13 **MS. NASHA NIJHAWAN:** He understood that the suspect was
14 considered an active shooter; that he was very familiar with guns; that he was armed
15 and dangerous, considered as such. He knew that the suspect's location was unknown,
16 and that he could be anywhere in the province. And he knew that various vehicles were
17 associated with the suspect, but it wasn't clear which one was in there.

18 To me, that seems like a lot of information about what was going
19 on. What information do you suggest was missing from the report available to Sgt.
20 Hickox, based on what was happening at that time? What would he have needed to
21 know?

22 **CHIEF DAVE MacNEIL:** I don't know. I'm not so sure -- I'm not
23 following your question.

24 So he was given those information, that BOLO, so what is your --
25 like, what is your question? He was given that information, so...?

26 **MS. NASHA NIJHAWAN:** Yeah. So you said that he didn't have
27 very much information ---

28 **CHIEF DAVE MacNEIL:** Pertaining ---

1 **MS. NASHA NIJHAWAN:** --- gone over ---

2 **CHIEF DAVE MacNEIL:** Pertaining to our jurisdiction, or...?

3 **MS. NASHA NIJHAWAN:** No, pertaining to what was happening in
4 Portapique.

5 **CHIEF DAVE MacNEIL:** Yeah. Based on that, he had information.
6 But, again, it didn't have anything to do with Truro particularly at that point in time.

7 **COMMISSIONER MacDONALD:** Sorry; Ms. Young?

8 **MS. RACHEL YOUNG:** Commissioners, again, it's just rather
9 hypothetical what other information. It's -- I'm not sure if there's specific information Ms.
10 Nijhawan's suggesting existed that she's referring to, or just in general what more
11 information would have been necessary. Just ask that we not ask the witness purely
12 hypothetical questions.

13 **MS. NASHA NIJHAWAN:** I'm going to suggest to the witness
14 instead that there was no other available information that Truro could have had, that the
15 RCMP had.

16 **CHIEF DAVE MacNEIL:** Okay.

17 **MS. NASHA NIJHAWAN:** You have no reason to believe that
18 there was a piece of information that was available that was being withheld by the
19 RCMP from Truro, is that fair?

20 **MS. RACHEL YOUNG:** Commissioners, I don't think the witness
21 can be asked what the RCMP knew. She's now asking, "What did the RCMP knew that
22 you didn't know?" I'm not sure that Chief MacNeil can answer that.

23 **COMMISSIONER MacDONALD:** Ms. Nijhawan?

24 **MS. NASHA NIJHAWAN:** Maybe I can rephrase the question to
25 make it more clear.

26 You've expressed the opinion, Chief MacNeil, that you didn't have
27 enough information -- and when I say, "You" I mean the Truro Police Service, ---

28 **CHIEF DAVE MacNEIL:** Right.

1 **MS. NASHA NIJHAWAN:** --- didn't have enough information to
2 understand the magnitude of the situation ---

3 **CHIEF DAVE MacNEIL:** Correct.

4 **MS. NASHA NIJHAWAN:** --- or the severity of the situation.

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **MS. NASHA NIJHAWAN:** Is it your contention that anything was
7 withheld?

8 **CHIEF DAVE MacNEIL:** I don't know. I don't know what
9 information they had.

10 **MS. RACHEL YOUNG:** Again, I'm not sure how Chief MacNeil can
11 say what he didn't know.

12 **COMMISSIONER MacDONALD:** Yeah, I think I get the ---

13 **MS. NASHA NIJHAWAN:** So instead, what you're saying is that
14 information, which was apparent, the information that I've outlined, wasn't enough to tell
15 your supervising member that there was anything to be done in Truro.

16 **CHIEF DAVE MacNEIL:** At that time, correct.

17 **MS. NASHA NIJHAWAN:** At that time.

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** That's your position.

20 **CHIEF DAVE MacNEIL:** Yeah.

21 **MS. NASHA NIJHAWAN:** Will you agree with me that if you have
22 a known address in Dartmouth and a shooting that started in Portapique, there's a
23 reasonable possibility that the shooter, if he's at large or his location is unknown, from a
24 policing perspective, would it be prudent to consider that he may travel from one point to
25 another?

26 **CHIEF DAVE MacNEIL:** One would hope there was proper
27 containment to prevent that, but yeah.

28 **COMMISSIONER MacDONALD:** Excuse me.

1 No outbursts, please. This is a difficult process we're involved in,
2 very difficult.

3 **UNIDENTIFIED SPEAKER:** We understand that.

4 **COMMISSIONER MacDONALD:** Yeah, it's very difficult, and we
5 have to have respect for who is testifying, who is asking the questions, and respect for
6 the process, please. It's very, very important. Everybody's doing their best.

7 I'm directing that if people are going to be here, we encourage
8 people to be here, Participants to be here, but there has to be decorum. There has to
9 be decorum.

10 Thank you.

11 **MS. NASHA NIJHAWAN:** Can you agree with me, Chief MacNeil,
12 that the TPS had been requested by the RCMP to be on the lookout for this suspect?

13 **CHIEF DAVE MacNEIL:** Us, and all police in Nova Scotia, correct,
14 yeah.

15 **MS. NASHA NIJHAWAN:** And that means that your members
16 were informed by the RCMP that if he entered your jurisdiction, you would be expected
17 to engage with him and attempt to stop him?

18 **CHIEF DAVE MacNEIL:** Correct, yeah.

19 **MS. NASHA NIJHAWAN:** So there's no mystery there.

20 **CHIEF DAVE MacNEIL:** No.

21 **MS. NASHA NIJHAWAN:** That is the direction; be on the lookout
22 for this person.

23 **CHIEF DAVE MacNEIL:** Right.

24 **MS. NASHA NIJHAWAN:** And you may have to engage with him.

25 **CHIEF DAVE MacNEIL:** Yeah. At the time overnight there were a
26 number of different vehicles that were associated with this gentleman and there was a
27 Mercedes, there was a Jeep, there was an F-150, there was possibly, you know,
28 lookalike decommissioned police vehicles that may or may not have been burnt at the

1 scene. So I think the information coming in at the time, he could be driving any of them.
2 So I don't know if that's what you're ---

3 **MS. NASHA NIJHAWAN:** No, I'm just asking what a BOLO
4 instructs you to do.

5 **CHIEF DAVE MacNEIL:** Yeah. So a BOLO would be on the
6 lookout for this gentleman, but there was a whole host of vehicles he could be driving,
7 and if we encountered that vehicle, he was arrestable for homicide. So that was the
8 direction or information all police in Nova Scotia would have received from the BOLO. I
9 don't think the BOLO was specific to Truro Police.

10 **MS. NASHA NIJHAWAN:** No, absolutely.

11 **CHIEF DAVE MacNEIL:** Yeah.

12 **MS. NASHA NIJHAWAN:** That's right. So you'd still tell me that
13 despite the BOLO and all that information, there was no need for staff -- for, sorry, for
14 Sgt. Hickox to have notified Inspector Smith about what was going on?

15 **CHIEF DAVE MacNEIL:** Correct.

16 **MS. NASHA NIJHAWAN:** Okay. And after 6:00 there's a shift
17 change.

18 **CHIEF DAVE MacNEIL:** There is, yeah.

19 **MS. NASHA NIJHAWAN:** We have Cpl. Cormier take on the role
20 of shift supervisor.

21 **CHIEF DAVE MacNEIL:** Correct.

22 **MS. NASHA NIJHAWAN:** And you'll agree with me that we know
23 from the Foundational Document there was an updated BOLO at 8:07 a.m.?

24 **CHIEF DAVE MacNEIL:** Yeah.

25 **MS. NASHA NIJHAWAN:** And are you familiar with that BOLO?

26 **CHIEF DAVE MacNEIL:** Just from the Foundational Document.

27 **MS. NASHA NIJHAWAN:** From the Foundational Document.

28 I wonder if we can pull it up, Madam Registrar. It's reproduced in

1 the Foundational Document, which is Exhibit number 1919 at paragraph 45. I'm sorry, I
2 don't have a page number.

3 **COMMISSIONER STANTON:** Did you say paragraph 45?

4 **MS. NASHA NIJHAWAN:** Paragraph 45, thank you.

5 **COMMISSIONER STANTON:** I think it's around page 23.

6 **MS. NASHA NIJHAWAN:** Thank you.

7 So I believe you told us you didn't see this BOLO at the time, but
8 this is the BOLO that your dispatcher would have received at 8:07.

9 **CHIEF DAVE MacNEIL:** Okay.

10 **MS. NASHA NIJHAWAN:** And you'll agree with me that the issue
11 that you had just identified, the confusion about which vehicle he was in, is added to, or
12 clarified a little bit, he's potentially using a fully-marked Ford Taurus, car number 28B11.
13 So this is the point at which the Truro Police Service is informed that this suspect is
14 likely in this vehicle?

15 **CHIEF DAVE MacNEIL:** Yeah. So that's the BOLO that went to all
16 police in Nova Scotia, right? Yeah.

17 **MS. NASHA NIJHAWAN:** Including the Truro Police Service.

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** Now, you told me that -- well, let's ask
20 this question first. This is a pretty significant development, wouldn't you agree, in the
21 severity ---

22 **CHIEF DAVE MacNEIL:** I would think.

23 **MS. NASHA NIJHAWAN:** --- of the situation?

24 **CHIEF DAVE MacNEIL:** Yeah.

25 **MS. NASHA NIJHAWAN:** So we had an active shooter, and now
26 we have an active shooter who was last seen loading firearms into a marked police car.

27 **CHIEF DAVE MacNEIL:** M'hm.

28 **MS. NASHA NIJHAWAN:** Have we reached the level yet of you

1 should notify a supervisor?

2 **CHIEF DAVE MacNEIL:** Well, a supervisor was notified, the on-
3 duty supervisor.

4 **MS. NASHA NIJHAWAN:** I'm asking -- I'm asking, though, in
5 terms of what was -- what would be enough information. Would this be enough
6 information?

7 **CHIEF DAVE MacNEIL:** It would depend on the circumstances
8 and the person that is in charge of the shift, their comfort level with that, so...

9 **MS. NASHA NIJHAWAN:** So you ---

10 **CHIEF DAVE MacNEIL:** I can't answer that, I wasn't there.

11 **MS. NASHA NIJHAWAN:** Well, as the Chief of the Toronto -- of
12 the Toronto; I'm doing it too -- the Truro Police Service, would you expect your
13 members to notify a senior office if they received this kind of information?

14 **CHIEF DAVE MacNEIL:** Potentially.

15 **MS. NASHA NIJHAWAN:** Potentially?

16 **CHIEF DAVE MacNEIL:** Yeah.

17 **MS. NASHA NIJHAWAN:** But not actually?

18 **CHIEF DAVE MacNEIL:** Again, it would depend on the supervisor
19 of the day and what his or her level of comfort was with that information.

20 **MS. NASHA NIJHAWAN:** And what the dispatcher; would you
21 expect the dispatcher to call in a senior officer ---

22 **CHIEF DAVE MacNEIL:** No.

23 **MS. NASHA NIJHAWAN:** --- if she receives this information?

24 **CHIEF DAVE MacNEIL:** That's not the dispatcher's role.

25 **MS. NASHA NIJHAWAN:** That's the sergeant's role?

26 **CHIEF DAVE MacNEIL:** Yeah, supervisor's role.

27 **MS. NASHA NIJHAWAN:** Okay. Now, I understand that this
28 BOLO was not relayed to Cpl. Cormier until 8:41, so that's 34 minutes later.

1 **CHIEF DAVE MacNEIL:** I don't know.

2 **MS. NASHA NIJHAWAN:** Okay. That's the evidence in the
3 Foundational Document. I can certainly refer you to a paragraph if you would like.

4 **COMMISSIONER MacDONALD:** I don't think he's disputing that,
5 Ms. Nijhawan.

6 **MS. NASHA NIJHAWAN:** Okay, thank you.

7 So that's a 34-minute delay in receiving this sort of startling
8 information about the car and it being sent to a member. Do you think anything could
9 be done about that kind of delay in relaying information from dispatch?

10 **CHIEF DAVE MacNEIL:** Again, I wasn't there. So I'm sure Cpl.
11 Cormier was doing other things, and I know there was probably some phone
12 conversations with telecoms that went on at the same time. So I'm not sure of the
13 whole timeline because, again, I wasn't there.

14 **MS. NASHA NIJHAWAN:** Okay. That's the sort of thing that could
15 have been sent by text message immediately, you'd agree?

16 **CHIEF DAVE MacNEIL:** It could have been for sure.

17 **MS. NASHA NIJHAWAN:** It could have been.

18 **CHIEF DAVE MacNEIL:** Yeah. But I don't know if he had that
19 verbal conversation with -- I'm not sure because, again, I wasn't there. So to rely on
20 that sole piece, I'm not 100 percent comfortable with that because we weren't there to
21 know what conversation was going on.

22 **MS. NASHA NIJHAWAN:** Okay. And from reviewing the
23 Foundational Document, you'll agree with me that immediately upon your dispatcher
24 informing Corporal Cormier of the information contained in this BOLO, he also received
25 a phone call from Staff Sergeant Bruce Briers, who was the Risk Manager in the OCC?

26 **CHIEF DAVE MacNEIL:** Okay.

27 **MS. NASHA NIJHAWAN:** That took place at 8:42 a.m., and there
28 was a -- an exchange between those individuals, and more information was provided to

1 Corporal Cormier.

2 **CHIEF DAVE MacNEIL:** Okay.

3 **MS. NASHA NIJHAWAN:** You don't -- you don't have any reason
4 to dispute that?

5 **CHIEF DAVE MacNEIL:** No.

6 **MS. NASHA NIJHAWAN:** And what happened next, I understand,
7 is that Briers, Risk Manager Briers, Staff Sergeant Briers sent Corporal Cormier a
8 picture of both the perpetrator and the car?

9 **CHIEF DAVE MacNEIL:** Okay.

10 **MS. NASHA NIJHAWAN:** Okay. And that's a full update. You
11 don't have any reason to believe that that isn't a full update on what the RCMP knew as
12 of -- just prior to nine o'clock that morning?

13 **MS. RACHEL YOUNG:** Just, again, this witness can't say what the
14 RCMP knew at that point in time.

15 **COMMISSIONER MacDONALD:** Yeah. I think the question was
16 whether he had any information. I think that's pretty obvious that he wouldn't have any
17 information that the RCMP had unless it was relayed to them, and you have
18 enumerated what was allayed -- relayed to him.

19 **MS. NASHA NIJHAWAN:** I'll move on.

20 **COMMISSIONER MacDONALD:** Thank you.

21 **MS. NASHA NIJHAWAN:** Thank you.

22 So I understand that there was some interaction between Deputy
23 Chief Hearn and Corporal Cormier that morning, and I'm a little bit confused about the
24 timeline of those interactions because you also get looped in during this period.

25 **CHIEF DAVE MacNEIL:** Okay.

26 **MS. NASHA NIJHAWAN:** So in your statement, at one point you
27 suggest that Detective, sorry, Deputy Chief ---

28 **CHIEF DAVE MacNEIL:** M'hm.

1 **MS. NASHA NIJHAWAN:** --- Hearn contacted you before he had
2 any information other than what he was -- what was available to the general public.

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **MS. NASHA NIJHAWAN:** And that as a result of that
5 conversation, he contacted Corporal Cormier, and Corporal Cormier initiated contact
6 with the OCC. Is that correct sequence of events as you recall?

7 **CHIEF DAVE MacNEIL:** Again, I was -- Sunday, I was home. So
8 at some point Sunday morning, Deputy Chief Hearn got a hold of me, and based on
9 what he learned on social media, and said there was something going on in Portapique.

10 **MS. NASHA NIJHAWAN:** And -- but Deputy Chief Hearn didn't
11 have any information from Corporal Cormier to offer you at that point?

12 **CHIEF DAVE MacNEIL:** Not at that point, no.

13 **MS. NASHA NIJHAWAN:** Okay. So you told us this morning that
14 that was between 8:30 and 9:00 a.m.

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. NASHA NIJHAWAN:** Is it possible that it was earlier?
17 Because Corporal Cormier's first call to the OCC at -- at Deputy Chief Hearn's direction
18 actually took place at 8:03. So is it possible that you heard earlier than eight o'clock?

19 **CHIEF DAVE MacNEIL:** No. I was outside in my backyard, so it
20 wasn't before 8:30. It was between 8:30 and 9 o'clock. I would say maybe more toward
21 9 o'clock, to be honest.

22 **MS. NASHA NIJHAWAN:** And so you're saying that Deputy
23 Chief Hearn had no information between ---

24 **CHIEF DAVE MacNEIL:** I don't know.

25 **MS. NASHA NIJHAWAN:** --- 8:30 and 9 o'clock?

26 **CHIEF DAVE MacNEIL:** I don't know what he had.

27 **MS. NASHA NIJHAWAN:** Nothing to offer you?

28 **CHIEF DAVE MacNEIL:** I wasn't contacted by Deputy Chief Hearn

1 until between nine -- 8:30 and 9 o'clock. So I don't know what information he had.

2 **MS. NASHA NIJHAWAN:** And you're certain that when he
3 contacted you, he had no specific information to offer you as a -- at -- that he had
4 received from on duty members or dispatch?

5 **CHIEF DAVE MacNEIL:** I don't know.

6 **MS. RACHEL YOUNG:** Commissioners, again ---

7 **COMMISSIONER MacDONALD:** Sorry.

8 Ms. Young?

9 **MS. RACHEL YOUNG:** Again, if Ms. Nijhawan would be careful to
10 phrase the question not to ask Chief MacNeil what someone else knew, because now
11 she appears to be asking what Deputy Chief Hearn knew when he spoke to
12 Chief MacNeil.

13 **MS. NASHA NIJHAWAN:** My question is what information was
14 offered.

15 **COMMISSIONER MacDONALD:** Yeah, I -- that's what we have to
16 stick with.

17 **CHIEF DAVE MacNEIL:** Yeah, and I -- and I answered that. So
18 between 8:30 and 9:00, the Deputy offered that there was an incident unfolding in
19 Portapique. That's what he learned from social media.

20 **MS. NASHA NIJHAWAN:** Okay. And did you get an update from
21 Deputy Chief Hearn after that?

22 **CHIEF DAVE MacNEIL:** At some point, after he received the
23 photo of the replica police car, yeah, he did call and say there's a replica police car
24 involved, and he told me then he had Inspector Smith going into the office.

25 **MS. NASHA NIJHAWAN:** Okay, so that would have been around
26 10 o'clock?

27 **CHIEF DAVE MacNEIL:** It would have been before that because I
28 had sent the email to Chris Leather and CO Bergerman prior to 10 o'clock. So it was

1 between probably 9:30 and 9:50, around there.

2 **MS. NASHA NIJHAWAN:** But just so I have the order of events
3 correctly ---

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** --- you got a text message from Deputy
6 Chief Hearn, which had no specific information ---

7 **CHIEF DAVE MacNEIL:** I had a phone call from Deputy
8 Chief Hearn.

9 **MS. NASHA NIJHAWAN:** --- in it. You had a phone call ---

10 **CHIEF DAVE MacNEIL:** Correct.

11 **MS. NASHA NIJHAWAN:** --- from Deputy Chief Hearn?

12 **CHIEF DAVE MacNEIL:** Yeah.

13 **MS. NASHA NIJHAWAN:** Okay. So your first contact with Deputy
14 Chief Hearn is a phone call ---

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. NASHA NIJHAWAN:** --- between 8:30 and 9:00 ---

17 **CHIEF DAVE MacNEIL:** Correct.

18 **MS. NASHA NIJHAWAN:** --- where he has no specific information
19 that he offers you?

20 **CHIEF DAVE MacNEIL:** Right.

21 **MS. NASHA NIJHAWAN:** Then he provides you with an update ---

22 **CHIEF DAVE MacNEIL:** M'hm.

23 **MS. NASHA NIJHAWAN:** --- before 9:50?

24 **CHIEF DAVE MacNEIL:** Yes.

25 **MS. NASHA NIJHAWAN:** Before you send that email?

26 **CHIEF DAVE MacNEIL:** Yeah.

27 **MS. NASHA NIJHAWAN:** And that update contains what
28 information?

1 **CHIEF DAVE MacNEIL:** That there was a -- he was sending
2 Inspector Smith in the office to get more information is all it was. So that -- that the
3 event was still unfolding, and I can't remember exactly, but the event was still unfolding
4 and he -- and he tasked Inspector Smith with going in the office.

5 **MS. NASHA NIJHAWAN:** Did he give you any information about
6 the BOLO that he had -- that Corporal Cormier had received?

7 **CHIEF DAVE MacNEIL:** Yeah. He had mentioned the replica
8 police car.

9 **MS. NASHA NIJHAWAN:** And did he send you a picture of the
10 car?

11 **CHIEF DAVE MacNEIL:** Yeah.

12 **MS. NASHA NIJHAWAN:** Okay.

13 **CHIEF DAVE MacNEIL:** Yeah.

14 **MS. NASHA NIJHAWAN:** So that's not mentioned in your
15 statement, but ---

16 **CHIEF DAVE MacNEIL:** Okay.

17 **MS. NASHA NIJHAWAN:** --- you remember now that ---

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** --- you actually had received a picture of
20 the car ---

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** --- an update from Deputy Chief Hearn.

23 **CHIEF DAVE MacNEIL:** Well, the update was there was -- this is
24 still transpiring and it looks like the guy's got a police car, and that was it.

25 **MS. NASHA NIJHAWAN:** And that was ---

26 **CHIEF DAVE MacNEIL:** And that he was sending Inspector Smith
27 into the office; correct.

28 **MS. NASHA NIJHAWAN:** Okay. And after that interaction where

1 you received all of that information from ---

2 **CHIEF DAVE MacNEIL:** Yeah.

3 **MS. NASHA NIJHAWAN:** --- Deputy Chief Hearn, you sent an
4 email to Chief Superintendent ---

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **MS. NASHA NIJHAWAN:** --- Chris Leather? Okay. Thank you for
7 helping me clarify that timeline.

8 **CHIEF DAVE MacNEIL:** Okay.

9 **MS. NASHA NIJHAWAN:** Now, I don't think there is any dispute
10 that the perpetrator was active again that morning, and that the first time that the RCMP
11 became informed that he was active was at 9:42, so this was a turning point in the
12 events of the morning.

13 **CHIEF DAVE MacNEIL:** Okay.

14 **MS. NASHA NIJHAWAN:** Before you emailed Chris Leather, did
15 you know that he had become active again?

16 **CHIEF DAVE MacNEIL:** No.

17 **MS. NASHA NIJHAWAN:** No. And are you aware of when the
18 Truro Police Service became aware that he was active again?

19 **CHIEF DAVE MacNEIL:** No.

20 **MS. NASHA NIJHAWAN:** You don't know?

21 **CHIEF DAVE MacNEIL:** No.

22 **MS. NASHA NIJHAWAN:** At any point before you went into the
23 office did someone tell you that he has become active again ---

24 **CHIEF DAVE MacNEIL:** No.

25 **MS. NASHA NIJHAWAN:** --- that he is actively committing
26 murders?

27 **CHIEF DAVE MacNEIL:** No.

28 **MS. NASHA NIJHAWAN:** So nobody from the Truro Police

1 Service updated you and said, "He is out there again active"?

2 **CHIEF DAVE MacNEIL:** Right.

3 **MS. NASHA NIJHAWAN:** Okay. So when you send the email to
4 Chris Leather ---

5 **CHIEF DAVE MacNEIL:** M'hm.

6 **MS. NASHA NIJHAWAN:** --- you have no information that the
7 perpetrator has been active that morning?

8 **CHIEF DAVE MacNEIL:** I personally don't know.

9 **MS. NASHA NIJHAWAN:** And the mindset that you're in when you
10 send this email is that this thing happened last night ---

11 **CHIEF DAVE MacNEIL:** Yeah.

12 **MS. NASHA NIJHAWAN:** --- and maybe I can help you in
13 Colchester County if your members are otherwise tied up?

14 **CHIEF DAVE MacNEIL:** Correct.

15 **MS. NASHA NIJHAWAN:** Okay. You're not helping to help with
16 what you think is an active situation?

17 **CHIEF DAVE MacNEIL:** No, ma'am.

18 **MS. NASHA NIJHAWAN:** Okay. And at any point before you go
19 into the office, did anybody provide you with that update, anybody from the Truro Police
20 Service?

21 **CHIEF DAVE MacNEIL:** No.

22 **MS. NASHA NIJHAWAN:** So your last best information from your
23 service is the information that you received prior to the perpetrator becoming active
24 again, that you received through messages from ---

25 **CHIEF DAVE MacNEIL:** From the Deputy Chief; correct?

26 **MS. NASHA NIJHAWAN:** --- the Deputy Chief?

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MS. NASHA NIJHAWAN:** Okay. And so you're at home?

1 **CHIEF DAVE MacNEIL:** Yeah.

2 **MS. NASHA NIJHAWAN:** And you're -- you've received this email
3 from Chief Superintendent Leather. And the Foundational Document has suggested
4 that you went in sometime between 10:25 and 11:07.

5 **CHIEF DAVE MacNEIL:** Correct.

6 **MS. NASHA NIJHAWAN:** That's a pretty big ---

7 **CHIEF DAVE MacNEIL:** Yeah.

8 **MS. NASHA NIJHAWAN:** --- window. I'm going to suggest to you
9 that there's a swipe card on your -- on your building entrance?

10 **CHIEF DAVE MacNEIL:** No, there's a keypad.

11 **MS. NASHA NIJHAWAN:** A keypad.

12 **CHIEF DAVE MacNEIL:** Yeah.

13 **MS. NASHA NIJHAWAN:** And that's how you track entrances and
14 exits ---

15 **CHIEF DAVE MacNEIL:** Yeah.

16 **MS. NASHA NIJHAWAN:** --- to the building?

17 **CHIEF DAVE MacNEIL:** Right.

18 **MS. NASHA NIJHAWAN:** Are you familiar with the disclosure that
19 you provided to the Commission of that keypad?

20 **CHIEF DAVE MacNEIL:** But what -- and what I can't recall, I do
21 recall, I don't know who it was, when I got there, there was another officer going up to
22 the building and put their code in and I walked in with them, went downstairs and got
23 changed, and came back up on the floor. So I don't know -- I don't want to say I was
24 there at 10:42, I don't want to say I was there at 10:30, I don't want say it was 11:07, but
25 at 11:07, I came back in the building. So I poked my head out to see what vehicles
26 there and I came back in the building.

27 **MS. NASHA NIJHAWAN:** I see.

28 **CHIEF DAVE MacNEIL:** I don't know -- I -- and again, I don't know

1 who -- which officer it was, but somebody was there, either by the door, at the door, or
2 just ahead of me put their code. So if you wanted to check in there, there was
3 somebody coming in the door.

4 **MS. NASHA NIJHAWAN:** So you went in with somebody else
5 under somebody else's code?

6 **CHIEF DAVE MacNEIL:** Yeah.

7 **MS. NASHA NIJHAWAN:** And you don't know who that person
8 was?

9 **CHIEF DAVE MacNEIL:** I don't know. I can't -- it's two years ago.
10 I don't know if it was Matt Poupart, who it was, I'm not sure.

11 **MS. NASHA NIJHAWAN:** Okay.

12 **CHIEF DAVE MacNEIL:** But there was somebody with a code. I
13 ran downstairs to get my equipment and my uniform and that was -- that was -- so I
14 don't know what time I came in to be honest.

15 **MS. NASHA NIJHAWAN:** You told the Commission during an
16 interview that the reason that you came in was not information that you received from
17 your own service, but ---

18 **CHIEF DAVE MacNEIL:** Correct.

19 **MS. NASHA NIJHAWAN:** --- information that your daughter
20 relayed to you based on something she saw on social media?

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** And that thing on social media was a
23 report about the Onslow shooting?

24 **CHIEF DAVE MacNEIL:** It wasn't a report at all. It was a friend of
25 hers that played basketball with her who said they heard gunshots up the road, and that
26 was all it was.

27 **MS. NASHA NIJHAWAN:** I see, so it wasn't social media?

28 **CHIEF DAVE MacNEIL:** I don't know if it was Instagram, or I don't

1 know what it was -- what it was, but it was a teenager -- some kind of teenage platform,
2 I'm not sure, because my daughter said that was what it was.

3 **MS. NASHA NIJHAWAN:** Okay. And how far away from the
4 station do you live? In minutes of commuting I guess, not in distance. How many
5 minutes does it take you?

6 **CHIEF DAVE MacNEIL:** Yeah. Well, I tell you where I live, I live in
7 Valley, so it's seven minutes, eight minutes, nine minutes.

8 **MS. NASHA NIJHAWAN:** Seven or eight minutes?

9 **CHIEF DAVE MacNEIL:** Ten minutes? Something like that.

10 **MS. NASHA NIJHAWAN:** And how quickly after the incident in
11 Onslow did you leave your house?

12 **CHIEF DAVE MacNEIL:** It was two years ago, so I'm not sure. It
13 wasn't long.

14 **MS. NASHA NIJHAWAN:** It wasn't long.

15 **CHIEF DAVE MacNEIL:** Yeah, and I don't -- like, it would depend
16 too on when she had the information. Like, I don't know, was it 10:15 that she said,
17 "Oh, wow, there's going to be shots in Onslow"? I'm not sure. I don't recall that. But it
18 was very shortly after, because I thought it was extremely odd that there were shots in
19 Onslow when the most recent information I got from Chris Leather at 10 o'clock was,
20 "We have this -- it looks like we have the suspect pinned down in Wentworth."

21 So Wentworth is a fair distance from Onslow.

22 In my mind, I thought maybe there's a second shooter, maybe
23 there's a copycat, who knows, because I was going based on what Chris had told me. It
24 was -- he -- the gentleman -- the person was pinned down in Wentworth, so that's the
25 best information I had.

26 **MS. NASHA NIJHAWAN:** That information that you had, the best
27 information that you had from Chief Superintendent Leather, did you pass it on to
28 anybody in your police service from home at 10 o'clock?

1 **CHIEF DAVE MacNEIL:** When I got to the building, I passed it on
2 to Darrin Smith, and yeah, I don't think I did before I got there.

3 **MS. NASHA NIJHAWAN:** And you told Inspector Smith that that
4 information was from 10 o'clock?

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **MS. NASHA NIJHAWAN:** Okay. Sorry, give me one moment.
7 I think you just told me that you did receive a copy of the photo from
8 Deputy Chief Hearn that morning; is that right?

9 **CHIEF DAVE MacNEIL:** I think he sent me a text picture of it,
10 yeah.

11 **MS. NASHA NIJHAWAN:** You think you sent him a text picture?
12 So to the extent ---

13 **CHIEF DAVE MacNEIL:** I think he sent me a text picture. I didn't
14 send him one.

15 **MS. NASHA NIJHAWAN:** I'm sorry. I sometimes switch my
16 pronouns ---

17 **CHIEF DAVE MacNEIL:** Yeah.

18 **MS. NASHA NIJHAWAN:** --- by accident.

19 So you are now telling us that you did have a copy of the
20 photographs from Deputy Chief Hearn?

21 **CHIEF DAVE MacNEIL:** I think I did, yeah.

22 **MS. NASHA NIJHAWAN:** You think you did?

23 **CHIEF DAVE MacNEIL:** Yeah.

24 **MS. NASHA NIJHAWAN:** And to the extent that you said
25 otherwise during your Mass Casualty Commission interview, that was incorrect?

26 **CHIEF DAVE MacNEIL:** I think I had a picture of his -- of the car,
27 and again, it's been over two years ago, so I think he sent me a text picture, because I
28 seen the car either there or when I got to the building, but I can't recall offhand.

1 **MS. NASHA NIJHAWAN:** So when you, for example, drove from
2 your home in Valley to the police station, you knew ---

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **MS. NASHA NIJHAWAN:** --- to be looking out for that car?

5 **CHIEF DAVE MacNEIL:** I would think, yeah.

6 **MS. NASHA NIJHAWAN:** You would think?

7 **CHIEF DAVE MacNEIL:** Yeah. If he sent me the picture, which I
8 believe he did, but again, it's two years ago. I'm not 100 percent sure, but I'm pretty
9 sure he sent a picture of the car.

10 **MS. NASHA NIJHAWAN:** Now you're pretty sure?

11 **CHIEF DAVE MacNEIL:** Yeah, pretty sure.

12 **MS. NASHA NIJHAWAN:** Okay.

13 **CHIEF DAVE MacNEIL:** Yeah.

14 **MS. NASHA NIJHAWAN:** Did you take any other steps that
15 morning before you left home to inform yourself about the most up to date information of
16 what was happening?

17 **CHIEF DAVE MacNEIL:** No. The most up to date information I
18 had was at 10 o'clock from Chief Superintendent Leather that he was pinned down in
19 Wentworth, so that's -- the decisions I made from there were based on that information
20 from the CRoPS officer.

21 **MS. NASHA NIJHAWAN:** And you weren't seeking any
22 information from your dispatcher?

23 **CHIEF DAVE MacNEIL:** No. I -- Chris is a senior officer in the
24 province. He's second in charge of the RCMP. I felt his information was probably better
25 than my dispatcher's information.

26 **MS. NASHA NIJHAWAN:** And his information was that they may
27 have the suspect pinned down in Wentworth?

28 **CHIEF DAVE MacNEIL:** I believe he stated, "It looks like we have

1 him pinned down in Wentworth."

2 **MS. NASHA NIJHAWAN:** Maybe we should look at the email then.

3 **CHIEF DAVE MacNEIL:** Yeah. I don't know verbatim. Sure, why
4 not.

5 **MS. NASHA NIJHAWAN:** So Madam Registrar, perhaps we can
6 call up Exhibit 1926, and go down to the next page. I think we might need to go to page
7 3, but perhaps we can scroll down to Chief MacNeil's initial email. This is something
8 you sent from your phone?

9 **CHIEF DAVE MacNEIL:** Correct, yeah.

10 **MS. NASHA NIJHAWAN:**

11 "If Colchester needs any support from Truro Police
12 Services, let me know." (As read)

13 And you already told us that was about policing the county, just
14 backup?

15 **CHIEF DAVE MacNEIL:** Yeah, whatever they needed.

16 **MS. NASHA NIJHAWAN:** And what Chris Leather says is:

17 "It sounds like we may ---

18 I think there's a word missing, have ---

19 "--- the suspect pinned down in Wentworth. Will be in
20 touch." (As read)

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** Did you ever get confirmation that the
23 suspect was, in fact, captured?

24 **CHIEF DAVE MacNEIL:** I never heard back from Chris, no.

25 **MS. NASHA NIJHAWAN:** Did you seek out that information from
26 anybody?

27 **CHIEF DAVE MacNEIL:** When I got to the police station, I got an
28 update from what was going on, sure.

1 **MS. NASHA NIJHAWAN:** And when you got to the police station,
2 what was the update that you got that was going on?

3 **CHIEF DAVE MacNEIL:** There was -- Cormier and Inspector
4 Smith were talking to Telecoms quite a bit, and I didn't really get an update from them
5 right away as soon as I came through the door, as I went downstairs to get my
6 equipment and stuff first. And then when I came upstairs, they were engaged with
7 phone conversations back and forth.

8 There was some dialogue with Constable Dan Taylor and the
9 RCMP officer at the hospital at about 9:47. That RCMP officer told Dan Taylor that --
10 and this -- again, this is not first hand from me, this is what was transmitted over our
11 radio system -- that the RCMP suggested that there was an RCMP cruiser on the side
12 of the road at Wentworth, driver was deceased, it could be him. So that was another
13 piece of information.

14 So there was information coming from several sources at that
15 period of time, so I was trying to disseminate and work through what those sources of
16 information were and what was being said.

17 **MS. NASHA NIJHAWAN:** And did you receive information when
18 you arrived at the police station about all of the notifications the Truro Police Service
19 had received about the shooter being active again, for example, shooting a woman in
20 Wentworth, shooting a couple of women in Debert?

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** Did you receive that information?

23 **CHIEF DAVE MacNEIL:** I wasn't in the building long, and then we
24 got called to go to the Sobeys on Lower -- in Lower Truro, so there wasn't a whole lot of
25 -- both of those gentlemen were on the phone with the RCMP when I got there, so there
26 wasn't a whole lot of opportunity to engage in what BOLO did we get at what point in
27 time. It was pretty fluid and it was -- information was coming in pretty quickly at that
28 time.

1 **MS. NASHA NIJHAWAN:** I'm going to suggest to you that you
2 acted based on the information in this email, "It sounds like we may have the suspect
3 pinned down in Wentworth," and didn't look for any other information from the Service.

4 **CHIEF DAVE MacNEIL:** When I get into the office, you mean?

5 **MS. NASHA NIJHAWAN:** Yeah.

6 **CHIEF DAVE MacNEIL:** Well, I just explained it to you. When I
7 got into the office, both of the officers were involved in telephone calls with the RCMP.
8 I did base my decisions based on Chris Leather's email, absolutely
9 I did.

10 **MS. NASHA NIJHAWAN:** And no other information other than
11 that?

12 **CHIEF DAVE MacNEIL:** I didn't have any other information til I got
13 to the police station, correct.

14 **MS. NASHA NIJHAWAN:** In your interview as part of this inquiry,
15 you said, "The decisions I made in the rest of the day were based on that email, that
16 they had some suspect in Wentworth."

17 And you also suggested you, you know, told everybody to sort of
18 cool it because you thought ---

19 **CHIEF DAVE MacNEIL:** Yeah.

20 **MS. NASHA NIJHAWAN:** --- it was over?

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** Will you agree with me that Truro Police
23 Service had information after 10:00 a.m. that it, in fact, was not over?

24 **CHIEF DAVE MacNEIL:** We had conflicting information. We had
25 an RCMP member at the hospital tell one of our officers at the hospital that the police
26 car was on the side of the road in Wentworth with a deceased driver, thought it was him.

27 I had Chris Leather's email at 10 o'clock telling me they had him --
28 they thought they had him pinned down in Wentworth, which is quite a distance from

1 Truro.

2 So when I got into the building, that was the information that I had
3 at the time.

4 **MS. NASHA NIJHAWAN:** And you'll agree with me that the
5 interaction that you were having with Chris Leather was sort of in a separate silo from
6 the information that was being exchanged as between Inspector Smith and Corporal
7 Cormier and the RCMP?

8 **CHIEF DAVE MacNEIL:** I don't know exactly at that time what that
9 information was because I wasn't there. So my information was from Chris Leather at
10 time because I was home.

11 **MS. NASHA NIJHAWAN:** So I want to talk about what the Truro
12 Police Service learned after 9:42.

13 **CHIEF DAVE MacNEIL:** Okay.

14 **MS. NASHA NIJHAWAN:** So fair to say you were not in the loop at
15 this time?

16 **COMMISSIONER MacDONALD:** Sorry, we're going to have to be
17 really clear because you said you wanted to talk about what the Truro Police Service
18 knew, and then you were asking if he was in the loop, so we just have to be really clear
19 that which is ---

20 **MS. NASHA NIJHAWAN:** I apologize. I will try and be more
21 precise.

22 **COMMISSIONER MacDONALD:** Sure.

23 **MS. NASHA NIJHAWAN:** So at 9:42, you told me that you were at
24 home?

25 **CHIEF DAVE MacNEIL:** Yeah.

26 **MS. NASHA NIJHAWAN:** And you personally were not in the loop
27 with what was happening as between Corporal Cormier and the RCMP?

28 **CHIEF DAVE MacNEIL:** Correct.

1 **MS. NASHA NIJHAWAN:** There were communications happening
2 that you were not a part of?

3 **CHIEF DAVE MacNEIL:** Right, I wasn't aware of any of them.

4 **MS. NASHA NIJHAWAN:** You know that now?

5 **CHIEF DAVE MacNEIL:** Now, after the fact, sure.

6 **MS. NASHA NIJHAWAN:** And you know now, based on the
7 foundational document that you received, that your dispatch was informed at 9:43 that
8 there was an active shooter again, that the shooter was active again ---

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. NASHA NIJHAWAN:** --- and that he was headed towards
11 Truro?

12 **CHIEF DAVE MacNEIL:** Well, they said he was leaving Wentworth
13 heading towards Truro, so that's travelling east. There's a lot of distance between
14 Wentworth and Truro, but that's what the information was saying.

15 **MS. NASHA NIJHAWAN:** So the information as of 9:43 is he's
16 leaving Wentworth?

17 **CHIEF DAVE MacNEIL:** M'hm.

18 **MS. NASHA NIJHAWAN:** He's travelling towards Truro?

19 **CHIEF DAVE MacNEIL:** Left in the direction of Truro, yeah.

20 **MS. NASHA NIJHAWAN:** Headed ---

21 **CHIEF DAVE MacNEIL:** Not travelling to Truro, but ---

22 **MS. NASHA NIJHAWAN:** Headed towards Truro is the information
23 that ---

24 **CHIEF DAVE MacNEIL:** Yeah, okay.

25 **MS. NASHA NIJHAWAN:** --- you -- that your folks received.

26 **CHIEF DAVE MacNEIL:** Okay. So -- and I will say the information
27 also at 9:47, an officer at the hospital heard from an RCMP officer at the hospital that
28 there's a car, a RCMP car on the side of the road in Wentworth with a deceased driver

1 and they believed it was him. So that's another piece of information that is floating
2 around out there too.

3 **MS. NASHA NIJHAWAN:** And as between those two pieces of
4 information, which one is the more reliable, Chief MacNeil?

5 **CHIEF DAVE MacNEIL:** Yeah, for sure.

6 **MS. NASHA NIJHAWAN:** So you have no opinion about whether
7 or not the information being relayed by RCMP dispatch to Truro dispatch is more
8 reliable than a second hand rumour someone heard at the hospital?

9 **CHIEF DAVE MacNEIL:** It was -- so it was four minutes or three
10 minutes before that, so I don't know. I wasn't there, but at 9:47 an RCMP member at
11 the hospital was telling our member that there's an RCMP car on the side of the road in
12 Wentworth with a deceased driver. That's after we got the information at 9:43 that you
13 were talking about, or 9:42 whatever it is.

14 **MS. NASHA NIJHAWAN:** So are you suggesting that the Truro
15 Police Service ---

16 **CHIEF DAVE MacNEIL:** I'm not suggesting anything. I wasn't
17 there, so I don't know what they did really.

18 **MS. NASHA NIJHAWAN:** Okay.

19 **CHIEF DAVE MacNEIL:** Yeah. I'm just saying there was other
20 information as well, other than the 9:43 BOLO.

21 **MS. NASHA NIJHAWAN:** And that information exchange was
22 happening without your involvement?

23 **CHIEF DAVE MacNEIL:** Right, yeah.

24 **MS. NASHA NIJHAWAN:** And you didn't call dispatch after 10
25 o'clock and say, "Stand down. He may be pinned down in Wentworth"?

26 **CHIEF DAVE MacNEIL:** No.

27 **MS. NASHA NIJHAWAN:** So there was nothing other than the
28 information that was relayed by the RCMP to the Truro Police Service at 9:43 that

1 suggested anything other than he is headed towards Truro, he's just shot someone by
2 the side of the road in Wentworth?

3 **CHIEF DAVE MacNEIL:** Other than the information that Constable
4 Taylor put over the radio from the officer at the hospital that said there was a police
5 cruiser at the side of the road on Highway 4 in Wentworth with a deceased driver, and
6 they believed it could be him.

7 **MS. NASHA NIJHAWAN:** And whose job is it to decide or direct
8 members what to do about this information if there's conflicting information?

9 **CHIEF DAVE MacNEIL:** So I think Corporal Cormier, in his report,
10 or his information in the Foundational Document, his radio transmission said, "That's
11 great, could be, but let's treat it as if he's not." So that would be the supervisor on duty.

12 **CHIEF DAVE MacNEIL:** And you didn't tell your members about
13 this idea that he may be pinned down in Wentworth, and so if nobody else did, it
14 certainly wasn't you. You have no reason to believe that anybody else told your
15 members that ---

16 **CHIEF DAVE MacNEIL:** Not until I came into the office, yeah.

17 **MS. NASHA NIJHAWAN:** So as between sometime after 9:25, as
18 between 9:43, when the Dispatch ---

19 **CHIEF DAVE MacNEIL:** Yeah.

20 **MS. NASHA NIJHAWAN:** --- informed your -- OCC Dispatch
21 informed your Dispatch ---

22 **CHIEF DAVE MacNEIL:** Right.

23 **MS. NASHA NIJHAWAN:** --- "He's shot another person, he's
24 headed towards Truro" ---

25 **CHIEF DAVE MacNEIL:** Yeah.

26 **MS. NASHA NIJHAWAN:** --- and when you arrive at the office
27 sometime after 10:25, there is no reason for them to be deterred from that information,
28 aside from this report that you're referring to about someone on the side of the road in

1 Wentworth?

2 **CHIEF DAVE MacNEIL:** Right.

3 **MS. NASHA NIJHAWAN:** Okay.

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** And you'll agree with me that if the
6 perpetrator was spotted in Wentworth shortly before 9:42 ---

7 **CHIEF DAVE MacNEIL:** M'hm.

8 **MS. NASHA NIJHAWAN:** --- and he was headed towards Truro,
9 how many minutes would you expect him to take to get to Truro? Would you agree it
10 would be like 35, 40-minutes?

11 **CHIEF DAVE MacNEIL:** Probably closer to 40-minutes, sure.

12 **MS. NASHA NIJHAWAN:** Closer to 40-minutes?

13 **CHIEF DAVE MacNEIL:** Yeah, depending on the route, yeah.

14 **MS. NASHA NIJHAWAN:** Okay. And there could be a margin of
15 error for a delay as to when the initial call got reported. He could have left ---

16 **CHIEF DAVE MacNEIL:** Sure.

17 **MS. NASHA NIJHAWAN:** --- earlier than 9:42?

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** So there would be a way to sort of
20 gauge, based on that information, when he might be arriving in Truro?

21 **CHIEF DAVE MacNEIL:** I suppose, yeah.

22 **MS. NASHA NIJHAWAN:** You suppose.

23 **CHIEF DAVE MacNEIL:** Yeah.

24 **MS. NASHA NIJHAWAN:** And you agree that we now know that
25 the perpetrator was in fact headed to Truro and he in fact arrived in your -- in your town
26 around 10:15. We know that now; right?

27 **CHIEF DAVE MacNEIL:** Yeah. Yeah.

28 **MS. NASHA NIJHAWAN:** That was, you know, about 30-minutes

1 after Dispatch informed you that he was headed towards your town.

2 **CHIEF DAVE MacNEIL:** Okay.

3 **MS. NASHA NIJHAWAN:** And I understand that during this time,
4 none of your officers took up strategic locations at the entry points to the Town of Truro.

5 **CHIEF DAVE MacNEIL:** Correct.

6 **MS. NASHA NIJHAWAN:** To monitor for the perpetrator's vehicle.
7 And at this point, we know what he's driving; right? We know that he's in this marked
8 RCMP cruiser?

9 **CHIEF DAVE MacNEIL:** Well, it's a possibility, yeah.

10 **MS. NASHA NIJHAWAN:** It's a possibility?

11 **CHIEF DAVE MacNEIL:** Yeah.

12 **MS. NASHA NIJHAWAN:** And do you know where your members
13 were at that time that he drove through Truro?

14 **CHIEF DAVE MacNEIL:** No. Other than ---

15 **MS. NASHA NIJHAWAN:** You don't know where they are?

16 **CHIEF DAVE MacNEIL:** --- from the Foundational Document.

17 **MS. NASHA NIJHAWAN:** Okay. So you now know where they
18 were?

19 **CHIEF DAVE MacNEIL:** Right.

20 **MS. NASHA NIJHAWAN:** And you'll agree with me that two of the
21 members were at the hospital, that would be Reeves and Taylor ---

22 **CHIEF DAVE MacNEIL:** M'hm.

23 **MS. NASHA NIJHAWAN:** --- and two members were at the -- at
24 the Truro Police station.

25 **CHIEF DAVE MacNEIL:** Yeah, at that -- what time?

26 **MS. NASHA NIJHAWAN:** In the window of time ---

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MS. NASHA NIJHAWAN:** --- that the perpetrator drove through

1 your town ---

2 **CHIEF DAVE MacNEIL:** Okay.

3 **MS. NASHA NIJHAWAN:** --- that's where they were. You don't
4 have any reason ---

5 **CHIEF DAVE MacNEIL:** Yeah, if that's -- if that's what the GPS is -
6 --

7 **MS. NASHA NIJHAWAN:** And you don't have any reason to
8 suggest otherwise?

9 **CHIEF DAVE MacNEIL:** No. Right.

10 **MS. NASHA NIJHAWAN:** This idea of locking down the town ---

11 **CHIEF DAVE MacNEIL:** M'hm.

12 **MS. NASHA NIJHAWAN:** --- is sort of a -- an issue of contention I
13 think.

14 **CHIEF DAVE MacNEIL:** Yeah.

15 **MS. NASHA NIJHAWAN:** My friend, Ms. Young, asked you about
16 it, and you suggested that it wasn't, if I understand your evidence, it wasn't a clear or a
17 formal request ---

18 **CHIEF DAVE MacNEIL:** Right.

19 **MS. NASHA NIJHAWAN:** --- that Truro lock down its town?

20 **CHIEF DAVE MacNEIL:** I -- to be clear, I didn't receive the
21 request, but looking at it today, it's not very ---

22 **MS. NASHA NIJHAWAN:** That -- that's right.

23 **CHIEF DAVE MacNEIL:** --- it's not a very clear -- yeah.

24 **MS. NASHA NIJHAWAN:** And I think you told us, and I think
25 there's some people who will be monitoring this proceeding ---

26 **CHIEF DAVE MacNEIL:** M'hm.

27 **MS. NASHA NIJHAWAN:** --- who aren't familiar with Nova Scotia,
28 as you are, and I am. Truro is a small town.

1 **CHIEF DAVE MacNEIL:** M'hm.

2 **MS. NASHA NIJHAWAN:** It's 12 or 13,000 people; is that fair?

3 **CHIEF DAVE MacNEIL:** Correct, yeah.

4 **MS. NASHA NIJHAWAN:** And you mentioned that the Town gets
5 35,000 people visiting in a day.

6 **CHIEF DAVE MacNEIL:** M'hm. Yeah.

7 **MS. NASHA NIJHAWAN:** Is that -- is that what your evidence
8 was?

9 **CHIEF DAVE MacNEIL:** Absolutely.

10 **MS. NASHA NIJHAWAN:** And that you're the service centre for
11 even more people ---

12 **CHIEF DAVE MacNEIL:** M'hm.

13 **MS. NASHA NIJHAWAN:** --- in the Colchester region?

14 **CHIEF DAVE MacNEIL:** Right.

15 **MS. NASHA NIJHAWAN:** So a lot of traffic in and out of Truro in
16 the normal course.

17 **CHIEF DAVE MacNEIL:** Yeah, in a normal course, yeah.

18 **MS. NASHA NIJHAWAN:** And that includes Portapique.

19 Portapique would be one of those catchment towns that would have the closest service
20 ---

21 **CHIEF DAVE MacNEIL:** People from all over ---

22 **MS. NASHA NIJHAWAN:** --- in Truro?

23 **CHIEF DAVE MacNEIL:** --- Nova Scotia or beyond, sure. Yeah.

24 **MS. NASHA NIJHAWAN:** Is it fair to say that given -- I think you
25 described Truro as a hub ---

26 **CHIEF DAVE MacNEIL:** M'hm.

27 **MS. NASHA NIJHAWAN:** --- and I think you said in your
28 statement that all roads lead to Truro.

1 **CHIEF DAVE MacNEIL:** Yeah.

2 **MS. NASHA NIJHAWAN:** So fair to say that as a -- as a municipal
3 police force, it's something you might need to anticipate someone coming through Truro
4 if they were a -- an armed, dangerous suspect on the loose, in general terms not on this
5 day?

6 **CHIEF DAVE MacNEIL:** Yeah, it could be.

7 **MS. NASHA NIJHAWAN:** Did you tell us today that you had a
8 policy for that?

9 **CHIEF DAVE MacNEIL:** We don't have a policy. We have
10 pre-planning in place, but we have no ---

11 **MS. NASHA NIJHAWAN:** You have a plan?

12 **CHIEF DAVE MacNEIL:** Yeah, absolutely.

13 **MS. NASHA NIJHAWAN:** And so in accordance with that plan,
14 you know what the major arteries into Truro ---

15 **CHIEF DAVE MacNEIL:** M'hm.

16 **MS. NASHA NIJHAWAN:** --- are to lock down?

17 **CHIEF DAVE MacNEIL:** Yeah.

18 **MS. NASHA NIJHAWAN:** And was that plan in place on April 18th
19 and 19th?

20 **CHIEF DAVE MacNEIL:** We have an idea of where -- well, yeah,
21 there's only so many roads that lead into Truro, so yeah, we would have an idea, our
22 NCOs would have an idea of what roads would need to be blocked.

23 **MS. NASHA NIJHAWAN:** You'd have the best idea, probably ---

24 **CHIEF DAVE MacNEIL:** Yeah.

25 **MS. NASHA NIJHAWAN:** --- of anyone?

26 **CHIEF DAVE MacNEIL:** Absolutely, yeah.

27 **MS. NASHA NIJHAWAN:** And Truro is a town which has a sort of
28 unique geography in that your northern border with Bible Hill is a river?

1 **CHIEF DAVE MacNEIL:** M'hm.

2 **MS. NASHA NIJHAWAN:** And so there's a limited number of
3 access points there?

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** And your western border is a highway?

6 **CHIEF DAVE MacNEIL:** M'hm.

7 **MS. NASHA NIJHAWAN:** So that's some geographical advantage
8 in terms of routes in and out.

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. NASHA NIJHAWAN:** Is that fair to say?

11 **CHIEF DAVE MacNEIL:** Sure.

12 **MS. NASHA NIJHAWAN:** So you do have a plan, I guess is what
13 you're telling me now ---

14 **CHIEF DAVE MacNEIL:** Yeah, we have an ---

15 **MS. NASHA NIJHAWAN:** --- in terms of ---

16 **CHIEF DAVE MacNEIL:** Yeah. Yeah, we would have an idea of
17 where to go, sure.

18 **MS. NASHA NIJHAWAN:** You would have an idea.

19 **CHIEF DAVE MacNEIL:** Yeah.

20 **MS. NASHA NIJHAWAN:** So if someone were to say to you you
21 have to block access to your town, there would be no confusion about how to do that?

22 **CHIEF DAVE MacNEIL:** Well, I wouldn't say confusion. We would
23 need to have some more information, you know, where -- what part of town, where are
24 they coming from.

25 **MS. NASHA NIJHAWAN:** Okay. If someone said, "We want to
26 block town coming from Bible Hill and coming from Colchester County" ---

27 **CHIEF DAVE MacNEIL:** M'hm.

28 **MS. NASHA NIJHAWAN:** --- you would know which exits to

1 block?

2 **CHIEF DAVE MacNEIL:** I would have an idea, sure.

3 **MS. NASHA NIJHAWAN:** You'd have an idea.

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** And one of those places would be
6 where Walker Street starts at the Salmon River?

7 **CHIEF DAVE MacNEIL:** Could be, yeah.

8 **MS. NASHA NIJHAWAN:** Could be?

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. NASHA NIJHAWAN:** Are there more obvious places than that
11 in terms of entries from Bible Hill?

12 **CHIEF DAVE MacNEIL:** Yeah. There could be the Queen Street
13 Bridge, there could be the -- further down the Salmon River.

14 **MS. NASHA NIJHAWAN:** So how many officers would you need
15 to effectively block the borders of Colchester and Bible Hill?

16 **CHIEF DAVE MacNEIL:** Probably 10, 12.

17 **MS. NASHA NIJHAWAN:** Ten or twelve?

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. NASHA NIJHAWAN:** I want to take you to a statement that
20 you made in your interview.

21 **CHIEF DAVE MacNEIL:** Sure.

22 **MS. NASHA NIJHAWAN:** Madam Registrar, maybe we can pull
23 up Exhibit 1032, and I would ask you to go to page 93. And I think it's possible,
24 Madam Registrar, that I don't have the PDF number, and I apologise. Give me one
25 second. The timestamp is 1:31:30. It's just the statement that starts at the bottom here.
26 So -- yeah. If we can just have the question and the answer.

27 This investigator from the Mass Casualty Commission asks you:

28 "...do you have a protocol in place for...roadblocks

1 and shutting down." (As read)

2 You suggest, I think in your answer, and I'm going to give you a
3 second to read it.

4 **CHIEF DAVE MacNEIL:** Yeah. Okay.

5 **MS. NASHA NIJHAWAN:** Suggest that it's not possible.

6 **CHIEF DAVE MacNEIL:** In a quick time like that, so in an instant
7 that someone calls and says, "lock down your town", it's -- yeah, that's not possible. If
8 you had advance notice, if we were engaged earlier in the morning and said, you know,
9 "We need you to start to put roadblocks up", those types of things, let's face it, there
10 would have had to been a lot of catastrophic failures for this guy to get from Wentworth
11 to Truro. And you know, for you to suggest today that we should have had this in place,
12 yeah, great, in hindsight, but again, there had to be a lot of things go wrong for this guy
13 to get from Wentworth to Truro, and ---

14 **MS. NASHA NIJHAWAN:** So you just didn't think it was a
15 possibility that he could have left Portapique?

16 **CHIEF DAVE MacNEIL:** I wasn't on duty at the time, so I don't
17 know what they were thinking. But for someone to call in the heat of the moment and
18 suggest "lock down your town", and then -- you know, what does that mean?

19 So that's what I said in my statement, and I stand by it. So had
20 someone said, "We need you to put a roadblock at the Walker Street Bridge. We need
21 you to put a roadblock at Highway 2 in Onslow at the junior high school to prevent him
22 from getting along Highway 2 or to get along the 102", absolutely actionable. We would
23 have called people in and had that happen. But again, there had to be a lot of
24 catastrophic failures for this guy to be on the loose for 13-hours driving through Nova
25 Scotia and knew what he was doing.

26 **MS. NASHA NIJHAWAN:** No, I guess that's not really what I'm
27 asking.

28 **CHIEF DAVE MacNEIL:** I don't know what you're asking.

1 **MS. NASHA NIJHAWAN:** If you were provided ---

2 **CHIEF DAVE MacNEIL:** I read what you said there.

3 **MS. NASHA NIJHAWAN:** If you were provided with information ---

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** --- you, and I'm saying this -- I'm sorry,

6 to be precise, it's the Truro Police Service, if the people on -- in charge of the Truro

7 Police Service were -- and on duty ---

8 **CHIEF DAVE MacNEIL:** M'hm.

9 **MS. NASHA NIJHAWAN:** --- were informed that they needed to

10 shut down the Colchester border and the Bible Hill border ---

11 **CHIEF DAVE MacNEIL:** Right.

12 **MS. NASHA NIJHAWAN:** --- and you had four people ---

13 **CHIEF DAVE MacNEIL:** Right.

14 **MS. NASHA NIJHAWAN:** --- how long would it take those four

15 people to pick, and even if they picked the wrong places ---

16 **CHIEF DAVE MacNEIL:** Yeah.

17 **MS. NASHA NIJHAWAN:** --- what they thought were the most

18 likely places that he might come through.

19 **CHIEF DAVE MacNEIL:** Well, two were tasked at the hospital, so

20 you had two people would do it.

21 **MS. NASHA NIJHAWAN:** Two people were tasked at the

22 hospital? That's your evidence?

23 **CHIEF DAVE MacNEIL:** Two people at the hospital at the time.

24 **MS. NASHA NIJHAWAN:** They were at the hospital.

25 **CHIEF DAVE MacNEIL:** Yeah.

26 **MS. NASHA NIJHAWAN:** They could have left one member at the

27 hospital?

28 **CHIEF DAVE MacNEIL:** Yeah, they could have left one, sure.

1 **MS. NASHA NIJHAWAN:** Yeah.

2 **CHIEF DAVE MacNEIL:** Yeah.

3 **MS. NASHA NIJHAWAN:** So we had three available members,
4 then?

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **MS. NASHA NIJHAWAN:** And they could've gone to any number
7 of the obvious transition points between Bible Hill and Truro and Colchester and Truro?

8 **CHIEF DAVE MacNEIL:** Well, they could've -- but you're saying
9 Bible Hill. We know that now, we didn't know that at the time. This ---

10 **MS. NASHA NIJHAWAN:** You didn't know it at the time?

11 **CHIEF DAVE MacNEIL:** None of us knew that at the time. We
12 didn't know his route at the time. So there could have been the 102 highway, there's all
13 sorts of in and outs to Truro. So there's more than two routes.

14 **MS. NASHA NIJHAWAN:** Okay.

15 **CHIEF DAVE MacNEIL:** We have the benefit now of knowing the
16 route this guy went, but at the time we didn't know where he was.

17 **MS. NASHA NIJHAWAN:** So if in fact your Inspector had been
18 told ---

19 **CHIEF DAVE MacNEIL:** M'hm.

20 **MS. NASHA NIJHAWAN:** --- or your Corporal had been told that it
21 was Colchester and Bible Hill directions that needed to be blocked.

22 **CHIEF DAVE MacNEIL:** M'hm.

23 **MS. NASHA NIJHAWAN:** That would have given them enough
24 information to at least get started on roadblocks?

25 **CHIEF DAVE MacNEIL:** Yeah, if the RCMP asked us specifically
26 to do something, then we would have done it, absolutely.

27 **MS. NASHA NIJHAWAN:** Okay. And it wouldn't have taken long
28 -- it's not a big town -- for the people who were already in cars to get started on those

1 roadblocks?

2 **CHIEF DAVE MacNEIL:** M'hm.

3 **MS. NASHA NIJHAWAN:** And how long would it have taken to get
4 additional cars? You said you might need 10 or 12 to do the whole job?

5 **CHIEF DAVE MacNEIL:** If we started calling people in? We had a
6 shift on standby from COVID, so probably -- we could have probably had eight to 12
7 officers in within 30 minutes.

8 **MS. NASHA NIJHAWAN:** And the only reason that you didn't do
9 that is because nobody told you that those were the directions that the roadblocks
10 should take place?

11 **CHIEF DAVE MacNEIL:** Are you asking me about ---

12 **MS. NASHA NIJHAWAN:** I'm asking you about Truro Police
13 Service.

14 **CHIEF DAVE MacNEIL:** So what -- yeah, but what are you asking
15 me again?

16 **MS. NASHA NIJHAWAN:** The only reason that you weren't able to
17 mobilize the available members ---

18 **CHIEF DAVE MacNEIL:** Right.

19 **MS. NASHA NIJHAWAN:** --- was because you didn't know about
20 those directions, those specific areas for roadblocks?

21 **CHIEF DAVE MacNEIL:** I wasn't -- you're asking me or the police
22 service?

23 **MS. NASHA NIJHAWAN:** The Truro Police Service. I'm asking
24 you to ---

25 **CHIEF DAVE MacNEIL:** I wasn't in charge of the Truro Police
26 Service that day, so I don't know what the decision-making was. Is that what you're
27 asking me?

28 **COMMISSIONER MacDONALD:** Sorry, we have a ---

1 **CHIEF DAVE MacNEIL:** Sorry.

2 **COMMISSIONER MacDONALD:** Ms. Nijhawan, it's hard for you to
3 see but we have ---

4 **MR. CHARLES THOMPSON:** Sorry. I just think that there's -- we
5 need more clarification on the direction, Bible Hill to Colchester. Colchester surrounds
6 Truro, so that's 360 degrees. So if there's a specific direction, I don't think that's very
7 clear.

8 **MS. NASHA NIJHAWAN:** I'm happy to clarify.

9 **COMMISSIONER MacDONALD:** And just for -- because we're
10 broadcasting this, if you could just confirm your name and retainer?

11 **MR. CHARLES THOMPSON:** I apologize. Charles Thompson.
12 I'm lawyer for the Truro Police Service.

13 **COMMISSIONER MacDONALD:** Yeah, thank you, Mr. Thompson.
14 Ms. Nijhawan in response?

15 **MS. NASHA NIJHAWAN:** I will clarify my question for the witness.
16 I'm happy to clarify my question for the witness.

17 **COMMISSIONER MacDONALD:** Thank you.

18 **MS. NASHA NIJHAWAN:** You know which direction, relative to
19 Truro, Wentworth is, right?

20 **CHIEF DAVE MacNEIL:** Yeah.

21 **MS. NASHA NIJHAWAN:** And you know which direction, relative
22 to Truro, Onslow is; correct?

23 **CHIEF DAVE MacNEIL:** Yeah.

24 **MS. NASHA NIJHAWAN:** Okay. So there's no mystery there as
25 to which of the 360 degrees we're talking about in terms of entry points.

26 **CHIEF DAVE MacNEIL:** There's no mystery but there's multiple
27 entry points from those directions, correct.

28 **MS. NASHA NIJHAWAN:** Okay. And there's a couple that are the

1 highest traffic, or the most likely, the most convenient entry points from most directions?

2 **CHIEF DAVE MacNEIL:** Yeah, there are, yeah.

3 **MS. NASHA NIJHAWAN:** Okay.

4 I'm almost coming to the end of my questions, Chief MacNeil.

5 **CHIEF DAVE MacNEIL:** Sure, take your time.

6 **MS. NASHA NIJHAWAN:** I'd like to bring up a Foundational
7 Document -- the Foundational Document in this matter, that's 1919. And I'd like to go
8 to paragraph 99, which is on page -- probably 61, Madam Registrar.

9 What we're looking at, I believe, Chief MacNeil, is a conversation --
10 a transcript of a conversation as between Inspector Smith, who was your officer in
11 charge of patrol?

12 **CHIEF DAVE MacNEIL:** M'hm.

13 **MS. NASHA NIJHAWAN:** And Kristen Baglee, who's a -- I'm
14 sorry; Kirsten Baglee -- I've said her name wrong -- who's a dispatcher at the OCC.
15 And you'll agree with me that Ms. Baglee informs Inspector Smith that she's providing
16 instructions from the Risk Manager.

17 **CHIEF DAVE MacNEIL:** Okay.

18 **MS. NASHA NIJHAWAN:** Is that fair?

19 **CHIEF DAVE MacNEIL:** Just let me catch up here.

20 **MS. NASHA NIJHAWAN:** You see that in the second paragraph.

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. NASHA NIJHAWAN:** And so that's not just a dispatcher
23 making something up; that's pretty clear there's instructions from the Risk Manager.
24 You'd agree with me about that?

25 **CHIEF DAVE MacNEIL:** I don't know how clear it is but it's -- she
26 says it's from the Risk Manager, yeah.

27 **MS. NASHA NIJHAWAN:** Sorry, one second.

28 (SHORT PAUSE)

1 **MS. NASHA NIJHAWAN:** And there's some information -- I'm
2 sorry; give me a second. I may have my reference wrong and I'm just going to take one
3 moment to check my notes. I'm sorry.

4 **CHIEF DAVE MacNEIL:** Okay, no problem.

5 (SHORT PAUSE)

6 **MS. NASHA NIJHAWAN:** Oh, sorry, it's the same paragraph; I
7 was looking elsewhere.

8 And in this paragraph, you'll see Ms. Baglee suggest roadblocks
9 "Towards the Colchester, Bible Hill area"?

10 **CHIEF DAVE MacNEIL:** Well, she says roadblocks probably in the
11 Truro, Colchester, Bible Hill area, so that's a pretty big area.

12 **MS. NASHA NIJHAWAN:** Okay.

13 **CHIEF DAVE MacNEIL:** And she's not specific; she says
14 "Probably".

15 **MS. NASHA NIJHAWAN:** Okay, it's a suggestion; you'll agree with
16 me about that?

17 **CHIEF DAVE MacNEIL:** It's a suggestion from a dispatcher, right?
18 Yeah.

19 **MS. NASHA NIJHAWAN:** Right. Because she's been instructed
20 by the Risk Manager, so she says.

21 **CHIEF DAVE MacNEIL:** So she says.

22 **MS. NASHA NIJHAWAN:** And in this exchange, there's some
23 more information about the last known whereabouts of the suspect, would you agree
24 with me? We can maybe scroll down, there's more on Highway 4. If we scroll down a
25 little bit further. Sorry; you can stop here, she mentions Glenholme, a residence in
26 Glenholme.

27 **CHIEF DAVE MacNEIL:** Okay.

28 **MS. NASHA NIJHAWAN:** And that gives you an idea of the last

1 location, right, what direction he would be coming from?

2 **CHIEF DAVE MacNEIL:** M'hm.

3 **MS. NASHA NIJHAWAN:** Would you agree with me?

4 **CHIEF DAVE MacNEIL:** Yeah.

5 **MS. NASHA NIJHAWAN:** So I'm going to suggest to you that at
6 the time that the perpetrator entered your town, you had four members on patrol ---

7 **CHIEF DAVE MacNEIL:** Okay.

8 **MS. NASHA NIJHAWAN:** --- available to set up roadblocks.

9 **CHIEF DAVE MacNEIL:** Okay.

10 **MS. NASHA NIJHAWAN:** That you had information about the
11 direction of travel of the ---

12 **CHIEF DAVE MacNEIL:** Very general information, correct.

13 **MS. NASHA NIJHAWAN:** General information.

14 **CHIEF DAVE MacNEIL:** Right, yeah.

15 **MS. NASHA NIJHAWAN:** But not 360 degrees from your town,
16 somewhat less than that.

17 **CHIEF DAVE MacNEIL:** Say that again.

18 **MS. NASHA NIJHAWAN:** Not a 360-degree option ---

19 **CHIEF DAVE MacNEIL:** Well, I think the information was he was
20 last seen in Wentworth, possibly heading towards Truro. There's a -- like I said earlier,
21 there's a big geographic area between Wentworth and Truro, Glenholme and Truro.
22 You know, there had to be opportunity to have proper containment in place, and how or
23 why that didn't happen, I don't know.

24 **MS. NASHA NIJHAWAN:** Those are all my questions.

25 **CHIEF DAVE MacNEIL:** Okay, thank you.

26 **MS. NASHA NIJHAWAN:** Thank you.

27 **COMMISSIONER MacDONALD:** Thank you.

28 Chief MacNeil, we're inclined to have the second counsel question

1 you now.

2 **CHIEF DAVE MacNEIL:** Whatever -- yes, sir, whatever you wish,
3 yeah.

4 **COMMISSIONER MacDONALD:** Okay, thank you.
5 Thank you, Ms. Nijhawan.

6 (SHORT PAUSE)

7 **MR. JOSHUA BRYSON:** Thank you, Commissioners.

8 I just want to double check, just something arose there, and I want
9 to see if it is uploaded as an exhibit already. If I may just have a moment in place?

10 **COMMISSIONER MacDONALD:** Sure.

11 (SHORT PAUSE)

12 **MR. JOSHUA BRYSON:** Commissioners, there was just one
13 document.

14 **--- CROSS-EXAMINATION BY MR. JOSHUA BRYSON:**

15 **MR. JOSHUA BRYSON:** Sorry; let me start by introducing myself.

16 **CHIEF DAVE MacNEIL:** Okay.

17 **MR. JOSHUA BRYSON:** My name is Josh Bryson, Chief MacNeil.

18 **CHIEF DAVE MacNEIL:** Okay.

19 **MR. JOSHUA BRYSON:** I represent the family of Peter and Joy
20 Bond, ---

21 **CHIEF DAVE MacNEIL:** Okay.

22 **MR. JOSHUA BRYSON:** --- in Cobequid Court.

23 There was one document, the BOLO document, it's COMM4025. I
24 just wanted to be careful in terms of the information that we're actually potentially
25 imputing on the Truro Police. So I just wanted to look at the foundation of written
26 information that the Truro Police had and discuss it briefly with this witness, and that's
27 something that arose as a result of questions from Ms. Nijhawan.

28 That document's not in -- not marked as an exhibit and it's not

1 uploaded. And so I'm just wondering if perhaps, either if I could go third, or if you wish
2 to take a break now so that document could be uploaded?

3 **COMMISSIONER MacDONALD:** Yeah, it's almost 3 o'clock. I
4 guess we should take a break now then. You can get that uploaded ---

5 **MR. JOSHUA BRYSON:** Okay, yeah.

6 **COMMISSIONER MacDONALD:** --- or whatever you have to do
7 technologically.

8 **MR. JOSHUA BRYSON:** Thank you very much.

9 **COMMISSIONER MacDONALD:** Thank you. We'll take a 15-
10 minute break.

11 Thank you.

12 **REGISTRAR DARLENE SUTHERLAND:** Thank you.

13 The proceedings are on break and will resume in 15 minutes.

14 --- Upon breaking at 2:59 p.m.

15 --- Upon resuming at 3:16 p.m.

16 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
17 proceedings are again in session.

18 **COMMISSIONER MacDONALD:** Okay. We'll have Chief MacNeil
19 back, please.

20 **--- CHIEF DAVID MacNEIL, Resumed:**

21 **COMMISSIONER MacDONALD:** Mr. Bryson? Whenever you're
22 ready.

23 **MR. JOSHUA BRYSON:** Great. Thank you, Commissioners.
24 Thank you for that break.

25 **--- CROSS-EXAMINATION BY MR. JOSHUA BRYSON (cont'd):**

26 **MR. JOSHUA BRYSON:** Good afternoon again, Chief MacNeil.

27 **CHIEF DAVE MacNEIL:** Good afternoon.

28 **MR. JOSHUA BRYSON:** So I'll just ask you to take a look at this

1 document. It's referred to as COMM4025. It's a record of the BOLOs that we have ---

2 **CHIEF DAVE MacNEIL:** Okay.

3 **MR. JOSHUA BRYSON:** --- that -- the CPIC BOLOs that you were
4 commenting on earlier. So ---

5 **CHIEF DAVE MacNEIL:** Okay.

6 **MR. JOSHUA BRYSON:** --- what I'm trying to clarify is -- and I
7 don't want to inaccurately depict what information Truro had, either to impute knowledge
8 to Truro or to not say that Truro had less information than -- or more information than
9 what they actually had formally.

10 So this is the 1:07. The timestamp here is off. We know that the
11 CPIC BOLO is 1:07.

12 **CHIEF DAVE MacNEIL:** Yeah.

13 **MR. JOSHUA BRYSON:** So have you -- have you seen this BOLO
14 before?

15 **CHIEF DAVE MacNEIL:** In our disclosure document, yes.

16 **MR. JOSHUA BRYSON:** So Truro would have received this
17 particular BOLO?

18 **CHIEF DAVE MacNEIL:** Yes.

19 **MR. JOSHUA BRYSON:** Okay. So when you look at this BOLO at
20 1:07, what do you glean in terms of the -- what is this telling you as to the perpetrator's
21 whereabouts?

22 **CHIEF DAVE MacNEIL:** Well, just give me a moment to digest it.

23 **MR. JOSHUA BRYSON:** Yeah.

24 **CHIEF DAVE MacNEIL:** Do you -- do you want me to read it out
25 loud or just internalise it or...? So right off the bat, it says:

26 "Active shooter incident in progress. Subject of
27 complaint is [who we know it is] and the incident is in
28 the Portapique area of Colchester County....believed

1 to be armed...arrestable for the incident in
2 progress....very familiar with firearms...should be
3 considered armed and dangerous....associated to [the
4 following] vehicles: A white 2015 Mercedes [gives the
5 plate. A white]...old white police car (may be burned
6 at the scene)...also associated to a female [who they
7 list, and]...not currently accounted for."

8 And that's -- yeah, so that's the information on the BOLO.

9 **MR. JOSHUA BRYSON:** Yeah. So are you aware of any
10 information or your organisation at this time that police were acting under the
11 assumption that the perpetrator had escaped Portapique?

12 **CHIEF DAVE MacNEIL:** I wasn't on duty at the time, but reading
13 from that, it doesn't seem like that's the case.

14 **MR. JOSHUA BRYSON:** Okay. Does this BOLO tell you that the
15 perpetrator is arrestable for homicide?

16 **CHIEF DAVE MacNEIL:** It says he's arrestable for the incident in
17 progress. It doesn't specify homicide. But one could read between the lines. If it was
18 an active shooter, without knowing if it was actually people that were killed, it would be -
19 - it would -- it's not clear what he's arrestable for, I guess is what I'm trying to say.

20 **MR. JOSHUA BRYSON:** So -- so my follow up question, then, is
21 so if you come across the perpetrator what are you arresting him for based on this
22 BOLO?

23 **CHIEF DAVE MacNEIL:** Good question. We would have to get
24 confirmation from the issuing agency, which would be the RCMP, what that actual
25 offence would be at the time.

26 **MR. JOSHUA BRYSON:** Thank you.

27 Can we scroll to the next BOLO at 3:24 a.m.?

28 **COMMISSIONER MacDONALD:** Ms. Young? Sorry.

1 **MS. RACHEL YOUNG:** Commissioners, I'm just not sure if this
2 document has been made an exhibit. Can we do that, please, if it hasn't been done?

3 **REGISTRAR DARLENE SUTHERLAND:** It's Exhibit 1999.

4 **COMMISSIONER MacDONALD:** Thank you.

5 **--- EXHIBIT NO. 1999:**

6 (COMM0004025) BOLO - April 19th, 2020 from CPIC

7 **COMMISSIONER MacDONALD:** Mr. Bryson.

8 **MR. JOSHUA BRYSON:** Thank you.

9 So same series of questions, Chief. If you can just take a moment
10 to read this BOLO. Again, the timestamp is ---

11 **CHIEF DAVE MacNEIL:** 3:24 a.m.?

12 **MR. JOSHUA BRYSON:** This one I think is right for some reason.
13 The other one is off, but this one is 3:24 a.m., and I believe that's our understanding of
14 when this CPIC BOLO was issued. So take a moment and read this CPIC BOLO,
15 please.

16 **CHIEF DAVE MacNEIL:** Okay, certainly. So it's a:

17 "BOLO Update Regarding Active Shooter in
18 Colchester County."

19 It says the subject of complaint is still outstanding and to use
20 caution. Additional vehicles associated to the suspect, it mentions again, the Jeep --
21 the black Jeep Wrangler, gives a licence plate, a white Ford F150, provides a licence
22 plate, as well as the Mercedes -- 2015 Mercedes, gives the licence plate. And I can go
23 on and read the rest.

24 **MR. JOSHUA BRYSON:** Sure.

25 **CHIEF DAVE MacNEIL:** It looks like it's just an add-on to the
26 BOLO that was sent out originally that I just read. It says who the suspect is:

27 "...the incident is in the Portapique area of Colchester
28 County...believed to be armed and arrestable for the

1 incident in progress....thought to be very familiar with
2 firearms and should be considered armed and
3 dangerous."

4 **MR. JOSHUA BRYSON:** And that's fine. We can -- we can ---

5 **CHIEF DAVE MacNEIL:** Okay.

6 **MR. JOSHUA BRYSON:** --- finish off reading the rest. But same
7 series of questions. So in terms of the perpetrator's whereabouts, based on this BOLO,
8 did you have any inclination or knowledge that -- and again, as your ---

9 **CHIEF DAVE MacNEIL:** Truro Police Service?

10 **MR. JOSHUA BRYSON:** --- Truro Police itself, that this -- had
11 escaped Portapique?

12 **CHIEF DAVE MacNEIL:** Not at that time, no.

13 **MR. JOSHUA BRYSON:** Okay. And are you aware of any
14 information at the time that the RCMP were acting as if the perpetrator had escaped
15 Portapique at this time of this BOLO?

16 **CHIEF DAVE MacNEIL:** Again, I wasn't there, but not that I'm
17 aware based on that BOLO; correct.

18 **MR. JOSHUA BRYSON:** And same question in terms of does this
19 tell you that he's arrestable for homicide?

20 **CHIEF DAVE MacNEIL:** No, it does not.

21 **MR. JOSHUA BRYSON:** And again, what -- do you know what
22 you'd be arresting him for if you came across the perpetrator?

23 **CHIEF DAVE MacNEIL:** Not based on that BOLO, no.

24 **MR. JOSHUA BRYSON:** Okay. Okay, next, if we can go to
25 paragraph 45 of the Foundational Document, please. That's page 22. This is the next
26 BOLO. This is the 8:07 a.m. BOLO.

27 **CHIEF DAVE MacNEIL:** Okay.

28 **MR. JOSHUA BRYSON:** At page 22, paragraph 45. You've had

1 an opportunity to review this particular BOLO?

2 **CHIEF DAVE MacNEIL:** Yeah, yes.

3 **MR. JOSHUA BRYSON:** This is the -- I believe it's the third BOLO

4 ---

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **MR. JOSHUA BRYSON:** --- and this time it's using some different

7 language. We can see that it's noting that the suspect is now arrestable for homicide

8 and ---

9 **CHIEF DAVE MacNEIL:** M'hm.

10 **MR. JOSHUA BRYSON:** --- I suppose that is now your ground to

11 arrest the perpetrator if you came across him?

12 **CHIEF DAVE MacNEIL:** Correct, yeah.

13 **MR. JOSHUA BRYSON:** And do you see language suggesting

14 now that the perpetrator could be anywhere in the province?

15 **CHIEF DAVE MacNEIL:** Yes, it says -- it says he could be

16 anywhere in the province.

17 **MR. JOSHUA BRYSON:** And at this time, were you provided with

18 any other information to lead your organisation to believe that the perpetrator had in fact

19 escaped Portapique?

20 **CHIEF DAVE MacNEIL:** Not that I'm aware of. Again, I wasn't on

21 duty, but based on that, no.

22 **MR. JOSHUA BRYSON:** This BOLO provides a description of the

23 RCMP, sorry, of the fully-marked Ford Taurus with a car number ---

24 **CHIEF DAVE MacNEIL:** Correct.

25 **MR. JOSHUA BRYSON:** --- 28B11. My question, in looking for

26 this vehicle, if there was a detail that the -- that the Ford Taurus was an RCMP marked

27 car with a push bar, would that be a further distinctive trait that would help in locating

28 the car?

1 **CHIEF DAVE MacNEIL:** Yeah, absolutely.

2 **MR. JOSHUA BRYSON:** And what about the presence of a web
3 antenna? Would that be helpful?

4 **CHIEF DAVE MacNEIL:** It may or may not, but the push bar
5 definitely. There is no RCMP cars in this area that had push bars at the time that I'm
6 aware of.

7 **MR. JOSHUA BRYSON:** And did you know -- so this -- this BOLO
8 was dated, sorry, timestamped 8:07 a.m.

9 **CHIEF DAVE MacNEIL:** Okay.

10 **MR. JOSHUA BRYSON:** Do you have any understanding that this
11 information was somewhat dated at the time of this BOLO?

12 **CHIEF DAVE MacNEIL:** I'm not sure. I -- again, I wasn't on duty
13 at the time, but I'm not sure. It does mention again about the black Jeep and the white
14 Ford F150 and the Mercedes, so it's kind of a lot of information that -- yeah, it's a lot of
15 information.

16 **MR. JOSHUA BRYSON:** So if I suggested to you that this
17 information came to RCMP at 7:27 a.m., so at that point it's about 40-minutes dated, is
18 that a relevant thing I should even be worried about or asking questions about in terms
19 of these delays?

20 **CHIEF DAVE MacNEIL:** I mean, like I was asked a moment ago
21 about our Dispatch, it -- timely information is important, especially when you're the
22 keeper of the information. So it would be important; correct.

23 **MR. JOSHUA BRYSON:** And have you done BOLOs yourself
24 before, or your organisation?

25 **CHIEF DAVE MacNEIL:** Our organisation has, sure.

26 **MR. JOSHUA BRYSON:** How long does it take to do a BOLO?

27 **CHIEF DAVE MacNEIL:** I have never personally done one, but
28 again, it depends on how much information and what it is, but not -- not an inordinate

1 amount of time.

2 **MR. JOSHUA BRYSON:** Yeah. Are we talking five minutes, ten
3 minutes, twenty?

4 **CHIEF DAVE MacNEIL:** Probably the five to ten minute range, I
5 would think.

6 **MR. JOSHUA BRYSON:** Yeah. All right, thank you for just
7 clearing up those questions.

8 I just -- I now have a series of questions in regards to the
9 Commission's forward-looking mandate, and specifically, it's in regards to the RCMP
10 speaking points that were entered as an exhibit ---

11 **CHIEF DAVE MacNEIL:** Okay.

12 **MR. JOSHUA BRYSON:** --- but not discussed at any -- at any
13 length.

14 So this -- the speaking notes, and that's 58845, it's already an
15 exhibit. And that's -- so it's referred to as Speaking Points, but it's now part -- it's
16 forming part of the public discourse now, and it appears to be a response to the Nova
17 Scotia Chief of Police's unanimous decision to redesignate the RCMP as associate
18 status, yeah. So I do wish for you to review certain, and do want to have you comment
19 on it ---

20 **CHIEF DAVE MacNEIL:** Okay.

21 **MR. JOSHUA BRYSON:** --- because it does talk about policing in
22 Nova Scotia going forward.

23 **CHIEF DAVE MacNEIL:** Okay.

24 **MR. JOSHUA BRYSON:** And it actually suggests that this decision
25 is a detriment to policing in Nova Scotia going forward, so ---

26 **CHIEF DAVE MacNEIL:** Okay.

27 **MR. JOSHUA BRYSON:** I'm not giving you much time to review
28 this, but see what we can do here on the fly ---

1 **CHIEF DAVE MacNEIL:** Sure, yeah.

2 **MR. JOSHUA BRYSON:** --- and -- yeah.

3 **CHIEF DAVE MacNEIL:** Yeah. You can take me through it or
4 whatever you want to do.

5 **MR. JOSHUA BRYSON:** Yeah, okay.

6 **CHIEF DAVE MacNEIL:** Yeah.

7 **MR. JOSHUA BRYSON:** So the first is -- the first line here -- and I
8 don't know if this was clear from your evidence of not. So it says:

9 “The RCMP is disappointed by the decision...”

10 That, we gathered. But it says:

11 “...and will no longer participate as a member of the
12 NSCPA.” (As read).

13 Is that your understanding?

14 **CHIEF DAVE MacNEIL:** That's what the speaking notes say. It's
15 not -- so from the Nova Scotia Chiefs' perspective, the association perspective, that's
16 not exactly accurate. They can still participate. If they choose not to, is up to them.

17 **MR. JOSHUA BRYSON:** Okay.

18 **CHIEF DAVE MacNEIL:** They can participate fully as associate
19 members.

20 **MR. JOSHUA BRYSON:** So my main concern is Point 5:

21 “The move is contrary to the objectives of the
22 association and the priorities of the Minister. It was
23 obviously impact the effectiveness and efficiency of
24 policing with Nova Scotia.” (As read).

25 That's a very serious statement.

26 **CHIEF DAVE MacNEIL:** It is.

27 **MR. JOSHUA BRYSON:** And what is your response to that
28 statement?

1 **CHIEF DAVE MacNEIL:** I can respond as a member of the Nova
2 Scotia Chiefs. I don't want to speak on behalf of the whole association. But it's a
3 misleading statement. And me, as a member, and as an executive member, take an
4 exception to it. There's still opportunity for the RCMP to participate in a meaningful way
5 in the Nova Scotia's Chiefs through commissions -- or through committees, rather, and
6 through professional development.

7 The ascertain that it's going to effect public safety is -- it's not within
8 my realm. That's -- if -- I can't control how someone reacts to something, but that's not
9 the spirit of the move to an associate from the Chief's perspective.

10 **MR. JOSHUA BRYSON:** Yeah. So I could see some concerns
11 with this now, you know, unfortunate, or lack of apparent interagency cooperation. This
12 is suggesting that it's going to definitely ---

13 **CHIEF DAVE MacNEIL:** Yeah.

14 **MR. JOSHUA BRYSON:** --- impact the effectiveness and
15 efficiency of policing in Nova Scotia.

16 **CHIEF DAVE MacNEIL:** Only if people allow it to. So the Nova
17 Scotia Chiefs, as I said earlier, are not involved in operational policing. We're more
18 involved in high-level lobbying government, working with government in the Department
19 of Justice. Whether you're an active member or an associate member, you still have an
20 equal ability to participate fully in committees, and you still have an opportunity within all
21 the professional development.

22 So, really, the Nova Scotia Chiefs should not have -- our
23 association does not have any impact on operational policing. Now, if somebody
24 chooses to allow that to happen, I -- that's -- that's a choice they have to make.

25 **MR. JOSHUA BRYSON:** Now, to you see any impact, if we had a
26 similar critical incident in Nova Scotia? Now, we -- like, is this all of a sudden going to
27 impact us even further and take us in the opposite direction?

28 **CHIEF DAVE MacNEIL:** I can't answer that because those aren't

1 my speaking notes, but I don't know -- I mean, clearly, it says what it says. From the
2 Nova Scotia Chief's perspective, we don't believe that's the case.

3 **MR. JOSHUA BRYSON:** Yeah.

4 **CHIEF DAVE MacNEIL:** But if someone interprets that way, or
5 chooses to react that way to the decision, then that's up to them.

6 **MR. JOSHUA BRYSON:** Yeah. And again, you're just sort of
7 giving me this off the top, but do you have any suggestions how to promote more
8 interagency -- you did touch on this before, but to promote more interagency
9 cooperation, especially where you're going to have active-incidents or other incidents
10 with cross-jurisdictional policing?

11 **CHIEF DAVE MacNEIL:** Right. I mean policing has -- has been,
12 and up until recently, very -- you know, very collaborative, and we do things back and
13 forth, as I said earlier today, at training and, you know, joint operations. We're
14 integrated in different projects. We're integrated in intelligence sharing. We're
15 integrated in investigations and files. So that's already -- that has taken place in the
16 past and -- and, from my view, will continue in the future.

17 So there doesn't really need to be a fundamental change in how
18 we're doing things. We've been integrated, and we have been cooperating. We have
19 been talking. We have been sharing information. And, as far as I'm concerned, that
20 should continue.

21 **MR. JOSHUA BRYSON:** Okay. So just on that cooperation,
22 before we move on to this document, I just want to go on that just for a moment. You
23 were asked questions about patching the channels together during this mass casualty.

24 **CHIEF DAVE MacNEIL:** Yes.

25 **MR. JOSHUA BRYSON:** And there was discussions about that at
26 around 10:30, 10:40 in the morning, I believe.

27 **CHIEF DAVE MacNEIL:** Right.

28 **MR. JOSHUA BRYSON:** That ultimately didn't happen.

1 **CHIEF DAVE MacNEIL:** Right.

2 **MR. JOSHUA BRYSON:** So could that have happened, from your
3 perspective?

4 **CHIEF DAVE MacNEIL:** Yeah, absolutely.

5 **MR. JOSHUA BRYSON:** So what would -- how would the cars
6 have had the encrypted portables? Would they have had to return to ---

7 **CHIEF DAVE MacNEIL:** Yeah.

8 **MR. JOSHUA BRYSON:** --- to the Truro Police? How would that
9 have went?

10 **CHIEF DAVE MacNEIL:** If their concern was encryption, we would
11 have had to have gotten our portable radios just from CID on the second floor of the
12 building, and turned them on, and had them in the car, and switched to an encrypted
13 channel. But if things have deteriorated that bad that it was that much of an emergency,
14 we could have easily just switched over to a non-encrypted channel. I understand
15 there's issues around that but, at the time, based on the totality of what was happening,
16 it may have made sense to do it at that point in time.

17 **MR. JOSHUA BRYSON:** The issue that you're hearing today from
18 Ms. Nijhawan's questions about the unencrypted and perhaps that's a concern, was any
19 of that communicate to you on April 19th?

20 **CHIEF DAVE MacNEIL:** Not to me, no.

21 **MR. JOSHUA BRYSON:** Or anyone in your organization, to your
22 knowledge?

23 **CHIEF DAVE MacNEIL:** Not that I -- not to my knowledge, no.

24 **MR. JOSHUA BRYSON:** Okay, yeah. There was also a document
25 introduced. It was COMM-54-260. It outlined about 100 or so incidents of cooperation
26 between you and the RCMP between January 2020 right up to almost the present.

27 **CHIEF DAVE MacNEIL:** M'hm.

28 **MR. JOSHUA BRYSON:** Did you ever have a chance to patch the

1 channels together during any of those other interagency cooperation files?

2 **CHIEF DAVE McNEIL:** So we have an MOU with the RCMP date
3 in 2019, I believe, and we -- we check that on a regular basis. So even if it's not
4 operational, their dispatch centre contacts ours, and we switch over to a channel, and
5 the cars talk to each other just to ensure that it's working. So that's done, I'm going to
6 say, monthly. And it may be more frequently, but it's definitely done on the monthly, at
7 least.

8 **MR. JOSHUA BRYSON:** But have you ever patched the channels
9 through any of those other incidents?

10 **CHIEF DAVE McNEIL:** Yeah.

11 **MR. JOSHUA BRYSON:** Oh, you have before?

12 **CHIEF DAVE McNEIL:** Yeah, absolutely.

13 **MR. JOSHUA BRYSON:** Okay. How many times, roughly?

14 **CHIEF DAVE McNEIL:** I don't know. I mean we've done that --
15 even when I was working the frontline, we would do that. So, yeah, I can't give you a
16 number, but that does happen, absolutely.

17 **MR. JOSHUA BRYSON:** Yeah. And that was on the unencrypted
18 ---

19 **CHIEF DAVE McNEIL:** Yeah.

20 **MR. JOSHUA BRYSON:** --- or did you go encrypt it?

21 **CHIEF DAVE McNEIL:** Yeah, it was encrypted. And we probably
22 have since the encrypted, too. But I don't know 100 percent for sure.

23 **MR. JOSHUA BRYSON:** Okay. If we could just bring that exhibit
24 back up. Oh, no, sorry, just the last one, yeah. That was the 4025. Or no, sorry, that
25 was the BOLO one. That was the 54-260. We left off at the bottom of page 1. There
26 was just one other comment. I'm giving you the wrong COMM number. Sorry, I'm just -
27 - notes all over the place here. Apologize. It was 58-845. It was the RCMP speaking
28 points. That's the name of the document. So just page 2. Can you scroll down,

1 please?

2 (Short pause/consultation off the record)

3 **MR. JOSHUA BRYSON:** Yes, okay, sorry, it's at the top there.
4 Sorry. "It appears" -- okay, answer, "It appears..." -- so, "Why did the RCMP get voted
5 out?" And this the -- again, we're -- this is not a formal document. It's speaking notes
6 that's available to us as disclosure. So again, I'm not suggesting this is the RCMP
7 formal position, but they're comments that are now in the public discourse and a I
8 wanted to get your feedback on them.

9 **CHIEF DAVE McNEIL:** M'hm, yeah.

10 **MR. JOSHUA BRYSON:** But the comment is that -- so, "Why did
11 the RCMP get voted out?"

12 **CHIEF DAVE McNEIL:** Yeah, so they didn't get voted out. They
13 got reclassified. So they're still members of the association. They went from active to
14 associate status. So they're not voted out.

15 **MR. JOSHUA BRYSON:** I guess voted down to a different --
16 associate status.

17 **CHIEF DAVE McNEIL:** Yeah.

18 **MR. JOSHUA BRYSON:** Yeah. So the comment here is that:
19 "It appears our push to have Provincial Police
20 Standards enacted along with efforts to modernize
21 policing were both factors in the Chief's decision to
22 remove the RCMP from the Association." (As Read).

23 That's the comment that I'm asking you to comment on.

24 **CHIEF DAVE McNEIL:** Yeah. So I -- I mean these are RCMP
25 speaking notes. They're not the position of the Nova Scotia Chiefs of Police. And
26 they're not accurate. That's not -- that's not the reason at all.

27 **MR. JOSHUA BRYSON:** Were there innovative, or new
28 technologies, or any other systems that were proposed by the RCMP that the chiefs

1 voted down, to your knowledge?

2 **CHIEF DAVE McNEIL:** No. No.

3 **MR. JOSHUA BRYSON:** Nothing, okay.

4 Thank you, they're all my questions.

5 **COMMISSIONER MacDONALD:** Thank you, Mr. Bryson.

6 Next counsel.

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

8 **MS. TARA MILLER:** Good afternoon, Chief MacNeil. My name is
9 Tara Miller. Myself and my colleague, Alex Digout, represent one of the family
10 members of Kristen Beaton. I just have a few questions for you this afternoon.

11 **CHIEF DAVE MacNEIL:** Sure.

12 **MS. TARA MILLER:** But I am going to list the assistance of
13 Madam Registrar to bring up some figures from the Truro Foundational Document. So,
14 Madam Registrar, if I could have you pull up Figure 3, which is on page 9.

15 So, Chief MacNeil, I just wanted to have you take a look at this
16 figure. It's in the Foundational Document and it identifies what we understand to be the
17 Truro boundary of the Town of Truro.

18 **CHIEF DAVE MacNEIL:** Okay.

19 **MS. TARA MILLER:** Is that accord with your understanding?

20 **CHIEF DAVE MacNEIL:** That looks like it from here ---

21 **MS. TARA MILLER:** Yeah.

22 **CHIEF DAVE MacNEIL:** --- yeah.

23 **MS. TARA MILLER:** And as you said earlier, your responsibility or
24 the Truro Police Service responsibility would be for policing within the red boundary
25 area ---

26 **CHIEF DAVE MacNEIL:** Correct.

27 **MS. TARA MILLER:** --- correct?

28 **CHIEF DAVE MacNEIL:** Yeah.

1 **MS. TARA MILLER:** And just -- it's not clear totally from this
2 record, but from people who aren't perhaps as familiar with Nova Scotia and Truro as
3 we might be, the area to the north, west and east ---

4 **CHIEF DAVE MacNEIL:** M'hm.

5 **MS. TARA MILLER:** --- outside, that would still be Colchester
6 County, but those would be Onslow and Bible Hill areas; correct?

7 **CHIEF DAVE MacNEIL:** It looks like it there, yeah.

8 **MS. TARA MILLER:** Yeah. And there is an RCMP detachment in
9 Bible Hill; correct?

10 **CHIEF DAVE MacNEIL:** Correct, yeah.

11 **MS. TARA MILLER:** Okay. And how far outside the upper
12 boundary of the Truro area would the Bible Hill Detachment be?

13 **CHIEF DAVE MacNEIL:** Four or five kilometres maybe ---

14 **MS. TARA MILLER:** Okay. It's close?

15 **CHIEF DAVE MacNEIL:** --- you know. Oh, yeah, it's close, yeah.

16 **MS. TARA MILLER:** Yeah.

17 **CHIEF DAVE MacNEIL:** Yeah.

18 **MS. TARA MILLER:** And if we look at the bottom of the map, sort
19 of moving south ---

20 **CHIEF DAVE MacNEIL:** M'hm.

21 **MS. TARA MILLER:** --- outside the boundary of the Truro area,
22 there's the Millbrook RCMP Detachment; correct?

23 **CHIEF DAVE MacNEIL:** Yeah.

24 **MS. TARA MILLER:** Okay. And how far outside the boundary of
25 the -- I guess I'll say on the far western side of the Truro boundary would the Millbrook
26 Detachment be?

27 **CHIEF DAVE MacNEIL:** Technically, it's in the Town of Truro. The
28 First Nations lands are part of Truro, but they have their own First Nations RCMP

1 Detachment, so it's technically within the boundary of Truro.

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

3 **CHIEF DAVE MacNEIL:** But it's -- yeah, it's not -- so from, like,
4 maybe a tenth of a kilometre from the town line to their detachment maybe.

5 **MS. TARA MILLER:** Okay. Very close.

6 **CHIEF DAVE MacNEIL:** Yeah, very close.

7 **MS. TARA MILLER:** So you've two RCMP detachments that sort
8 of flank, if I can say, the northern and the southern boundaries of the Truro area?

9 **CHIEF DAVE MacNEIL:** Correct, yeah.

10 **MS. TARA MILLER:** Okay. I want to talk a little bit about the
11 containment that we heard spoken about earlier today.

12 **CHIEF DAVE MacNEIL:** M'hm.

13 **MS. TARA MILLER:** We know, of course, from the Foundational
14 Documents and the evidence that at 9:43, the RCMP dispatch was advising all that
15 there had been an active shooter, female found dead on the side of the road, RCMP
16 vehicle on scene, and the vehicle was heading to Truro. That was information that the
17 RCMP had.

18 **CHIEF DAVE MacNEIL:** Okay.

19 **MS. TARA MILLER:** And my understanding, and I think that
20 accords with your evidence and certainly the evidence of the document is that the Truro
21 Police Service was not advised to lock down Truro until 10:37:48 a.m.; correct?

22 **CHIEF DAVE MacNEIL:** Correct.

23 **MS. TARA MILLER:** So almost an hour between when the RCMP
24 identified that there was an active shooter who was in a vehicle and an RCMP vehicle
25 heading to Truro.

26 **CHIEF DAVE MacNEIL:** Correct.

27 **MS. TARA MILLER:** That's when you're -- you were officially
28 notified or you, Truro Police Service, were officially notified to lock down?

1 **CHIEF DAVE MacNEIL:** Correct.

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

3 And I also want to take you to another figure in the Foundational
4 Document. Madam Registrar, this is at page 41, Figure 9. You've seen that figure
5 before, Chief MacNeil?

6 **CHIEF DAVE MacNEIL:** I have in the Foundational Document,
7 yes.

8 **MS. TARA MILLER:** Yeah, thank you. And the red -- or the red
9 route, we understand, of course, that is the route that the perpetrator took as he
10 travelled through the Onslow and Bible Hill areas ---

11 **CHIEF DAVE MacNEIL:** Correct.

12 **MS. TARA MILLER:** --- in -- on Highway 4. And my understanding
13 of this specific figure, which notes the location of the perpetrator at 10:15:40 a.m., that
14 this is the point when he enters into the boundary of Truro at the bridge; is that correct?

15 **CHIEF DAVE MacNEIL:** It appears to be, yeah.

16 **MS. TARA MILLER:** Okay. So by the time you were notified to
17 lock down your town at 10:37, the perpetrator had already come and gone?

18 **CHIEF DAVE MacNEIL:** Long gone, yeah.

19 **MS. TARA MILLER:** Okay. Thank you. And are you aware, Chief
20 MacNeil, if the RCMP blocked any roads in their jurisdiction in Bible Hill on the road into
21 Truro?

22 **CHIEF DAVE MacNEIL:** I mean, I don't know. Not that I'm aware
23 of. I can't say for any certainty, but one would think with the direction of travel, this
24 gentleman, that that may not have been the case, but I don't know.

25 **MS. TARA MILLER:** Okay. And similar question, any evidence
26 that you're aware of that they blocked or set up any kind of a checkpoint on Highway 2
27 leading into Bible Hill from Onslow?

28 **CHIEF DAVE MacNEIL:** Yeah, I don't know. It would appear not,

1 but I don't know.

2 **MS. TARA MILLER:** Okay. And thirdly, any information that you
3 have that the Millbrook Detachment would have been actioned to set up a checkpoint or
4 roadblock as the perpetrator would have been exiting Truro?

5 **CHIEF DAVE MacNEIL:** No, not that I'm aware of. I don't know.

6 **MS. TARA MILLER:** Thank you. And so earlier, I think when you
7 were finishing your evidence with Ms. Nijhawan, you said, you know, there were
8 opportunities. You don't know how and why it didn't happen, but certainly, those would
9 be three, Onslow, into Bible Hill, and then Millbrook, where the RCMP would have had
10 complete jurisdiction over the ability to set up a roadblock or checkpoint to monitor the
11 passage of the perpetrator; correct?

12 **CHIEF DAVE MacNEIL:** It's in their jurisdiction, correct, yeah.

13 **MS. TARA MILLER:** Yeah, and you wouldn't have any authority to
14 go into that area either, even if you had known about it?

15 **CHIEF DAVE MacNEIL:** Correct.

16 **MS. TARA MILLER:** Thank you. The only other questions I
17 wanted to touch on, Chief MacNeil, were with respect to one quick question in terms of
18 resources that your members have in Truro. You talked about having 36 officers,
19 carbine trained, the kit that the officers have ---

20 **CHIEF DAVE MacNEIL:** Sure.

21 **MS. TARA MILLER:** --- the members have, rather. Do you have
22 night vision goggles for your members?

23 **CHIEF DAVE MacNEIL:** We have a thermal imaging camera on
24 patrol. It's not night vision, but it's much like the fire departments have, only it's smaller
25 for police.

26 **MS. TARA MILLER:** Okay.

27 **CHIEF DAVE MacNEIL:** And then that's available to our patrol
28 officers in the equipment room.

1 **MS. TARA MILLER:** Okay. Is it ---

2 **CHIEF DAVE MacNEIL:** So it gives you heat signature. It won't
3 allow you to see at night.

4 **MS. TARA MILLER:** Okay.

5 **CHIEF DAVE MacNEIL:** But we're more of an urban environment,
6 so night vision with street lights is kind of counterproductive.

7 **MS. TARA MILLER:** Right.

8 **CHIEF DAVE MacNEIL:** So we don't have a very large rural
9 presence geography in town, so it's typically street lights, so we don't have that, but the
10 -- we do have the thermal imaging camera, which picks up heat signatures, which
11 proves to be fairly useful ---

12 **MS. TARA MILLER:** Okay. And ---

13 **CHIEF DAVE MacNEIL:** --- for our purposes.

14 **MS. TARA MILLER:** --- you have one camera and that's located at
15 the ---

16 **CHIEF DAVE MacNEIL:** It's in the patrol section, so the idea ---

17 **MS. TARA MILLER:** Patrol section.

18 **CHIEF DAVE MacNEIL:** --- is that somebody would sign it out on
19 night shift. We've had pretty good success with it, especially for, like, people breaking
20 into cars and things. We get there pretty quickly because ---

21 **MS. TARA MILLER:** Okay.

22 **CHIEF DAVE MacNEIL:** --- we're, you know, we get -- we arrive
23 on scene within moments usually and you can pick up heat signatures pretty well, so it's
24 another tool, but we don't have night vision, no.

25 **MS. TARA MILLER:** Okay. And as I understand your evidence to
26 be, that's largely because you're an urban centre and it's ---

27 **CHIEF DAVE MacNEIL:** Correct.

28 **MS. TARA MILLER:** --- not as needed as it would be in a more

1 rural centre?

2 **CHIEF DAVE MacNEIL:** Right. Yeah.

3 **MS. TARA MILLER:** Okay. Thank you. So my last series of
4 questions are more forward thinking as well. Of course, this inquiry's looking to come
5 up with recommendations to enhance, improve public safety in the future.

6 **CHIEF DAVE MacNEIL:** Sure.

7 **MS. TARA MILLER:** I just want to narrow in on one piece, and in
8 your statement at page 8 of your statement, Chief MacNeil, you talked about -- and I'll
9 just read it to you. It says -- we're talking about the Department of Justice involvement
10 with training.

11 **CHIEF DAVE MacNEIL:** M'hm.

12 **MS. TARA MILLER:** And you had said,

13 "...that's improved in the last few years as well. There
14 was a period of time when DOJ kind of divested from
15 policing. They used to be very heavily into training.
16 So DOJ used to be involved heavily in use of force
17 training and like train-the-trainer programs for
18 domestic violence and for all sorts of different
19 programs. That would have been probably [through
20 the] late 90s [and] through the mid 2000s."

21 **CHIEF DAVE MacNEIL:** M'hm.

22 **MS. TARA MILLER:** Then you go on to talk about a shift in
23 executive director. I wanted to ask you, and maybe there's absolutely no correlation
24 here with -- here, but there used to be a Justice Learning Centre, as I understand it, in
25 Truro, and that was a joint Department of Justice initiative with the Nova Scotia
26 Community College?

27 **CHIEF DAVE MacNEIL:** Correct, yeah.

28 **MS. TARA MILLER:** And it arose, as I understand, out of a

1 recommendation from another review involving ---

2 **CHIEF DAVE MacNEIL:** M'hm.

3 **MS. TARA MILLER:** --- two law professors at Dalhousie University

4 ---

5 **CHIEF DAVE MacNEIL:** Correct.

6 **MS. TARA MILLER:** --- Diana Ginn and Don Russell with a

7 recommendation that there be sort of a focussed training area for DOJ personnel.

8 Would that have been part of what you were referring to in terms of DOJ-led training in
9 the past that sort of fell off the wayside?

10 **CHIEF DAVE MacNEIL:** It might have played a role in that ---

11 **MS. TARA MILLER:** Yeah.

12 **CHIEF DAVE MacNEIL:** --- certainly. So the Justice Learning
13 Centre, you know, like I said, they -- the Justice Department was more involved with
14 train-the-trainer. So when I was a use of force instructor, we would go for a week and
15 learn how to deliver use of force training and bring it back to our home agency, so
16 everybody was trained in that -- in the platform the same way. So that's the kind of
17 thing that they used to do. So I think they're slowly getting back into that as far as the
18 domestic violence goes. We've had some new movement on that, so -- but the Justice
19 Learning Centre did play a part in that, for sure. It was a facility ---

20 **MS. TARA MILLER:** Yeah.

21 **CHIEF DAVE MacNEIL:** --- that everybody could come together
22 and train in, sure.

23 **MS. TARA MILLER:** And that is no longer in operation; correct?

24 **CHIEF DAVE MacNEIL:** No.

25 **MS. TARA MILLER:** What -- do you have a sense of when that
26 was last ceased to operate?

27 **CHIEF DAVE MacNEIL:** I'd be speculating. Like ---

28 **MS. TARA MILLER:** Okay. No, fair enough.

1 **CHIEF DAVE MacNEIL:** --- 2012 maybe but ---

2 **MS. TARA MILLER:** The record will show that. We'll figure that
3 out.

4 **CHIEF DAVE MacNEIL:** Yeah, don't hold me to it.

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

6 **CHIEF DAVE MacNEIL:** Like ---

7 **MS. TARA MILLER:** Yeah.

8 **CHIEF DAVE MacNEIL:** Yeah.

9 **MS. TARA MILLER:** So I guess my follow-up questions, and you
10 alluded to that were, was there value in that, you know, formalized Justice Learning
11 Centre, from your perspective, in terms of ensuring, you know, continuity of training and
12 standards and things like that?

13 **CHIEF DAVE MacNEIL:** Yeah, there's always value in training,
14 absolutely.

15 **MS. TARA MILLER:** But in terms of that specific initiative between
16 the Department of Justice and the Nova Scotia Community College? I mean, it was
17 centred in Truro ---

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. TARA MILLER:** --- but it was for the whole province ---

20 **CHIEF DAVE MacNEIL:** For the whole province. Yeah, it did give
21 a -- it gave an avenue to hold that training so people didn't have to go look for where to
22 host it. So we wanted to bring someone from somewhere to -- a subject matter expert
23 to Nova Scotia to put on a course so we could -- you don't have to find a venue because
24 you have one. So it was -- yeah, there was definitely value there.

25 **MS. TARA MILLER:** And was there funding provided through the
26 Department of Justice for that, or it was just all sort of in concert with ---

27 **CHIEF DAVE MacNEIL:** Yeah, courses that they would offer, they
28 funded. But yeah, if we wanted to use it for another purpose we could book it, right?

1 **MS. TARA MILLER:** And so, I'm taking it from your answer the
2 Truro Police Service and other municipalities would have, you know, partaken in that
3 Justice Learning Centre?

4 **CHIEF DAVE MacNEIL:** For sure, yeah.

5 **MS. TARA MILLER:** Okay. And did the RCMP ever participate
6 and the services there?

7 **CHIEF DAVE MacNEIL:** Yeah, for sure.

8 **MS. TARA MILLER:** All right. Thank you, Chief MacNeil, those
9 are my questions.

10 **CHIEF DAVE MacNEIL:** Thank you.

11 **COMMISSIONER MacDONALD:** Thank you, Ms. Miller.

12 --- (Short Pause)

13 **COMMISSIONER MacDONALD:** Mr. Scott?

14 **--- CROSS-EXAMINATION BY MR. MICHAEL SCOTT:**

15 **MR. MICHAEL SCOTT:** Thank you, Commissioners.

16 Good afternoon, Chief MacNeil. My name is Mike Scott, I'm
17 counsel for a number of the people that were impacted by the events of April 2020, and
18 I have a few questions for you if you don't mind.

19 **CHIEF DAVE MacNEIL:** Certainly.

20 **MR. MICHAEL SCOTT:** This morning my friend, Ms. Young, was
21 asking you about the relationship between the Truro Police Service and the RCMP, and
22 I think we looked at a document that you suggested was created to dispel this false
23 narrative that TPS won't work with the RCMP. And one of the things you said is, when
24 asked about the relationship between Truro and the RCMP, you said, well, that's two
25 categories and you told us about one, that being the relationship that Truro has with
26 what we call the frontline officers, the Colchester Detachment working with individuals.
27 But I don't think you told us about what the other half of that answer was.

28 **CHIEF DAVE MacNEIL:** Yeah, okay. So I think what I was

1 alluding to is the fact that from my position as Chief I deal with probably a little less at
2 the local level. Our Inspector and Deputy typically deal with the Sergeant and Staff
3 Sergeant in Bible Hill. Not to -- not to say that I won't or don't, but it's just that's typically
4 -- those types of issue are usually handled there, and mines more kind of, you know,
5 higher level focused at the provincial level. A lot through Nova Scotia Chiefs and
6 committee work and things of that nature. So there's kind of two -- there's two kind of
7 entities I guess, is what I'm trying to say.

8 **MR. MICHAEL SCOTT:** Would it be fair to say that the relationship
9 that the Truro Police Service has with, you know, the Constables, or on individual files,
10 is collaborative?

11 **CHIEF DAVE MacNEIL:** Absolutely, and provincially it's
12 collaborative as well. Yeah, absolutely.

13 **MR. MICHAEL SCOTT:** And Truro Police Service works with not
14 only RCMP, but a number of other municipal police forces everyday?

15 **CHIEF DAVE MacNEIL:** Correct, yeah.

16 **MR. MICHAEL SCOTT:** Right. And Truro Police Service has an
17 excellent relationship with Halifax Police, and Kentville, and Cape Breton; correct?

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MR. MICHAEL SCOTT:** Would it be fair to say that the relationship
20 is significantly less good when we're talking specifically about RCMP management?

21 **CHIEF DAVE MacNEIL:** I can just speak for myself. I mean, the
22 document that was just up there, the speaking notes kind of say it all. There has been a
23 shift and it's never been that way. Truro and municipal policing and the RCMP in the
24 province have always had a fantastic relationship. In the last two years there's been a
25 series of things that may have occurred that have definitely impacted that relationship at
26 that level. And to be honest, for myself -- I only speak for myself personally -- this whole
27 tragedy has definitely impacted relationships in that regard.

28 **MR. MICHAEL SCOTT:** How so?

1 **CHIEF DAVE MacNEIL:** Just some of the -- some of the false
2 narratives maybe, you know, that media have reported on, that -- and when pushed,
3 where did you get that information? They'll allude that it came from someone in the
4 RCMP or what have you. So there's been a strain in that regard for sure. And this is
5 just me speaking personally.

6 **MR. MICHAEL SCOTT:** Yeah, can you give us an example of
7 something that you would consider a false narrative?

8 **CHIEF DAVE MacNEIL:** The CBC story a few months ago on
9 *Main Street*, as far as we didn't have carbines, we don't have the training, all those
10 things. Inoperability, all those types of things. And when pushed, the academic said
11 what I provided him back, he provided back to me and said, that's different than the
12 version of the RCMP. So there's those things, and then when you see the speaking
13 notes that were there, there is another example of that kind of thing. So it's -- the work
14 still gets done, no doubt about it, but it's strained as far as that goes, from that side of
15 the house, and it never was that way before.

16 **MR. MICHAEL SCOTT:** So would you suggest that the
17 relationship between the Truro Police Service and RCMP management specifically, has
18 it ever been worse than it was in the wake of the mass casualty event in April 2020?

19 **CHIEF DAVE MacNEIL:** Well, I don't want to say Truro Police
20 Service, in particular. I think there's definitely an issue at the senior level with the Nova
21 Scotia Chiefs' Association. Obviously, there was you know, a pretty monumental vote
22 there that reallocated the RCMP to associate members. So there's some issues for
23 sure.

24 **MR. MICHAEL SCOTT:** Well, you say there was -- I think you said
25 they are pretty monumental. What were they? What were the issues?

26 **CHIEF DAVE MacNEIL:** Well, around some of the things like I
27 spoke of earlier, the Alert Ready, the narrative maybe that came from that was an issue.
28 There's been some issues and that kind of thing.

1 **MR. MICHAEL SCOTT:** All right. Let's talk about Alert Ready.
2 Would it be your view as the Chief of Police for Truro that on April 19th, 2020, Alert
3 Ready was accessible by the Truro Police Service?

4 **CHIEF DAVE MacNEIL:** Yes.

5 **MR. MICHAEL SCOTT:** And it worked just fine?

6 **CHIEF DAVE MacNEIL:** Correct.

7 **MR. MICHAEL SCOTT:** And if you had wanted, say on April 15th of
8 2020, if you as the Chief of Police for Truro had decided that you needed to issue a
9 Ready Alert for public safety reasons, you would have picked up the phone; correct?

10 **CHIEF DAVE MacNEIL:** Correct.

11 **MR. MICHAEL SCOTT:** You would have contacted your EMO
12 contact person?

13 **CHIEF DAVE MacNEIL:** Correct.

14 **MR. MICHAEL SCOTT:** You would have told them what you
15 wanted in the message, yes?

16 **CHIEF DAVE MacNEIL:** Correct, yeah.

17 **MR. MICHAEL SCOTT:** And then you would have hung up the
18 phone?

19 **CHIEF DAVE MacNEIL:** Correct.

20 **MR. MICHAEL SCOTT:** Yeah. So between your decision to make
21 a Ready Alert call and when that alert goes out, do you have any sense of how long that
22 would take in total?

23 **CHIEF DAVE MacNEIL:** I don't want to speculate or estimate. But
24 I wouldn't think it would be too long. I mean it's an emergency, so if they were good at
25 what they do, then I don't think it would take that long.

26 **MR. MICHAEL SCOTT:** And I think you'd said today that following
27 April 2020 there was a great deal of discussion about Alert Ready at the Provincial
28 Chief's level. What was your understanding of what that conversation was about?

1 What was the issue as regards to Ready Alert?

2 **CHIEF DAVE MacNEIL:** So the call? The call you mean or you're
3 talking about -- like, the conference call that we had, or in general?

4 **MR. MICHAEL SCOTT:** So I think you're referencing the -- you
5 had a call -- a conference call between yourself, the other Chiefs -- the other Municipal
6 Chiefs, and who else was on that call?

7 **CHIEF DAVE MacNEIL:** So the Commanding Officer of the
8 RCMP, Lee Bergman, called the call and Superintendent -- Chief Superintendent
9 Leather was on the call as well. They initiated the call with the Chiefs about the Alert
10 Ready.

11 **MR. MICHAEL SCOTT:** And what is your recollection of what was
12 discussed on that phone call?

13 **CHIEF DAVE MacNEIL:** Just I believe they -- they had some
14 concerns around the alert and the potential of impact to the 9-1-1 system, and they
15 wanted the municipal Chiefs to, I don't know, support that notion I suppose, with the
16 government.

17 **MR. MICHAEL SCOTT:** Right. And you didn't want to support that
18 notion?

19 **CHIEF DAVE MacNEIL:** Well, the notion -- yeah, the Chiefs
20 decided that that wasn't the notion that -- or that wasn't -- yeah. So we didn't support it,
21 right?

22 **MR. MICHAEL SCOTT:** Right. But I'm asking you specifically, you
23 ---

24 **CHIEF DAVE MacNEIL:** No, that's right.

25 **MR. MICHAEL SCOTT:** What was being proposed to you by these
26 two senior members of the RCMP was that there should be a narrative that there was
27 something wrong with the Alert Ready system; correct?

28 **CHIEF DAVE MacNEIL:** Correct.

1 **MR. MICHAEL SCOTT:** That it would overwhelm the 9-1-1
2 system; correct?

3 **CHIEF DAVE MacNEIL:** Correct.

4 **MR. MICHAEL SCOTT:** That it was too complicated?

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **MR. MICHAEL SCOTT:** That it wasn't really ---

7 **CHIEF DAVE MacNEIL:** Designed for that purpose.

8 **MR. MICHAEL SCOTT:** --- designed or useful to police; correct?

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MR. MICHAEL SCOTT:** And you wouldn't sign on to that narrative,
11 would you?

12 **CHIEF DAVE MacNEIL:** Correct.

13 **MR. MICHAEL SCOTT:** And the reason you wouldn't sign onto
14 that narrative is because you don't believe it's true?

15 **CHIEF DAVE MacNEIL:** Correct.

16 **MR. MICHAEL SCOTT:** And you didn't believe it was true at the
17 time?

18 **CHIEF DAVE MacNEIL:** Correct.

19 **MR. MICHAEL SCOTT:** So you were not willing to sign onto a
20 document identifying problems that you thought was a false narrative?

21 **CHIEF DAVE MacNEIL:** Correct.

22 **MR. MICHAEL SCOTT:** Right. I believe in your statement to the
23 Mass Casualty Commission you said, and I quote, "It's absolutely -- it's ridiculous how
24 the extent that they went to to try and justify why that wasn't used." And when you say
25 why, you're referring to the RCMP?

26 **CHIEF DAVE MacNEIL:** Correct.

27 **MR. MICHAEL SCOTT:** And what do you mean that they tried to
28 justify why they didn't use it?

1 **CHIEF DAVE MacNEIL:** I think for the reasons you just explained.

2 **MR. MICHAEL SCOTT:** And Truro Police Service has the same
3 access to the Ready Alert system today that they always did; correct?

4 **CHIEF DAVE MacNEIL:** Correct. With some nuances that have
5 changed. So now we have agency PIN numbers and things like that. So it's actually
6 probably -- it's even easier now.

7 **MR. MICHAEL SCOTT:** Right. And I think you talked about --
8 there was some discussion about having canned language, like, pre-prepared language
9 that you could use; correct?

10 **CHIEF DAVE MacNEIL:** Correct, yeah.

11 **MR. MICHAEL SCOTT:** But before that was in place, or was being
12 discussed, you could just write out what you wanted the message to say; correct?

13 **CHIEF DAVE MacNEIL:** Provided it was within the characters that
14 the message would take, yeah. You couldn't write a novel, but you could definitely --
15 yeah. And even now, that you can still put what you want to put but ---

16 **MR. MICHAEL SCOTT:** Right, yeah.

17 **CHIEF DAVE MacNEIL:** --- just within the parameters of the space
18 that's there.

19 **MR. MICHAEL SCOTT:** So is the system, as it stands now, any
20 more or less useful to you as the chief of police for Truro?

21 **CHIEF DAVE MacNEIL:** There's always been value in the system,
22 and, yeah, I think actually it's probably more streamlined now that it even was before,
23 and before it worked, so it would work even better now.

24 **MR. MICHAEL SCOTT:** And if you'd had the need to, if there was
25 an incident involving an active shooter on Prince Street on February of 2020, would you
26 have used that mechanism, would you have used the Ready Alert?

27 **CHIEF DAVE MacNEIL:** Depends on the circumstance, but that
28 would be -- yeah, that would be a thought, for sure.

1 **MR. MICHAEL SCOTT:** Okay. And -- thank you.

2 We're talking about the operational capabilities of the Truro Police
3 Service, so I understand, at the time in question, April 2020, you had 36 officers that
4 can be called up?

5 **CHIEF DAVE MacNEIL:** Correct.

6 **MR. MICHAEL SCOTT:** Did you say a hundred percent are
7 carbine trained?

8 **CHIEF DAVE MacNEIL:** We're all carbine trained, correct,
9 including ---

10 **MR. MICHAEL SCOTT:** Right.

11 **CHIEF DAVE MacNEIL:** --- myself.

12 **MR. MICHAEL SCOTT:** And body armour access to everyone?

13 **CHIEF DAVE MacNEIL:** Not all 36 at once. We have about a
14 dozen sets of hard armour and ballistic helmets.

15 **MR. MICHAEL SCOTT:** And we know that -- because we saw this
16 morning that you had sent a message to Chris Leather on the morning of the 19th
17 offering the services of the Truro Police Service. Had the RCMP asked for assistance
18 from Truro Police Service, what could Truro have provided operationally?

19 **CHIEF DAVE MacNEIL:** I guess it would depend on the ask, but
20 we definitely could have provided trained carbine operators. We could have, you know,
21 provided officers to do containment, block secondary roads, do it -- whatever, cover
22 calls, patrol officers cover calls, the canine unit, whatever the ask would have been, we
23 would have been there and helped.

24 **MR. MICHAEL SCOTT:** So you could have, if asked, could have
25 set up or assisted with containment both within and without Truro, the Town of Truro?

26 **CHIEF DAVE MacNEIL:** Yeah.

27 **MR. MICHAEL SCOTT:** And is there anything that the RCMP
28 could have asked you to do within the gambit of things you're capable of doing that you

1 would not have authorized, or was the offer whatever you need, to the extent that we
2 have it, we'll provide it?

3 **CHIEF DAVE MacNEIL:** That's the way we do business, yeah,
4 whatever they need or whatever we need, they help us, you know.

5 **MR. MICHAEL SCOTT:** And the response you got from Chris
6 Leather was doesn't look like we'll need it, we think we got him pinned down in
7 Wentworth?

8 **CHIEF DAVE MacNEIL:** Whatever was shown earlier, right.

9 **MR. MICHAEL SCOTT:** Yeah.

10 **CHIEF DAVE MacNEIL:** To that -- along those lines, yeah.

11 **MR. MICHAEL SCOTT:** And my friend, Ms. Young, asked you this
12 morning whether you ever received an explanation for why assistance wasn't requested,
13 and I think your answer was "not officially." So my question to you is, did you ever
14 receive an unofficial explanation for why Truro Police wasn't asked to assist?

15 **CHIEF DAVE MacNEIL:** No, not from the RCMP, but, again, there
16 was lots of speculation in the media and the media were asking questions about -- and
17 they heard this, they heard that, so that was what I meant when I said that.

18 **MR. MICHAEL SCOTT:** So officially or unofficially, you never
19 received any explanation from the RCMP as to why Truro Police wasn't asked to
20 intervene?

21 **CHIEF DAVE MacNEIL:** No.

22 **MR. MICHAEL SCOTT:** Just going back to the Ready Alert, the
23 teleconference you were talking about, I think you said that Lee Bergerman was on that
24 call as well, yes?

25 **CHIEF DAVE MacNEIL:** Yeah, she was, yeah.

26 **MR. MICHAEL SCOTT:** Do I understand that when you and/or the
27 other chief expressed a reluctance to sign onto this narrative, that there was a problem
28 with Alert Ready, that the tone of that conversation changed?

1 **CHIEF DAVE MacNEIL:** Yeah, I would say, yes.

2 **MR. MICHAEL SCOTT:** Is it true that Lee Bergerman hung up on
3 you?

4 **CHIEF DAVE MacNEIL:** No, I wouldn't say she hung up on us. I
5 think, you know, she expressed that it was unfortunate, and that they were going to go
6 to national with that concern, and follow up with national, as far as I can recall. But the
7 conversation didn't last long after that, but she didn't hang up on us.

8 **MR. MICHAEL SCOTT:** And you had another conference or a
9 meeting with Chris Leather and Superintendent Janis Gray regarding the Officer Safety
10 Bulletin from 2011?

11 **CHIEF DAVE MacNEIL:** Yeah, I got a conference call.

12 **MR. MICHAEL SCOTT:** And you said this morning to my friend,
13 Ms. Young, you said, "I asked my deputy chief to come in to that phone call." Why did
14 you have your deputy chief participate in that call?

15 **CHIEF DAVE MacNEIL:** Well, just for a few reasons, I guess.
16 More to have someone in the room for the conversation. And again, it -- just the way
17 the call -- it was initiated was a little odd to me. Like, if they have questions, they could
18 have picked up the phone and asked, but instead, they had an admin assistant contact
19 me and kind of invite me to a meeting without telling me what it was about, and when I
20 asked, it was kind of for your ears only and this is what's -- it about, kind of thing. So it
21 just seemed a little strange to me, I guess.

22 **MR. MICHAEL SCOTT:** You knew it was about the Officer Safety
23 Bulletin?

24 **CHIEF DAVE MacNEIL:** After I asked, yeah.

25 **MR. MICHAEL SCOTT:** Right. And that was confirmed to you
26 before you took the meeting?

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MR. MICHAEL SCOTT:** Yeah. And you had already

1 communicated to the RCMP that that had been FOIPOPped by CBC and your
2 organization was of the view that we're duty bound to release this; correct?

3 **CHIEF DAVE MacNEIL:** Correct.

4 **MR. MICHAEL SCOTT:** And I'm going to suggest to you that what
5 you assumed is you were getting this phone call to get some pressure to not release
6 that safety bulletin publicly?

7 **CHIEF DAVE MacNEIL:** I don't know if I want to go and say that
8 for sure. I mean, just the tone of the conversation was a little suspect possibly, if I'll say
9 that, but, yeah.

10 **MR. MICHAEL SCOTT:** All right.

11 **CHIEF DAVE MacNEIL:** We'll leave it at that.

12 **MR. MICHAEL SCOTT:** Well, I'll suggest to you that in your
13 statement to the Mass Casualty Commission you said, and I quote, "It felt like we were
14 being nudged in a direction that I wasn't comfortable with."

15 **CHIEF DAVE MacNEIL:** Well, there was some discussion about
16 bringing a Major Crime triangle, and going over our holdings in our files, and things like
17 that, so we weren't a hundred percent comfortable with that.

18 **MR. MICHAEL SCOTT:** Why not?

19 **CHIEF DAVE MacNEIL:** When you're dealing with information of
20 source, information of things of that nature, not that this person was a confidential
21 source, but we -- you know, you have to protect that information even from other police
22 agencies. So there didn't seem to be a logical reason why that was happening, and we
23 just felt that, you know, it might have been an overreach perhaps.

24 **MR. MICHAEL SCOTT:** All right. Did you not also feel that if the
25 bulletin could go away, they, being the RCMP, would be very happy?

26 **CHIEF DAVE MacNEIL:** I think later on through -- there was --
27 there was a further conference, or a Zoom call, or whatever it was, with the Chief in
28 Halifax and Amherst and myself, and the Issues Management Team from the RCMP

1 side of the house, and there was a document that was produced about the life cycle of a
2 bulletin, and it seemed to explain what should and shouldn't happen from everybody
3 else but the RCMP. And it wasn't just myself that took note of that. The other chiefs as
4 well were kind of thinking that was a little bit strange.

5 **MR. MICHAEL SCOTT:** Was it your impression that the RCMP
6 was trying to come up with reasons to blame the existence of that bulletin on either the
7 Truro Police Service or another agency?

8 **CHIEF DAVE MacNEIL:** I mean, the document speaks for itself.
9 The Issues Management document, it clearly spells out what Amherst should or
10 shouldn't have did, what Halifax should or shouldn't have did, and everybody except the
11 RCMP, so I don't -- the document kind of maybe lends one to think that, but ---

12 **MR. MICHAEL SCOTT:** Sorry, I didn't catch that.

13 **CHIEF DAVE MacNEIL:** I think the document kind of lends me to
14 think that, but I -- again, I -- yeah.

15 **MR. MICHAEL SCOTT:** Right. But I'm asking you what you think.

16 **CHIEF DAVE MacNEIL:** Yeah, that's what I think, based on the
17 document.

18 **MR. MICHAEL SCOTT:** Right.

19 **CHIEF DAVE MacNEIL:** There was more -- it left out a big piece of
20 that and what happened with the Portapique information, I think.

21 **MR. MICHAEL SCOTT:** Sorry, it left out?

22 **CHIEF DAVE MacNEIL:** In that document, it explained Amherst,
23 Truro and Halifax, but it didn't refer to the RCMP's dealings with the Portapique
24 information.

25 **MR. MICHAEL SCOTT:** And what efforts the RCMP had made to
26 follow up on ---

27 **CHIEF DAVE MacNEIL:** Correct.

28 **MR. MICHAEL SCOTT:** --- information that had been provided,

1 yeah. At paragraph 1 -- or page 114 of your statement to the MCC, and I'm quoting
2 here, you say,

3 "...the vibe I got was nudge, nudge a little brother,
4 we're going to put a little heat on you until it goes
5 away."

6 What did you mean by that?

7 **CHIEF DAVE MacNEIL:** Well, this whole thing has been an
8 emotional -- for me personally, I mean, my family lives out there, my in-laws live out
9 there. I just -- at that time, I -- at the time of my statement, I was very emotional about
10 this whole situation and I still am. This was a senseless loss of life and 23 people lost
11 their lives and the families and communities are impacted deeply by this. So I think a lot
12 of the -- my statement was -- I stand by my statement, but I was -- it was pretty raw and
13 pretty emotional, and the feeling I got was, you know, what did Halifax Regional do with
14 this information, that kind of thing. So that's what I meant by nudge, nudge, that sort of
15 thing.

16 **MR. MICHAEL SCOTT:** And in that scenario, who's doing the
17 nudging?

18 **CHIEF DAVE MacNEIL:** Well, the document came from the RCMP
19 Issues Management Team, so that's where I felt there was nudging from.

20 **MR. MICHAEL SCOTT:** Can we go to page 102 of Chief MacNeil's
21 statement to the Commission, please?

22 Chief, do I understand correctly that in July of 2020 you had sent an
23 email to the then Justice Minister Mark Furey suggesting that you did not want to
24 participate in a review?

25 **CHIEF DAVE MacNEIL:** Correct.

26 **MR. MICHAEL SCOTT:** Right. And what precipitated you sending
27 that email to the Justice Minister?

28 **CHIEF DAVE MacNEIL:** My recollection was all the Chiefs in Nova

1 Scotia received a request to sign a letter indicating that the Nova Scotia Police Chiefs,
2 individual Chiefs, were happy with the review instead of a full inquiry.

3 **MR. MICHAEL SCOTT:** You're talking about a review instead of a
4 public inquiry?

5 **CHIEF DAVE MacNEIL:** Correct, yeah.

6 **MR. MICHAEL SCOTT:** And you did not want to -- I think what you
7 said in your statement was, in good conscience I couldn't sign it.

8 **CHIEF DAVE MacNEIL:** Correct. I have ---

9 **MR. MICHAEL SCOTT:** Why not?

10 **CHIEF DAVE MacNEIL:** --- friends and family that lost loved ones
11 in this incident and we as police need to do better, and I didn't think at that time -- I
12 knew the family and community didn't want a review, and I wasn't going to sign onto a
13 document that I didn't believe in my heart was the right way to go.

14 **MR. MICHAEL SCOTT:** And did you receive any pressure from
15 the provincial government or anyone else to sign on to that narrative?

16 **CHIEF DAVE MacNEIL:** No, I never -- I never did get a response
17 from the Minister's Office.

18 **MR. MICHAEL SCOTT:** You said at page 103 of your statement to
19 the Commission, "And a lot of people felt it was a coverup and I was one of those
20 people." What did you mean by that?

21 **CHIEF DAVE MacNEIL:** Well, I mean, again, having in-laws that
22 live in the community, I mean, I know the community's feelings on that review versus
23 what we have today, and the review wasn't going to cut it. I mean, there was a march
24 to the RCMP Detachment by the family members, and as a community member myself
25 and a leader in the community, I wasn't prepared to sign onto that.

26 **MR. MICHAEL SCOTT:** And I understand that you're suggesting
27 the community wanted a public inquiry, not a review, and you were supportive of that as
28 a leader within the community.

1 **CHIEF DAVE MacNEIL:** Correct.

2 **MR. MICHAEL SCOTT:** But I'm asking you specifically, you know,
3 you said, "And a lot of people felt it was a coverup". And then you followed that by
4 saying, "and I was one of those people." What is it you're referring to when you're
5 talking about a cover up?

6 **CHIEF DAVE MacNEIL:** Yeah, I think the review versus the full
7 inquiry. So the review had limitations as to what evidence could come forward, who
8 would testify, those types of things, and that's what I felt was going to be the end result
9 of a review. The community and the families weren't going to get the answers they
10 were looking for, and we as police leaders weren't going to get the answers that we
11 were looking for.

12 **MR. MICHAEL SCOTT:** So your concern at the time was that
13 without the full panel of powers available under a public inquiry, that certain things about
14 what happened would not be uncovered?

15 **CHIEF DAVE MacNEIL:** Correct. Correct.

16 **MR. MICHAEL SCOTT:** Okay. Can you give us a sense of what
17 things you believed would have been left cover up -- covered up, but for a public
18 inquiry?

19 **CHIEF DAVE MacNEIL:** I don't really want to speculate on that
20 because I don't know -- I mean, I just -- that is how I felt and I know the families felt the
21 same way, and the community felt the same way. And I didn't want to be pressured by
22 the Minister of the day to sign on to something that I didn't believe in my heart was the
23 right direction to go.

24 **MR. MICHAEL SCOTT:** And were you pressured to sign on?

25 **CHIEF DAVE MacNEIL:** No. Other than receiving the same letter
26 all the other Chiefs did.

27 **MR. MICHAEL SCOTT:** And at page 104 of your statement to the
28 MCC you say, "The way it was handled, the intimidation, and the spin-doctoring, and the

1 lack of transparency.” Do you know what it is you’re referring to?

2 **CHIEF DAVE MacNEIL:** My agency has been held out to by -- in
3 the media to have no ability to communicate with the RCMP, not to have proper training,
4 not to have policies, not to have firearms, not to have all sorts of things. So that’s kind
5 of what I meant by the spin. That’s kind of been a narrative that we had to fight from
6 day one. We were reached out by a reporter from the *Canada Press* in the early days
7 and said he was told that the RCMP didn’t call us because we have push bumpers on
8 our car. Well, our cars aren’t Fords, they’re Dodge Chargers, they don’t look anything
9 like it. But those are the things we’ve been dealing with for two years from this.

10 **MR. MICHAEL SCOTT:** Right. So when you talk about people
11 spin-doctoring, you’re talking about the media, or the government, or the RCMP? Who
12 is in your view spinning the truth?

13 **CHIEF DAVE MacNEIL:** Yeah, so and again it’s -- my statement is
14 raw because this is an emotional time and when pressed on some of these reporters,
15 they said, we heard this from the RCMP. I don’t know who in the RCMP, but this is
16 what they’ve heard.

17 **MR. MICHAEL SCOTT:** Okay. And when you’re talking about the
18 intimidation, who was intimidating you or the ---

19 **CHIEF DAVE MacNEIL:** I think it was an overall sense, like this
20 letter from the Justice Minister. Just the whole -- a whole host of things throughout this
21 thing. The Alert Ready narrative, the BOLO from 2011, all those things. It was -- my
22 statement was a compilation of a whole year of frustration and that -- all those things
23 came into there.

24 **MR. MICHAEL SCOTT:** Okay. But is there any way you’re able to
25 be more specific about what the source of what you felt this intimidation was? I
26 understand that the situation is stressful. But did you feel that some agency or groups
27 were directly attempting to intimidate you in your role as the Chief of Police?

28 **CHIEF DAVE MacNEIL:** I think overall, not specifically. I think just

1 the whole situation. There was like I said, the Minister of Justice sending a letter to all
2 the Chief, and a lot of the Chiefs were asking, like, why am I signing this? You know,
3 like, this had nothing to do with Cape Breton or wherever. So there's just been a whole
4 lot of things over that whole year that it's not one specific incident, it's just a compilation
5 of things that led me to feel that frustration.

6 **MR. MICHAEL SCOTT:** Okay. What about with respect to you
7 note, a lack of transparency? What's the source of the lack of transparency that you
8 were concerned with?

9 **CHIEF DAVE MacNEIL:** I mean, yeah, it's difficult to put your
10 finger on one thing. I mean, if mistakes are made, if people -- you know, if things should
11 have been done differently, maybe that could have been communicated better. Some
12 of the things in the media that came out originally, that we come to find out now aren't, I
13 mean, that kind of thing, I think.

14 **MR. MICHAEL SCOTT:** Can you give us an example?

15 **CHIEF DAVE MacNEIL:** Not off the top of my head, no.

16 **MR. MICHAEL SCOTT:** Okay. When you were asked by the
17 interviewers for the Mass Casualty Commission about the impact this incident had on
18 your officers, the officers of the Truro Police Service, one of the things you said at page
19 106 of your statement was, "The whole thing with the shooting at the fire hall in Onslow,
20 our officers are still bothered by that." What did you mean by that?

21 **CHIEF DAVE MacNEIL:** Well, you know, just the whole SiRT
22 report, possibly. I've heard officers talk about that. That type of thing. The whole -- the
23 way that all unfolded is a little troubling, I think, was what they think.

24 **MR. MICHAEL SCOTT:** But in what way would either the incident
25 at Onslow or SiRT's handling of it impact your officers in the Truro Police Service?
26 What would be the source of their concerns?

27 **CHIEF DAVE MacNEIL:** I mean, and I don't want to be critical of
28 anybody, you know, front line response to this incident at all. But that whole incident at

1 the fire hall just seems to be a little outside of the playbook that is normal police
2 response. And ---

3 **MR. MICHAEL SCOTT:** Is that how you would describe it, a little
4 bit out of the playbook?

5 **CHIEF DAVE MacNEIL:** It's not the way we do business. That
6 regard, I guess. And I just know some of my officers were talking about it once the
7 report came out, they were concerned with it.

8 **MR. MICHAEL SCOTT:** And what were the concerns, and do you
9 share them?

10 **CHIEF DAVE MacNEIL:** The outcome of the report itself, possibly.
11 That you know ---

12 **MR. MICHAEL SCOTT:** How so?

13 **CHIEF DAVE MacNEIL:** That there was determined that there was
14 no fault, that kind of thing.

15 **MR. MICHAEL SCOTT:** Okay. And sorry, are you expressing a
16 concern that you had or a concern that your officers had?

17 **CHIEF DAVE MacNEIL:** No, I didn't express -- I don't want to
18 engage the officers with that kind of thing. But I just know there was talk around the
19 office that people were making comments about that.

20 **MR. MICHAEL SCOTT:** And they were concerned by it?

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MR. MICHAEL SCOTT:** Okay. What other impacts has the April
23 2020 had on your officers?

24 **CHIEF DAVE MacNEIL:** I mean, the whole community has been
25 impacted by this, and again, it's been -- the incident was one thing and then the two
26 years after the incident has been another. So this is, you know, it's a deeply raw,
27 emotional time in our community here, and again, I know family members here, I know
28 them personally, that were impacted by this. So this has been difficult for everybody in

1 this part of Nova Scotia and beyond and that's -- I guess that's what I meant by that.

2 **MR. MICHAEL SCOTT:** Going to page 97 of your statement to the
3 Mass Casualty Commission you say, "The incident caused a lot of angst and grief
4 among our officers, like a lot of them thought the thing was a complete mess." What
5 was a complete mess?

6 **CHIEF DAVE MacNEIL:** The fact that this guy was able to drive
7 through our community really bothered us. We take public safety seriously and we have
8 a responsibility in Truro for that, and the fact that we found out a week later that this guy
9 drove through our community upset a lot of our officers, including me.

10 **MR. MICHAEL SCOTT:** And how did you find out?

11 **CHIEF DAVE MacNEIL:** From the news, when it was released on
12 the news.

13 **MR. MICHAEL SCOTT:** Yeah, you saw on the news that there
14 was footage ---

15 **CHIEF DAVE MacNEIL:** Correct.

16 **MR. MICHAEL SCOTT:** --- taken from security cameras.

17 **CHIEF DAVE MacNEIL:** Yeah.

18 **MR. MICHAEL SCOTT:** Yeah, and was that security footage
19 gathered by the Truro Police Service?

20 **CHIEF DAVE MacNEIL:** No.

21 **MR. MICHAEL SCOTT:** No. Is it your understanding the RCMP
22 came into the Town of Truro and canvasses and collected that information?

23 **CHIEF DAVE MacNEIL:** I guess I would assume that. I'm not
24 sure.

25 **MR. MICHAEL SCOTT:** Right.

26 **CHIEF DAVE MacNEIL:** But they got it somewhere.

27 **MR. MICHAEL SCOTT:** Were you contacted by anyone at the
28 RCMP to say, hey, we're going to come into Truro and -- because we're going to

1 canvas some of the businesses to look for footage?

2 **CHIEF DAVE MacNEIL:** Not that I can recall.

3 **MR. MICHAEL SCOTT:** Nobody gave you a heads up?

4 **CHIEF DAVE MacNEIL:** They were going -- there was one where
5 they were going to do a search at a business and they did call and say that, and we
6 provided a police vehicle to sit at the business when they did their search. But other
7 than that, no.

8 **MR. MICHAEL SCOTT:** Was this before or after you saw it on the
9 news?

10 **CHIEF DAVE MacNEIL:** Oh, after, well after.

11 **MR. MICHAEL SCOTT:** Right. But I'm talking about when -- at the
12 time you saw it on the news, had you had any communication in the RCMP about them
13 coming into the Town of Truro ---

14 **CHIEF DAVE MacNEIL:** No, none.

15 **MR. MICHAEL SCOTT:** --- as part of their investigation? And it
16 would be normal any time the RCMP was operating within the town that presumably,
17 the Truro Police Service would, as a courtesy, be advised of that, correct?

18 **CHIEF DAVE MacNEIL:** As a courtesy, and also like, a de-
19 confliction so if there were plainclothes officers in a community maybe wearing firearms,
20 we should probably know that in case someone calls and says, "There's two guys at my
21 store with -- you know what I mean? So yeah, that's usually the way we would like to
22 see things done.

23 **MR. MICHAEL SCOTT:** And would you have expected if the
24 RCMP had information that a mass murderer in a police car was driving up Prince
25 Street that that's something that they would have alerted to you before you saw it on the
26 news?

27 **CHIEF DAVE MacNEIL:** I think it would, as a professional
28 courtesy, as the chief, I would have liked to known that for sure, because it did cause

1 some concern with citizens who then contacted the mayor and the police board chair,
2 and they were asking me questions, and I had no idea.

3 **MR. MICHAEL SCOTT:** A big part of the reason why your officers
4 were upset after the event was you said that they felt that they didn't have information
5 from you and the other managers, correct?

6 **CHIEF DAVE MacNEIL:** M'hm. Correct, yeah.

7 **MR. MICHAEL SCOTT:** And your response to them would be that
8 you didn't have information to give them, correct?

9 **CHIEF DAVE MacNEIL:** Yeah, about him driving through the town,
10 you mean, is that -- or in general?

11 **MR. MICHAEL SCOTT:** In general, yeah.

12 **CHIEF DAVE MacNEIL:** Yeah.

13 **MR. MICHAEL SCOTT:** Page 100 of your statement to the MCC,
14 you said:

15 "Obviously, something critically went wrong in the
16 response. The initial response was flawed." (As
17 read)

18 What were you referring to?

19 **CHIEF DAVE MacNEIL:** Well, I think probably containment, but I --
20 again, I'm not criticizing the officers that responded there. There was something --
21 obviously, something catastrophically went wrong if this happened over this period of
22 time.

23 **MR. MICHAEL SCOTT:** And at page 129 of your statement to the
24 Mass Casualty Commission, you said:

25 "Unless there's a real willingness to acknowledge that
26 this model doesn't work, I don't know that you're going
27 to get a change." (As read)

28 What model were you referring to?

1 **CHIEF DAVE MacNEIL:** I think what I was referring to is the model
2 of -- the District Policing Model that is in place in rural Nova Scotia.

3 **MR. MICHAEL SCOTT:** And sorry, do I take it from combining that
4 with what you said in your statement that you believe that that does not work?

5 **CHIEF DAVE MacNEIL:** No, I -- that's correct.

6 **MR. MICHAEL SCOTT:** Is it true that you also believe -- that you
7 firmly believe that the agency, being the RCMP, that they never admit that they did
8 anything wrong?

9 **CHIEF DAVE MacNEIL:** Yeah, it's -- in this case, so far, it seems
10 that way.

11 **MR. MICHAEL SCOTT:** And is it your view that that's part of the
12 reason why this model can't work?

13 **CHIEF DAVE MacNEIL:** We need to do better in Nova Scotia, and
14 we need -- a knowledge exchange needs to happen, and we need to look, you know,
15 better and learn from shortcomings and learn from mistakes.

16 **MR. MICHAEL SCOTT:** And it's your view that that can't be done
17 under the model that exists currently?

18 **CHIEF DAVE MacNEIL:** I don't know if this -- if that's exactly what
19 I was getting at, but ---

20 **MR. MICHAEL SCOTT:** Well, what exactly were you getting at?

21 **CHIEF DAVE MacNEIL:** I think the model, the Rural Policing
22 Model, we need to have a good look at that. Like, what does that look like, how is there
23 four people working in a county the size of Colchester County? How is there not 24-
24 hour police? There's a whole bunch of things that need to be looked at. That's, I think,
25 what I was referring to.

26 **MR. MICHAEL SCOTT:** From the perspective of you as being the
27 chief of police for the Truro Police Service, if we had another event today like the one
28 we had in April of 2020, do you have any reason to believe that it would end any

1 differently? Are we better prepared today than we were?

2 **CHIEF DAVE MacNEIL:** I -- that's a hard one to speculate on, and
3 a difficult one to answer, to be honest, in fairness to some of the families. I don't know.
4 I don't know how it would turn out. You know, I can speak for my own agency. I mean,
5 we're prepared. We take it seriously. We train. We have the equipment and all those
6 things, and you know, God forbid it never happens in our community.

7 **MR. MICHAEL SCOTT:** Are you more prepared, is your police
8 force more prepared now than it was April of 2020?

9 **CHIEF DAVE MacNEIL:** I believe we are. We had -- all our patrol
10 sergeants are now train in Incident Command, and you know, we've engaged our
11 business communities and made sure their plans are up to -- updated as far as, you
12 know, active shooter at the hospital, community college, things of that nature. So that
13 work's been done and is ongoing. So yeah, I believe we're better. I know our agency
14 feels like we're better prepared.

15 **MR. MICHAEL SCOTT:** Does Truro Police have a healthy and
16 functioning relationship with management at district RCMP in the provincial level?

17 **CHIEF DAVE MacNEIL:** At the district level?

18 **MR. MICHAEL SCOTT:** At the provincial level.

19 **CHIEF DAVE MacNEIL:** I mean, I'm currently probably not as
20 healthy as it should be, but locally, there's no issues. But at the provincial level, I think,
21 in light of some of the stuff that came out here today, I mean, there's obviously some
22 issues at the provincial level with the Nova Scotia chiefs and the RCMP.

23 **MR. MICHAEL SCOTT:** Is the relationship between the municipal
24 chiefs and the RCMP management better or worse than it was on April 17th, 2020?

25 **CHIEF DAVE MacNEIL:** I mean, from my perspective, worse,
26 yeah.

27 **MR. MICHAEL SCOTT:** And is that directly related to matters that
28 are connected to the mass casualty event?

1 **CHIEF DAVE MacNEIL:** Some may be.

2 **MR. MICHAEL SCOTT:** Those are my questions. Thanks, Chief.

3 **CHIEF DAVE MacNEIL:** Thank you, Mr. Scott.

4 **COMMISSIONER MacDONALD:** Ms. Ward?

5 **--- CROSS-EXAMINATION BY MS. LORI WARD:**

6 **MS. LORI WARD:** Good afternoon, Chief.

7 **CHIEF DAVE MacNEIL:** Hello.

8 **MS. LORI WARD:** My name's Lori Ward, and I am counsel to the
9 Attorney General of Canada.

10 **CHIEF DAVE MacNEIL:** Okay.

11 **MS. LORI WARD:** I want to start with the *Nova Scotia Police Act*,
12 and I think it referenced it in your statement a bit. You talked about the requirements of
13 municipal policing, but I just want to read from section 35 ---

14 **CHIEF DAVE MacNEIL:** Okay.

15 **MS. LORI WARD:** --- that you referenced. So:

16 "Every municipality is responsible for the policing of
17 and maintenance of law and order in the municipality
18 and for providing and maintaining an adequate,
19 efficient, and effective police department at its
20 expense in accordance with its needs." (As read)

21 I'm sure you're familiar with this.

22 **CHIEF DAVE MacNEIL:** Yeah.

23 **MS. LORI WARD:** It goes on in subsection 3 to say:

24 "For the purposes of subsection 1, the service
25 provided by police departments shall include crime
26 prevention, law enforcement, assistance to victims of
27 crime, emergency and enhanced services, and public
28 order maintenance." (As read)

1 And then section 36 talks about how you can discharge those
2 obligations, either by setting up your own municipal police ---

3 **CHIEF DAVE MacNEIL:** M'hm.

4 **MS. LORI WARD:** --- or making agreements with another
5 municipal force or the provincial force, which in this case, is the RCMP; is that your ---

6 **CHIEF DAVE MacNEIL:** Correct.

7 **MS. LORI WARD:** --- understanding?

8 **CHIEF DAVE MacNEIL:** Yeah.

9 **MS. LORI WARD:** And I just want to ask you what your
10 understanding of "emergency and enhanced services" is. So would enhanced services
11 include those things like forensic identification, emergency response teams, police dog
12 services ---

13 **CHIEF DAVE MacNEIL:** It could, yeah.

14 **MS. LORI WARD:** --- all those things?

15 **CHIEF DAVE MacNEIL:** It could, yeah.

16 **MS. LORI WARD:** So you'll agree that a municipality is obligated to
17 provide those services, and if it can't provide them itself, it needs to make an agreement
18 with someone else?

19 **CHIEF DAVE MacNEIL:** M'hm.

20 **MS. LORI WARD:** Is that correct?

21 **CHIEF DAVE MacNEIL:** Correct.

22 **MS. LORI WARD:** I think you said in your statement that Truro is
23 lucky to have some of those services funded by the town?

24 **CHIEF DAVE MacNEIL:** Correct.

25 **MS. LORI WARD:** And I think you said you had your own forensic
26 identification?

27 **CHIEF DAVE MacNEIL:** M'hm.

28 **MS. LORI WARD:** K-9 service?

1 **CHIEF DAVE MacNEIL:** Correct.

2 **MS. LORI WARD:** Detective section?

3 **CHIEF DAVE MacNEIL:** M'hm.

4 **MS. LORI WARD:** And I then -- I think in your statement you said,
5 "Whatever", which you -- was there anything you would add to that list?

6 **CHIEF DAVE MacNEIL:** Other sections, you mean?

7 **MS. LORI WARD:** Yes.

8 **CHIEF DAVE MacNEIL:** We have traffic section, community school
9 resource, intelligence, criminal intelligence, street crime enforcement. So there are
10 other things, yeah.

11 **MS. LORI WARD:** Okay. Would you -- things like traffic and
12 school support officers, would you include those in "enhanced services" or is that just
13 sort of regular day-to-day policing?

14 **CHIEF DAVE MacNEIL:** I guess you could lump it in either one, so
15 a lot of places don't have dedicated traffic section, but we have that. So yeah, I mean, it
16 could be either one.

17 **MS. LORI WARD:** Have you read the Provincial Policing Services
18 Agreement between the province and the RCMP?

19 **CHIEF DAVE MacNEIL:** I have, yeah.

20 **MS. LORI WARD:** And have you read it recently?

21 **CHIEF DAVE MacNEIL:** No.

22 **MS. LORI WARD:** Okay. And you're not party to it, obviously?
23 You're not ---

24 **CHIEF DAVE MacNEIL:** Correct.

25 **MS. LORI WARD:** --- privy to the contracting that goes into that?

26 **CHIEF DAVE MacNEIL:** Right.

27 **MS. LORI WARD:** So you know, you have so many -- those
28 enhanced services yourself, and you know they're budgeted for and the town has

1 approved them, and obviously, they cost money?

2 **CHIEF DAVE MacNEIL:** Correct.

3 **MS. LORI WARD:** So in your statement and you talked about the
4 form ---

5 **CHIEF DAVE MacNEIL:** M'hm.

6 **MS. LORI WARD:** --- this new form that apparently is coming from
7 the RCMP ---

8 **CHIEF DAVE MacNEIL:** M'hm.

9 **MS. LORI WARD:** --- when you request a service.

10 **CHIEF DAVE MacNEIL:** Yes.

11 **MS. LORI WARD:** And my take on your statement was you're
12 somewhat annoyed, or resentful -- or you tell me how you felt about the form.

13 **CHIEF DAVE MacNEIL:** I think more surprised because we've
14 never had a form before and there was no explanation, really, given at the time, what
15 the form was or why it was created. So yeah, I was a little bit, yeah, taken aback by this
16 form.

17 **MS. LORI WARD:** Okay. And being a chief of police and no doubt
18 putting together the budgets and things year to year, would you agree with me it's not
19 unreasonable, though, to have to track those things because, as I said, they do cost
20 money.

21 **CHIEF DAVE MacNEIL:** Yes.

22 **MS. LORI WARD:** Now, as I understand it -- as I said, in the *Police*
23 *Act*, if you don't -- of you can't provide those services for your own force, you need to
24 make an agreement with someone.

25 **CHIEF DAVE MacNEIL:** M'hm.

26 **MS. LORI WARD:** Do you have an agreement with anyone else for
27 other services, be it a municipal force or the RCMP? Do you have agreements for
28 service provision?

1 **CHIEF DAVE MacNEIL:** Yes.

2 **MS. LORI WARD:** And what would those entail?

3 **CHIEF DAVE MacNEIL:** So we had an MOU for street crime for
4 CS&S when we had a Major Crime investigator there. We've had -- we've had MOUs in
5 the past like those type of things.

6 **MS. LORI WARD:** And are there other ad hoc request? I mean
7 you showed us a list of times when Truro had helped out other forces or the RCMP.

8 **CHIEF DAVE MacNEIL:** Right.

9 **MS. LORI WARD:** And it works both ways ---

10 **CHIEF DAVE MacNEIL:** Absolutely it does.

11 **MS. LORI WARD:** --- does it not.

12 **CHIEF DAVE MacNEIL:** Absolutely.

13 **MS. LORI WARD:** And you think you talked about the relationship
14 between sort of frontline people on the street ---

15 **CHIEF DAVE MacNEIL:** M'hm.

16 **MS. LORI WARD:** --- there's no problem with the give and take.

17 **CHIEF DAVE MacNEIL:** Right.

18 **MS. LORI WARD:** Are you aware that the Provincial Policing
19 Service Agreement doesn't bind the RCMP to provide services like that?

20 **MS. RACHEL YOUNG:** Commission ---

21 **COMMISSIONER MacDONALD:** Ms. Young.

22 **MS. RACHEL YOUNG:** --- that sounds like Ms. Ward is asking
23 Chief MacNeil for a legal opinion. I don't think he's qualified to answer that.

24 **COMMISSIONER MacDONALD:** Ms. Ward.

25 **MS. LORI WARD:** Chief MacNeil, are you aware of any obligation
26 under the legislation or a contract for the RCMP to provide services free of charge to
27 municipalities?

28 **CHIEF DAVE MacNEIL:** So, again, I'm not ---

1 **MS. RACHEL YOUNG:** Commissioner, it's ---

2 **CHIEF DAVE MacNEIL:** Yeah, I'm not ---

3 **MS. RACHEL YOUNG:** Asking whether there's an obligation under
4 a contract is a legal question, in my submission.

5 **COMMISSIONER MacDONALD:** All right.

6 **CHIEF DAVE MacNEIL:** I'm not that -- I've looked at the
7 agreement, but I'm not an expert on the agreement. I mean I could speak to past
8 practice and how things typically work in the province, but that's not, maybe, an answer
9 to your question.

10 **MS. LORI WARD:** Okay, let's move on. I just ---

11 **COMMISSIONER MacDONALD:** If it helps, we -- you know, we
12 can interpret and ---

13 **MS. LORI WARD:** Right.

14 **COMMISSIONER MacDONALD:** Yes, thank you.

15 **MS. LORI WARD:** So I take it these forms started appearing but
16 you hadn't seen them. When was the first time you would have seen a form like this
17 requesting information on one of these requests for assistance?

18 **CHIEF DAVE MacNEIL:** I -- I -- I don't know. I mean -- I'd say
19 February, but I'm not sure. So I mean it could March, could have been April. I'm not
20 100 percent sure.

21 **MS. LORI WARD:** February of this year?

22 **CHIEF DAVE MacNEIL:** Of 2021.

23 **MS. LORI WARD:** Of 2021?

24 **CHIEF DAVE MacNEIL:** Yeah. And then that's just a rough
25 guess. It was some time in the new year in 2021.

26 **MS. LORI WARD:** Has the RCMP ever refused a request for
27 assistance?

28 **CHIEF DAVE MacNEIL:** No.

1 **MS. LORI WARD:** And you recovered costs from the RCMP when
2 they put their prisoners in your cells, too, so ---

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **MS. LORI WARD:** So it's not an unreasonable thing to need to bill
5 someone for your services. Would you agree with that?

6 **CHIEF DAVE MacNEIL:** I would. But, again, looking at the totality
7 and past practices in the province, that's never happened and has never been spoken
8 of before.

9 **MS. LORI WARD:** But would you agree with me that from time to
10 time, as conditions change, or budgets go up, or money goes down, you've got to
11 reassess, and these contracts are redone every 20 years?

12 **CHIEF DAVE MacNEIL:** Yeah, I would think, yeah, sure, that
13 seems reasonable.

14 **MS. LORI WARD:** Sorry, I'm going to be jumping around a bit ---

15 **CHIEF DAVE MacNEIL:** Sure.

16 **MS. LORI WARD:** --- because of the nature of cross-examination
17 at the end of the day. With respect to the unencrypted radios that you had -- so you
18 said in your statement, you'd made a decision, essentially, based on cost, that you
19 would get encryption for your detective and drug radios but not for your general-duty
20 radios.

21 **CHIEF DAVE MacNEIL:** Yeah, and that was probably a previous
22 chief because that was done, you know, in the early to mid-2000's when we are the
23 TMR-1. Like, there was a TMR and then we moved to TMR-2. And I don't remember
24 when that was, if it was 2014 or 2015, but we kept the same -- we kept the same model
25 then, too, until recently.

26 **MS. LORI WARD:** Okay. If we could call up your statement, which
27 is Exhibit 1032, Madame Registrar, at page 27. If you could scroll down, I think. Yeah,
28 the last paragraph there.

1 So you said:

2 “And, really, we looked at it and thought our general
3 calls going on weren’t that big a deal.”

4 **CHIEF DAVE MacNEIL:** M’hm.

5 **MS. LORI WARD:** So that’s a reference to your general-duty calls
6 and why you didn’t go with encrypted radio?

7 **CHIEF DAVE MacNEIL:** Yeah. At that time, yeah.

8 **MS. LORI WARD:** And when you got encrypted radios, I think you
9 said you got them from the Province of Nova Scotia.

10 **CHIEF DAVE MacNEIL:** M’hm.

11 **MS. LORI WARD:** And were you aware that those came from the
12 RCMP?

13 **CHIEF DAVE MacNEIL:** Yes, they were surplus. And I think the
14 province paid for them as part of that provincial budget, but anyway. But yeah, we got
15 them from DOJ from communications from the RCMP, sure.

16 **MS. LORI WARD:** Well, actually, would you be surprised to know
17 that they were donated free of charge ---

18 **CHIEF DAVE MacNEIL:** That’s awesome, good.

19 **MS. LORI WARD:** --- on the -- after receiving permission from
20 RCMP National Procurement? And that’s in the statement of Glen Byrne. I don’t need
21 to take you to it.

22 **CHIEF DAVE MacNEIL:** No, that’s great.

23 **MS. LORI WARD:** On page 61 of your statement, you talked about
24 dispatcher training.

25 **CHIEF DAVE MacNEIL:** M’hm.

26 **MS. LORI WARD:** And when asked about the training, you said,
27 “That’s an age-old question.” So Stephen Henkel asked you at the top of the page ---

28 **CHIEF DAVE MacNEIL:** Okay.

1 **MS. LORI WARD:** ---

2 "Like, where are the dispatchers trained?"

3 And you said:

4 "Yeah, it's an age-old question -- is, where do you find
5 dispatcher training? So we've checked around
6 numerous times and, like, even HRP train their own
7 dispatchers. There's no real course, per se." (As
8 read).

9 Are you aware that the RCMP has a national core training program
10 for dispatchers?

11 **CHIEF DAVE MacNEIL:** No, I'm not aware of that.

12 **MS. LORI WARD:** Did you ever ask them about it?

13 **CHIEF DAVE MacNEIL:** We've hired dispatchers that came from
14 the RMCP from Telecomms and, basically, what I've described in my statement is what
15 they told us they received for training at that time when we hired them. Now, that might
16 have changed. I'm not sure.

17 **MS. LORI WARD:** Okay. I want to turn to Alert Ready, the Alert
18 Ready issue.

19 **CHIEF DAVE MacNEIL:** M'hm.

20 **MS. LORI WARD:** So this is something you talked about in your
21 statement at page 121 and 122. So I think it's your opinion that you believe an Alert
22 Ready should have been used on April 18th or 19th.

23 **CHIEF DAVE MacNEIL:** My opinion is yes.

24 **MS. LORI WARD:** And you believe it could have saved lives?

25 **CHIEF DAVE MacNEIL:** I do.

26 **MS. LORI WARD:** I think on page 119 of your statement, you said:

27 "The system works very well."

28 Believed it was available to the RCMP that night -- or that morning,

1 actually ---

2 **CHIEF DAVE MacNEIL:** Yeah.

3 **MS. LORI WARD:** --- April 19? Had it used it prior to April 2020?

4 **CHIEF DAVE MacNEIL:** No.

5 **MS. LORI WARD:** But you've used it for missing persons and
6 other things. Can you tell us what other things? This is on page 120.

7 **CHIEF DAVE MacNEIL:** Part of my role in REMO, I believe I
8 would be speaking with -- so flood, localized flooding, things like that, so weather events
9 more than anything.

10 **MS. LORI WARD:** So on April 19th of 2020, you -- it was -- Alert
11 Ready was available to you and you were familiar with it?

12 **CHIEF DAVE MacNEIL:** I was familiar with it, yeah.

13 **MS. LORI WARD:** And so were your -- your deputy chief and your
14 inspector were familiar with it as well on April 19th, 2020?

15 **CHIEF DAVE MacNEIL:** I don't know. I don't even want to
16 comment on what they may be familiar with or not. I'm not sure. I know though our
17 involvement with our REMO and being on that local -- I'm not going to say board, but
18 being involved in our local REMO, I was aware of it that way.

19 **MS. LORI WARD:** I'm wondering, there's a point on April 19th
20 when some of your officers were warning people on the streets of Truro, or they -- there
21 -- that was their -- they were tasked to tell people who were out and about to go into
22 their homes, do you know if any consideration was given by your police service to put
23 out an Alert Ready?

24 **CHIEF DAVE MacNEIL:** I don't believe anything was, no.

25 **MS. LORI WARD:** Okay.

26 So you talked a bit about -- or you were asked about some of the
27 statements made in the aftermath of this -- about Alert Ready and possibly the RCMP's
28 view that such an alert would cause the system to be overwhelmed.

1 **CHIEF DAVE MacNEIL:** Correct.

2 **MS. LORI WARD:** That's correct? And ---

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **MS. LORI WARD:** --- and it's your opinion that that's a false
5 narrative?

6 **CHIEF DAVE MacNEIL:** No. I -- it may cause that. I'm not aware
7 that it would or wouldn't, but what I'm saying is I believe the alert should have been put
8 out, regardless if it caused a 9-1-1 concern.

9 **MS. LORI WARD:** Okay. You're aware that alert was put out on
10 April 24th, 5 days later ---

11 **CHIEF DAVE MacNEIL:** M'hm.

12 **MS. LORI WARD:** --- of an active shooter situation. And are you
13 aware that during that instance, the OCC was overwhelmed with calls and that 29
14 percent of the calls were not processed?

15 **CHIEF DAVE MacNEIL:** There was discussion around that, and,
16 you know, some of the other police services that have the Public Answering sections,
17 they -- the calls weren't defaulted to them, so some of the chiefs questioned how big of
18 an issue was it if their agencies weren't impacted by the overflow. But again, I don't
19 have that -- we're not a Public Answering Service, so I can't really comment on that, but
20 some of the chiefs did express that.

21 **MS. LORI WARD:** Well, I'm not sure what you mean, but I'm
22 looking at the Foundational Document on Alert Ready, so this is the Commission's best
23 evidence on this ---

24 **CHIEF DAVE MacNEIL:** M'hm.

25 **MS. LORI WARD:** --- subject so far. And I don't know, Madam
26 Registrar, if we need to go to the document, but maybe we should. It's COMM-
27 0057390.

28 **REGISTRAR DARLENE SUTHERLAND:** I think Ms. Ward is

1 going to bring Chief MacNeil to the document. I think it's an RCMP situation report that
2 Ms. Ward is referring to.

3 **MS. LORI WARD:** Well, I'm referring to two things.

4 **COMMISSIONER MacDONALD:** Is that the Foundational
5 Document you're looking for ---

6 **MS. LORI WARD:** Yes.

7 **COMMISSIONER MacDONALD:** --- Ms. Ward?

8 **MS. LORI WARD:** Yes, and I refer you to paragraph 56 and 57.
9 Nineteen (19), sorry.

10 So, of course, this is a briefing note from Minister of Public Safety --
11 -

12 **CHIEF DAVE MacNEIL:** M'hm.

13 **MS. LORI WARD:** --- where he says the OCC was overwhelmed,
14 185 calls, only 131 were processed, even with the addition of an extra call taker. And
15 there was some discussion when we had experts here about a narrative about people
16 panicking. And I just want to make it clear that we're not talking about a panicking.
17 We're talking about just a flooding of the OCC ---

18 **CHIEF DAVE MacNEIL:** M'hm.

19 **MS. LORI WARD:** --- because as it says here,

20 "Many callers were members of the public inquiring
21 about the incident and what actions they should take."

22 So it doesn't sound like a panic. But in the next paragraph,

23 "A briefing note from Inspector [...] Greg Robertson of
24 [HRP], included the IES Shift Supervisor..."

25 So that's the HRP's, basically, PSAP; right?

26 **CHIEF DAVE MacNEIL:** Yeah.

27 **MS. LORI WARD:** "...Supervisor's comment [...] there was also
28 "ridiculous" information shared on social media [...],

1 which may have contributed to the increased number
2 of calls."

3 So do you have any views on that false narrative, so to speak, or ---

4 **CHIEF DAVE MacNEIL:** Which is that?

5 **MS. LORI WARD:** Well, it seems that it's an -- a reality, that the
6 public alerts will cause overflow at the OCCs.

7 **CHIEF DAVE MacNEIL:** And that could be. But in the situation
8 that we were faced with in Portapique, you have to weigh that out. And I'm not here to
9 criticize. I'm just pointing out my belief is the alert should have been used. I think,
10 going forward, the province needs to deal with public awareness, and training, and
11 make that part of our go forward. And, you know, if we are going to issue a public alert
12 for a law enforcement event, then we need to do public education in advance, and let
13 people know don't call the 9-1-1 system, don't do this, don't do -- we're going to have
14 people call, but you have to outweigh the balance. What -- we have an immediate loss,
15 an immediate threat to life, or do we worry about flooding the 9-1-1 system? I don't
16 know.

17 **MS. LORI WARD:** So, yeah, and I agree. And so you'll agree with
18 me though that it's a problem if people are getting their calls through to ask if it's safe to
19 walk their dog, as opposed to someone who's in a crisis situation because the shooter is
20 at their door?

21 **CHIEF DAVE MacNEIL:** Could be, yeah. But you have to weigh
22 that risk.

23 **MS. LORI WARD:** With respect to the Nova Scotia Chiefs of Police
24 ---

25 **CHIEF DAVE MacNEIL:** M'hm.

26 **MS. LORI WARD:** --- and the -- I'll call it the downgrading of the
27 status of the RCMP, is it correct that all 10 municipal chiefs voted unanimously to do
28 so?

1 **CHIEF DAVE MacNEIL:** All 10 signed the -- what am I going to
2 call it, the motion or the -- I guess it's the motion, but in attendance, all the municipal --
3 so it would have been deputy chiefs in the room as well, so all voted unanimously, yes.

4 **MS. LORI WARD:** And this morning you said you consulted the
5 RCMP on alternatives.

6 **CHIEF DAVE MacNEIL:** I didn't.

7 **MS. LORI WARD:** Okay. But ---

8 **CHIEF DAVE MacNEIL:** Our president, the vice-president did.

9 **MS. LORI WARD:** --- your understanding is they consulted on
10 alternatives?

11 **CHIEF DAVE MacNEIL:** That's my understanding, but I don't know
12 -- I wasn't privy to those conversations and I don't know exactly what was said, but I
13 was -- as an executive member, I was told that those calls did happen, but I don't -- I
14 can't comment on what was said or what wasn't said because I wasn't on the call.

15 **MS. LORI WARD:** I believe this morning you also said they offered
16 an opportunity to come up with a collaborative solution.

17 **CHIEF DAVE MacNEIL:** M'hm.

18 **MS. LORI WARD:** So what would you see or what opportunity was
19 that? What would you see as a collaborative solution or alternative to, you know, we're
20 demoting you to observer status?

21 **CHIEF DAVE MacNEIL:** Yeah, and again, I wasn't privy to the
22 conversations, but they -- I know Chief Walsh and Chief Feener were on the call, and
23 they did say, "We're open to suggestions here, and looking for it." So when I meant
24 collaboration, I meant that they were willing to listen and willing to consult and see if
25 there was a way forward, other than what transpired so. But I wasn't on the call, so I'm
26 not privy to what that was.

27 **MS. LORI WARD:** No, but I'm asking you what ---

28 **CHIEF DAVE MacNEIL:** M'hm.

1 **MS. LORI WARD:** --- if you have an opinion on what the way
2 forward could be when the RCMP is told that we're going to get together and demote
3 you.

4 **CHIEF DAVE MacNEIL:** M'hm.

5 **MS. LORI WARD:** What could be an alternative?

6 **CHIEF DAVE MacNEIL:** I don't know.

7 **MS. LORI WARD:** I'm going to refer you to a document, and I'm
8 not sure it's in relativity, but it has a COMM number of 005840. Oh, there it is. I believe
9 it was entered as an exhibit, and this is, of course, Commissioner Lucki's letter ---

10 **CHIEF DAVE MacNEIL:** M'hm.

11 **MS. LORI WARD:** --- to Chief Walsh after the vote.

12 **CHIEF DAVE MacNEIL:** Okay.

13 **MS. LORI WARD:** Have you seen this letter before?

14 **CHIEF DAVE MacNEIL:** Yeah. It's been a bit, but I have seen it.

15 **MS. LORI WARD:** He says in the second paragraph,

16 "It appears that the vote achieves the opposite of the
17 Association's objectives, namely, encourage and
18 develop cooperation between police forces in Nova
19 Scotia, create a high standard of efficiency in policing,
20 promote and maintain a high standard of ethics,
21 integrity, honour, and conduct, and foster best
22 practices and cooperation..." (As read)

23 **CHIEF DAVE MacNEIL:** M'hm.

24 **MS. LORI WARD:** "...among law enforcement agencies." (As
25 read)

26 And is it your understanding that those objectives of the Association
27 come directly from its own constitution?

28 **CHIEF DAVE MacNEIL:** Constitution? Yeah, absolutely.

1 **MS. LORI WARD:** You'll agree with me that the RCMP is a big part
2 of policing in Nova Scotia with about 1400 members here?

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **MS. LORI WARD:** And so would you agree with me, it's difficult to
5 see how it would foster cooperation between police forces by downgrading them to a
6 non-voting observer status?

7 **CHIEF DAVE MacNEIL:** Well, they're not an observer, they're an
8 associate member, so they can still participate in all the committees, they can still attend
9 professional development, we can still network, we can still build relationships. They do
10 not have a seat on the executive and they can't vote, that's the only difference.

11 **MS. LORI WARD:** They can audit.

12 **CHIEF DAVE MacNEIL:** Pardon me?

13 **MS. LORI WARD:** They can audit.

14 **CHIEF DAVE MacNEIL:** I'm not ---

15 **MS. LORI WARD:** They can attend, they can watch, but they can't
16 vote.

17 **CHIEF DAVE MacNEIL:** They can't vote, correct, on motions that
18 come from the floor, yeah.

19 **MS. LORI WARD:** So would you call that meaningful participation
20 if you can't vote?

21 **CHIEF DAVE MacNEIL:** Yeah.

22 **MS. LORI WARD:** Really?

23 You said it would have been good to know when the RCMP was
24 coming into Truro to investigate after the incident.

25 **CHIEF DAVE MacNEIL:** M'hm.

26 **MS. LORI WARD:** You're familiar with Bruce Lake?

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MS. LORI WARD:** He's a member of the Truro Police Services?

1 **CHIEF DAVE MacNEIL:** Yeah.

2 **MS. LORI WARD:** And he's directly embedded with the Northeast
3 Nova Major Crime Unit?

4 **CHIEF DAVE MacNEIL:** Not any longer, but he was in April 2020.

5 **MS. LORI WARD:** He was at the time?

6 **CHIEF DAVE MacNEIL:** Yeah.

7 **MS. LORI WARD:** Okay. And he was involved with the
8 investigation of this -- these events?

9 **CHIEF DAVE MacNEIL:** From what I understand, yeah.

10 **MS. LORI WARD:** Did he report back to you on the investigation?

11 **CHIEF DAVE MacNEIL:** No. He was seconded to the -- Northeast
12 Nova Major Crime Unit, so he didn't really report to us at this time. He was seconded to
13 that section.

14 **MS. LORI WARD:** And do you have knowledge of any of those
15 video canvasses, if any of your members were alerted by the RCMP or present?

16 **CHIEF DAVE MacNEIL:** Not that I'm aware of, but I don't know.

17 **MS. LORI WARD:** You don't know.

18 **CHIEF DAVE MacNEIL:** I know I wasn't aware.

19 **MS. LORI WARD:** Well, let me ask you this: When -- if an RCMP
20 member needs to come into the jurisdiction of Truro for ---

21 **CHIEF DAVE MacNEIL:** M'hm.

22 **MS. LORI WARD:** --- any reason, to go to court, say ---

23 **CHIEF DAVE MacNEIL:** Yeah.

24 **MS. LORI WARD:** --- do you find that out? Are you alerted?

25 **CHIEF DAVE MacNEIL:** No.

26 **MS. LORI WARD:** Do other members find out?

27 **CHIEF DAVE MacNEIL:** I don't think, unless they maybe see them
28 at court, but... But going to court and conducting an investigation are a little different.

1 **MS. LORI WARD:** When you were asked about the Onslow
2 Firehall investigation, you said you disagreed with the findings.

3 **CHIEF DAVE MacNEIL:** M'hm.

4 **MS. LORI WARD:** Does that mean you don't have faith in the
5 Serious Incident Response Team?

6 **CHIEF DAVE MacNEIL:** No. I think -- from my perspective, I think
7 I just thought there should have been a little bit more of a -- I don't know how to explain
8 it. I -- nothing to do with the confidence I have in SiRT, just in that case it just seemed
9 to be a little bit of a -- I don't know how to put it without being -- I don't know. To me, I
10 just thought the findings were a little bit -- I thought there should have been a little bit
11 more to the findings.

12 **MS. LORI WARD:** Either you have confidence in them or you
13 don't.

14 **CHIEF DAVE MacNEIL:** I have confidence in SiRT, yeah.

15 **MS. LORI WARD:** Okay. But not in this report. How do you
16 reconcile those two things?

17 **CHIEF DAVE MacNEIL:** Well, I don't know.

18 **COMMISSIONER MacDONALD:** I don't have a difficulty
19 reconciling that, and maybe I'm not getting your point. You can have confidence in an
20 institution and disagree with a particular outcome; couldn't you?

21 **MS. LORI WARD:** Yes, I would say that SiRT's a pretty small
22 body, and so I'm simply asking for his opinion on what he feels about that institution.

23 **COMMISSIONER MacDONALD:** Right.

24 **MS. LORI WARD:** Madam Registrar, could you bring up COMM
25 Number 1652. And I apologise, this was not one of the ones we alerted you to. It came
26 up in questioning.

27 Zero-zero-one-six-five-two (0001652)?

28 It's a letter that my friend referred to but didn't bring up from the

1 Minister of Justice. Actually, a package of documents.

2 **COMMISSIONER MacDONALD:** I think, Ms. MacPhee, your
3 colleague, is meeting with the registrar.

4 **MS. LORI WARD:** Oh. Okay.

5 **COMMISSIONER MacDONALD:** They're trying to find it.

6 (SHORT PAUSE)

7 **COMMISSIONER STANTON:** While they're looking for that, could
8 you perhaps ask other...?

9 **MS. LORI WARD:** Certainly.

10 **COMMISSIONER STANTON:** Thanks.

11 **COMMISSIONER MacDONALD:** I'll tell you what, Ms. Ward, we'll
12 take a break and just ---

13 **MS. LORI WARD:** Okay.

14 **COMMISSIONER MacDONALD:** --- let the -- have the registrar let
15 know, and we'll come back. So thank you.

16 **MS. LORI WARD:** I won't be very long after.

17 **COMMISSIONER MacDONALD:** Thank you.

18 **REGISTRAR DARLENE SUTHERLAND:** Thank you. The
19 proceedings.

20 **COMMISSIONER MacDONALD:** We'll call it 10-minutes, but --
21 yeah, it'll be hard to do it under 10-minutes. So, thank you.

22 **REGISTRAR DARLENE SUTHERLAND:** The proceedings are
23 now on break and will resume in 10-minutes.

24 --- Upon recessing at 4:53 p.m.

25 --- Upon resuming at 5:22 p.m.

26 **REGISTRAR DARLENE SUTHERLAND:** Welcome back. The
27 proceedings are again in session.

28 **COMMISSIONER MacDONALD:** Thank you. Chief? Ms. Ward?

1 **--- DAVID MacNEIL, Resumed:**

2 **MS. LORI WARD:** Thank you. I think Ms. Young's just going to
3 clarify the ---

4 **COMMISSIONER MacDONALD:** Oh.

5 **MS. LORI WARD:** --- status of the exhibit.

6 **COMMISSIONER MacDONALD:** Thank you.

7 **MS. RACHEL YOUNG:** Commissioners, just to let you know,
8 Ms. Ward wanted to refer to a document that is in disclosure, but the registrar wasn't
9 able to bring it up on the screen. It's COMM0001652. So if we could make that an
10 exhibit, please, Madam Registrar.

11 **REGISTRAR DARLENE SUTHERLAND:** It's Exhibit 2000.

12 **--- EXHIBIT NO. 2000:**

13 (COMM0001652) Bundle of correspondence

14 **MS. RACHEL YOUNG:** It's a bundle of correspondence. Just so
15 that we could all have it in front of us, we did over the break print a number of copies,
16 and so each of the Commissioners and the witness have a copy in front of them and the
17 counsel who need it, and I believe it's at about page 16 of the bundle, and I've marked
18 the hard copy with a sticky note for everyone.

19 **COMMISSIONER MacDONALD:** Thanks so much, Ms. Young.

20 And Ms. Ward, whenever you're ready.

21 **--- CROSS-EXAMINATION BY MS. LORI WARD: (Cont'd)**

22 **MS. LORI WARD:** Thank you, Commissioners.

23 I'd like to take you back to your statement for a moment, Chief
24 MacNeil ---

25 **CHIEF DAVE MacNEIL:** Yes.

26 **MS. LORI WARD:** --- on page 103. So you were asked about this
27 passage my friend, Mr. Scott, and in the middle of that paragraph, where it starts:

28 "So there's a lot stuff post-event that caused me a lot

1 of concern around the whole -- the whole thing, and
2 one of them was this whole review. It just didn't sit
3 right with me. And further, the Minister of Justice,
4 Mark Furey, at the time, he wanted all the police
5 chiefs of Nova Scotia to sign this document saying we
6 support the review no matter where they were. So
7 Cape Breton Regional Chief, Annapolis Royal, the
8 other end of the province, didn't matter, he wanted all
9 the police chiefs to sign on like good soldiers and say,
10 'Hey, we support this review,' which we didn't." (As
11 read).

12 **CHIEF DAVE MacNEIL:** Okay.

13 **MS. LORI WARD:** And further down the page, in the bottom of that
14 paragraph:

15 "And I didn't like the narrative. I didn't like the
16 direction. I didn't think it was appropriate for the
17 Minister to ask all the chiefs to sign up and to stand
18 behind him and to say, 'Hey, Nova Scotia. Hey,
19 Media. The chiefs are on board with this.' It's got
20 nothing to do with the chiefs. This didn't happen in a
21 municipal agency's jurisdiction, so why ask us to sign.
22 That's for starters." (As read).

23 So what did you mean by, "No matter where they were, Cape
24 Breton, Annapolis Royal, the other end of the province"?

25 **CHIEF DAVE MacNEIL:** Yeah, geographically located, is what I
26 meant.

27 **MS. LORI WARD:** Right.

28 **CHIEF DAVE MacNEIL:** Right.

1 **MS. LORI WARD:** So what difference did that make to you that --
2 what did that mean to you that he was asking all the chiefs to sign the letter?

3 **CHIEF DAVE MacNEIL:** To me, it meant that he wanted -- he
4 wanted all the chiefs to sign on even though this didn't happen in their jurisdiction kind
5 of thing.

6 **MS. LORI WARD:** And what did "signing on" mean to you?

7 **CHIEF DAVE MacNEIL:** He requested that we sign this document

8 ---

9 **MS. LORI WARD:** Right.

10 **CHIEF DAVE MacNEIL:** --- and then send it back.

11 **MS. LORI WARD:** And you said "to support the review".

12 **CHIEF DAVE MacNEIL:** M'h'm.

13 **MS. LORI WARD:** Which you didn't?

14 **CHIEF DAVE MacNEIL:** Correct.

15 **MS. LORI WARD:** Okay, I want to take you to the exhibit there ---

16 **CHIEF DAVE MacNEIL:** Okay.

17 **MS. LORI WARD:** --- that you have on paper now ---

18 **CHIEF DAVE MacNEIL:** Yeah.

19 **MS. LORI WARD:** --- and to the Minister's letter to you ---

20 **CHIEF DAVE MacNEIL:** Okay.

21 **MS. LORI WARD:** --- of July 23rd. Do you have that page?

22 **CHIEF DAVE MacNEIL:** Yeah.

23 **MS. LORI WARD:** And on the first paragraph, Minister Furey says:

24 "I'm writing to inform you that me and Minister Blair
25 have commissioned an independent review..."

26 He says:

27 "...in order for an independent and impartial review
28 panel to conduct a broad review of the events,

1 including the causes, contexts, and circumstances
2 giving rise to them, the responses of the police, the
3 RCMP and municipal police forces, steps taken to
4 inform, support, and engage victims, families, and
5 affected citizens.” (As read).

6 **CHIEF DAVE MacNEIL:** M’hm.

7 **MS. LORI WARD:** In this -- so I think we all know that the major
8 criticism of the proposed internal review was that it wouldn’t have subpoena power.

9 **CHIEF DAVE MacNEIL:** Correct.

10 **MS. LORI WARD:** Is that your understanding?

11 **CHIEF DAVE MacNEIL:** M’hm.

12 **MS. LORI WARD:** So in the next paragraph, he says:

13 “I am providing a letter similar to this to every chief of
14 police in the province requesting that you and all
15 members of all police agencies fully cooperate with
16 the review panel should the panel request information
17 or assistance from you.” (As read).

18 So it seems to me he’s asking you to cooperate without the need
19 for a subpoena if the panel asks for information.

20 **CHIEF DAVE MacNEIL:** Right.

21 **MS. LORI WARD:** So he’s not necessarily asking you to support
22 the fact that it’s an independent review as opposed to an inquiry. Is that your
23 understanding?

24 **CHIEF DAVE MacNEIL:** Well, what he’s asking is -- yeah. So
25 rephrase your question for me again. I’m sorry I’m foggy at the end of the day here, but

26 ---

27 **MS. LORI WARD:** Well, I believe when you were asked about this
28 document before, and it wasn’t before you ---

1 **CHIEF DAVE MacNEIL:** M'hm.

2 **MS. LORI WARD:** --- you said that your understanding was that he
3 was asking all the municipal chiefs to support ---

4 **CHIEF DAVE MacNEIL:** Sign onto this review document, correct.

5 **MS. LORI WARD:** Sign onto ---

6 **CHIEF DAVE MacNEIL:** Yeah.

7 **MS. LORI WARD:** --- in the sense of -- and I'm asking you to
8 clarify this.

9 **CHIEF DAVE MacNEIL:** Yeah.

10 **MS. LORI WARD:** In the sense of, "We're behind an independent
11 review as opposed to an inquiry." Was that your understanding?

12 **CHIEF DAVE MacNEIL:** Right, yeah.

13 **MS. LORI WARD:** Okay. And I'm putting to you that, is it possible
14 that he's just asking you to cooperate with such a review panel because it wouldn't
15 subpoena power?

16 **CHIEF DAVE MacNEIL:** Possible, sure.

17 **MS. LORI WARD:** Okay. Because it doesn't say "support", right?
18 It says "cooperate".

19 **CHIEF DAVE MacNEIL:** Right, cooperate.

20 **MS. LORI WARD:** And your response was, "No ---

21 **CHIEF DAVE MacNEIL:** Correct.

22 **MS. LORI WARD:** --- we won't."

23 **CHIEF DAVE MacNEIL:** And is it also possible, because the
24 review was going to look into policing in general -- because in the next paragraph, he
25 says:

26 "I anticipate the panel will examine many important
27 matters including the nature of the relationship
28 between municipal police agencies and the RCMP."

1 (As read).

2 Isn't it possible that that's why he's asking all the municipal chiefs to
3 sign on?

4 **MS. LORI WARD:** It may be. I'm not sure. I don't know what his
5 intent was.

6 **CHIEF DAVE MacNEIL:** Okay.

7 **MS. LORI WARD:** Because you made a comment about, you
8 know, being "good soldier", which seemed to -- correct me if I'm wrong -- imply that you
9 were being pressured.

10 **CHIEF DAVE MacNEIL:** Not pressured. He wanted us to sign this
11 agreeing that we support this and want to get behind it and participate fully, and I wasn't
12 in favour of that.

13 **MS. LORI WARD:** Okay, but that's not what it says. It says
14 "cooperate". It doesn't say "support".

15 **CHIEF DAVE MacNEIL:** Well, in my mind, I thought he wanted us
16 to sign on endorsing what he has proposed here, and I don't endorse that.

17 **MS. LORI WARD:** Okay.

18 **CHIEF DAVE MacNEIL:** I didn't endorse it at the time, and I don't
19 now.

20 **MS. LORI WARD:** Thank you. If we could turn to page 128 of your
21 statement. I'm almost done. I promise.

22 **CHIEF DAVE MacNEIL:** Okay.

23 **MS. LORI WARD:** Toward the end of the first big paragraph there -
24 --

25 **CHIEF DAVE MacNEIL:** M'hm.

26 **MS. LORI WARD:** ---

27 "Like -- like, you know, the RCMP, as an agency,
28 don't do a very good job of learning from their

1 shortcomings because they don't believe they have
2 any." (As read).

3 **CHIEF DAVE MacNEIL:** M'hm.

4 **MS. LORI WARD:**

5 "And if you look across the Country, Moncton, and all
6 these different things that have happened across the
7 country, there's recommendations up the wazoo but,
8 at the end of the day, nothing changes, nothing." (As
9 read).

10 So your reference to Moncton, I assume, is the Moncton shootings?

11 **CHIEF DAVE MacNEIL:** M'hm.

12 **MS. LORI WARD:** And we know that that spawned MacNeil

13 Report ---

14 **CHIEF DAVE MacNEIL:** Yeah.

15 **MS. LORI WARD:** --- with 64 recommendations. Are you aware
16 that 60 of the 64 have been implemented, and the last four are in the works?

17 **CHIEF DAVE MacNEIL:** Possibly. I'm not aware of that.

18 **MS. LORI WARD:** Okay. So, if that were true, things do change.

19 **CHIEF DAVE MacNEIL:** Well, you asked me my opinion, and
20 that's my opinion, and that's what I gave, so that's what it is.

21 **MS. LORI WARD:** Oh, that's just an opinion, then?

22 **CHIEF DAVE MacNEIL:** Yeah.

23 **MS. LORI WARD:** Okay. So your opinion is that nothing ever
24 changes and recommendations go nowhere?

25 **CHIEF DAVE MacNEIL:** That's my opinion, yeah.

26 **MS. LORI WARD:** Okay. So if I tell you that recommendations are
27 implemented, does it change your opinion?

28 **CHIEF DAVE MacNEIL:** Yeah, it may, yeah. Oftentimes, they

1 take a long to come into play, and that adds a level of frustration as well, so -- but yeah,
2 I would accept that.

3 **MS. LORI WARD:** Do you agree that a province-wide policing
4 standard would be a good thing?

5 **CHIEF DAVE MacNEIL:** Define what that is. I'm not sure what
6 you're referring to.

7 **MS. LORI WARD:** Well, do you agree that it would be good -- in a
8 province like Nova Scotia where we have 10 municipal forces, provincial force, and
9 RCMP municipal policing as well, that it would aid interoperability for there to be a
10 standard policing standard? And I'm not saying it would be the RCMP's. I'm saying just
11 to have a common -- common policies, common training.

12 **COMMISSIONER MacDONALD:** Ms. Young.

13 **MS. RACHEL YOUNG:** Commissioner, I just wondered -- "a
14 policing standard" is broad. I don't know if there was a particular area that Ms. Ward
15 was intending to ask about.

16 **COMMISSIONER MacDONALD:** Maybe you can just clarify, Ms.
17 Ward.

18 **MS. LORI WARD:** Would it be of assistance in a province like
19 Nova Scotia, where you have many policing entities ---

20 **CHIEF DAVE MacNEIL:** M'hm.

21 **MS. LORI WARD:** --- for there to be common policies on, say,
22 carbine training?

23 **CHIEF DAVE MacNEIL:** M'hm.

24 **MS. LORI WARD:** Major crime investigations?

25 **CHIEF DAVE MacNEIL:** M'hm.

26 **MS. LORI WARD:** Things of that nature? I don't know. Hard body
27 armour? It runs the gamut. So do you think it would aid in interoperability, working
28 together?

1 **CHIEF DAVE MacNEIL:** Well, so there has been standard in Nova
2 Scotia, so you're -- I'm almost understanding -- you're referring there's not standards?
3 Or what ---

4 **MS. LORI WARD:** I'm saying "common standards" as a province-
5 wide policing standard. I know you said in your statement that at one time, you had
6 these binders. You made it sound like they fell into disrepair, the province lost interest.

7 **CHIEF DAVE MacNEIL:** For a period of time, yeah.

8 **MS. LORI WARD:** And now there's an interest in ---

9 **CHIEF DAVE MacNEIL:** Well, not now. There has been ongoing
10 interest, so it's not just a new phenomenon, so -- and there are standards in draft forms
11 that departments have implemented, so this isn't a new initiative, if that's what you're
12 referring to.

13 **MS. LORI WARD:** No, I'm not saying it's a new initiative, I'm just
14 asking if it's a good thing in general.

15 **CHIEF DAVE MacNEIL:** I think so, yeah.

16 **MS. LORI WARD:** Okay. And I think you said in your statement
17 that at one time, you sat down with -- you couldn't wait for the province to get on with it,
18 essentially. Am I mischaracterizing that?

19 **CHIEF DAVE MacNEIL:** Yeah. No, that's true.

20 **MS. LORI WARD:** And so you sat down with your deputy and at
21 times, your inspector?

22 **CHIEF DAVE MacNEIL:** Yeah.

23 **MS. LORI WARD:** And you revamped your own policies?

24 **CHIEF DAVE MacNEIL:** Correct. Yeah.

25 **MS. LORI WARD:** And that you gave some of them to Amherst
26 and ---

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MS. LORI WARD:** --- Kentville, maybe?

1 **CHIEF DAVE MacNEIL:** Yeah, a number of departments, yeah.

2 **MS. LORI WARD:** Would you be interested in working on a
3 provincial-wide policing standard that included all the municipalities and the RCMP?

4 **CHIEF DAVE MacNEIL:** Well, I'm on a committee now that's doing
5 that, so I'm not so sure. This work's been going on in Nova Scotia, right?

6 **MS. LORI WARD:** Sure.

7 **CHIEF DAVE MacNEIL:** So ---

8 **MS. LORI WARD:** Sure.

9 **CHIEF DAVE MacNEIL:** Yeah. So I'm on a committee currently
10 representing the Nova Scotia chiefs on that committee.

11 **MS. LORI WARD:** Is the RCMP on that committee?

12 **CHIEF DAVE MacNEIL:** Absolutely, yeah.

13 **MS. LORI WARD:** Cool, because you were also asked in your
14 statement about the RCMP's policies, policing standards, operations.

15 Have you read the RCMP operations manual?

16 **CHIEF DAVE MacNEIL:** No.

17 **MS. LORI WARD:** ...place here. So on page 128, at the bottom,
18 you were asked:

19 "So if the province were looking at aligning Nova
20 Scotia Policing standards to the RCMP model, would
21 you have any concerns with that -- about that?"

22 You said:

23 "Yeah, definitely."

24 "What would you like to see?"

25 "I don't know that the RCMP model is the be all, end
26 all, and I don't know. I think -- I think -- I don't know --
27 yeah. I don't know why we would do that, to be quite
28 honest because what works for them may not work for

1 us." (As read)

2 **CHIEF DAVE MacNEIL:** Correct.

3 **MS. LORI WARD:** Is there any move afoot to impose the RCMP
4 standards on the province?

5 **CHIEF DAVE MacNEIL:** Not that I'm aware of.

6 **MS. LORI WARD:** Not that you're aware of, okay.

7 **CHIEF DAVE MacNEIL:** Okay.

8 **MS. LORI WARD:** After the events of April 18th and 19th, did you
9 change any policies as a result?

10 **CHIEF DAVE MacNEIL:** In reference to what? We're always
11 aligned, like, reviewing policies and tweaking things, so is there a specific policy you're
12 asking about, or anything in general?

13 **MS. LORI WARD:** No, I'm just asking if you updated any policies
14 specifically on account of the events of April 18th and 19th?

15 **CHIEF DAVE MacNEIL:** No.

16 **MS. LORI WARD:** And you didn't do any tabletop exercises?

17 **CHIEF DAVE MacNEIL:** In relation to what?

18 **MS. LORI WARD:** In relation to active shooter events or scenarios.

19 **CHIEF DAVE MacNEIL:** Tabletop exercises, no, but we have
20 discussed it with our supervisor at a supervisor meeting and we've updated some
21 community plans and things of that nature, but not a tabletop exercise.

22 **MS. LORI WARD:** Okay. I'm just wondering what, if anything,
23 transpired in the Truro Police Service on account of these events to make
24 improvements, adjustments, learn from these events. And so you're telling me that
25 you've spoken with supervisors and you've talked about the events, and that's the
26 extent of it?

27 **CHIEF DAVE MacNEIL:** Yeah.

28 **MS. LORI WARD:** Thank you. Those are my questions.

1 **CHIEF DAVE MacNEIL:** Thank you.

2 **COMMISSIONER MacDONALD:** Thank you, Ms. Ward.

3 Commissioner Fitch?

4 Sorry, Ms. Young.

5 **MS. RACHEL YOUNG:** I just have a couple of clarifying questions,
6 Commissioners, if you don't mind, and I did canvass with Charles Thompson, counsel
7 for Truro Police Service if he had any follow-up questions, and he does not.

8 Just on the -- that letter from Minister Furey, I think Ms. Ward
9 mentioned it was July 23rd, just to put into the record that it was July 23rd, 2020 ---

10 **CHIEF DAVE MacNEIL:** Okay.

11 **MS. RACHEL YOUNG:** --- and then in the bundle of documents
12 that that letter was in, we do see over the page your reply to Minister Furey dated July
13 28th, 2020. Do you see that there? It's double-sided pages, so where the sticky note is,
14 it should be ---

15 **CHIEF DAVE MacNEIL:** It's not on mine that I see.

16 **MS. RACHEL YOUNG:** --- after the -- on the back of the page that
17 has a line for you to sign, there's your email in reply. Yeah, where your right hand is, on
18 the other side of that page, your right hand. Now, did you find this there?

19 **CHIEF DAVE MacNEIL:** It's been a long day.

20 **MS. RACHEL YOUNG:** We're almost there.

21 **CHIEF DAVE MacNEIL:** Yeah. Okay. There it is, yeah. Okay.
22 Thanks. Next one? Okay. All right, thank you.

23 **MS. RACHEL YOUNG:** I just wanted to take you to your reply. I'll
24 just give you a minute to read it over if you haven't looked at it.

25 **CHIEF DAVE MacNEIL:** Okay.

26 **MS. RACHEL YOUNG:** And so I'll read you the first line where you
27 say:

28 "Minister Furey, unfortunately, I'm not in a position to

1 sign this document in support of this review." (As
2 read)

3 And so that was your contemporaneous perception that this -- your
4 -- the request for your signature was asking you to sign on in support ---

5 **CHIEF DAVE MacNEIL:** Correct.

6 **MS. RACHEL YOUNG:** --- not just cooperation?

7 **CHIEF DAVE MacNEIL:** Right.

8 **MS. RACHEL YOUNG:** And was there -- why did you think that?
9 Was there something about the contents of this letter that made you feel that was what
10 was being asked of you?

11 **CHIEF DAVE MacNEIL:** Just where he was asking to sign on. I
12 think my signature would have been endorsing the review, and yeah, that's how I
13 interpreted it anyway.

14 **MS. RACHEL YOUNG:** Okay. I had one question for you about
15 what information was available to Truro police officers during the event, and just what's
16 available to them in their cars.

17 When Ms. Nijhawan was asking you how a dispatcher could relay
18 information in BOLOS that are provided by text to officers in cars ---

19 **CHIEF DAVE MacNEIL:** Right.

20 **MS. RACHEL YOUNG:** --- and you mentioned that the dispatcher
21 could read it out. And are these -- are we talking about the BOLOS that are in CPIC?

22 **CHIEF DAVE MacNEIL:** Yes.

23 **MS. RACHEL YOUNG:** And do those appear in PROS?

24 **CHIEF DAVE MacNEIL:** Not unless they're scanned and added to
25 the occurrence, is my understanding.

26 **MS. RACHEL YOUNG:** And so that was my question. The --
27 leaving aside cell phones in cars, there was a computer system in the car. Would ---

28 **CHIEF DAVE MacNEIL:** Yeah.

1 **MS. RACHEL YOUNG:** Would the officers have been able to pull
2 up the BOLOS on those computers?

3 **CHIEF DAVE MacNEIL:** If they were scanned to the occurrence.

4 **MS. RACHEL YOUNG:** So someone would have had to take the
5 additional stuff to add it in ---

6 **CHIEF DAVE MacNEIL:** Yeah.

7 **MS. RACHEL YOUNG:** --- first?

8 **CHIEF DAVE MacNEIL:** Yeah.

9 **MS. RACHEL YOUNG:** Okay. Thank you, those are my
10 questions.

11 **CHIEF DAVE MacNEIL:** Thank you.

12 **COMMISSIONER MacDONALD:** Thank you, Ms. Young.
13 Commissioner Fitch?

14 **COMMISSIONER FITCH:** Thank you, Chief MacNeil. I recognize
15 it's been a long day and we do have a few questions for you.

16 In saying that, I do want to thank our participant counsel for asking
17 some questions. It enabled me to knock a few off my list, so thank you for that.

18 Chief MacNeil, some of my questions are going to be directly
19 related to what I've heard from you today, but some of them I'm going to be asking you
20 to kind of look forward ---

21 **CHIEF DAVE MacNEIL:** Okay.

22 **COMMISSIONER FITCH:** --- to help us out with some of our
23 recommendations, so some of them are forward-looking questions.

24 And much like Ms. Ward said, my questions are a little bit scattered
25 because we've covered a lot of information today.

26 **CHIEF DAVE MacNEIL:** Yeah.

27 **COMMISSIONER FITCH:** So I'll be going back to the beginning
28 and working my way towards the end of the day.

1 **CHIEF DAVE MacNEIL:** Okay.

2 **COMMISSIONER FITCH:** My first question for you is in reference
3 to ASIS. We talked about Criminal Intelligence Service Nova Scotia and the intelligence
4 sharing information system through ASIS. And speaking from your experience, I
5 recognize that municipal, military police, CBSA can upload into ASIS and RCMP?

6 **CHIEF DAVE MacNEIL:** M'hm.

7 **COMMISSIONER FITCH:** In your experience, has that been a
8 reciprocal relationship with information sharing?

9 **CHIEF DAVE MacNEIL:** I believe so, yeah. I have no reason not
10 to think that, yeah.

11 **COMMISSIONER FITCH:** Okay. So what goes in the database,
12 there's equal access for all agencies ---

13 **CHIEF DAVE MacNEIL:** Oh, yeah.

14 **COMMISSIONER FITCH:** --- to ---

15 **CHIEF DAVE MacNEIL:** Once it's in the database for sure, yeah.

16 **COMMISSIONER FITCH:** Okay. There are no secret categories
17 that ---

18 **CHIEF DAVE MacNEIL:** There are, but I don't know how much
19 information's in there, so you can restrict files on ASIS, for sure.

20 **COMMISSIONER FITCH:** Okay.

21 **CHIEF DAVE MacNEIL:** --- but through CIS, and that's -- we have
22 a meaningful participation clause, and it's anticipated that everybody participates
23 meaningfully in the intelligence sharing and collecting of intelligence. And unless there's
24 a bona fide reason operationally, or a serious, serious security concern, then everything
25 should be free access for everybody, correct.

26 **COMMISSIONER FITCH:** Right. Thank you very much for that.

27 **CHIEF DAVE MacNEIL:** Okay.

28 **COMMISSIONER FITCH:** Does the Truro Police Service

1 participate in using the formally known as the Public Information Portal but now I think
2 it's called the Public Safety Portal to access records with other agencies including the
3 RCMP?

4 **CHIEF DAVE MacNEIL:** Yeah, for non-PROS agencies, yes.
5 Fortunately, in Nova Scotia, all municipal police agencies in the RCMP are on PROS,
6 with the exception of Halifax Regional and Cape Breton, so we would use that portal to
7 access Halifax and Cape Breton files.

8 **COMMISSIONER FITCH:** So what is the extent of your access to
9 RCMP files through PROS and vice versa?

10 **CHIEF DAVE MacNEIL:** Wide open.

11 **COMMISSIONER FITCH:** It's wide open?

12 **CHIEF DAVE MacNEIL:** Yeah, unless there's a restriction. If there
13 is -- so, for example, we had a couple of homicides last -- in 2021, unfortunately, and
14 both of those were restricted access to, obviously to the investigators and the
15 investigative team. So those would be sensitive that you wouldn't want everybody to
16 know about. So if there was a drug operation, or something of that nature, they may --
17 those things would be restricted access for operational security. But other than that, it's
18 -- yeah, we -- I'm sure they look at our files. And, you know, usually once a week, I
19 make it a point to try and look at the Colchester files just to see what's going on in the
20 county. So it's pretty wide open that way.

21 **COMMISSIONER FITCH:** Okay. So on April 18th and 19th, while
22 these events were unfolding, is it unreasonable to think that anybody within the Truro
23 Police Service would be prohibited from accessing an occurrence report if an
24 occurrence report was established? Could have your members gone in to see ---

25 **CHIEF DAVE MacNEIL:** Yeah.

26 **COMMISSIONER FITCH:** --- what the status was ---

27 **CHIEF DAVE MacNEIL:** Absolutely.

28 **COMMISSIONER FITCH:** --- on the occurrence report?

1 **CHIEF DAVE MacNEIL:** Yeah, if there was one established, but I
2 don't know that there was much on the file at that time, but, yeah, we could look at that,
3 sure.

4 **COMMISSIONER FITCH:** Do you know if anybody in your service
5 ---

6 **CHIEF DAVE MacNEIL:** I don't know.

7 **COMMISSIONER FITCH:** --- had access to the occurrence report?

8 **CHIEF DAVE MacNEIL:** I don't know that.

9 **COMMISSIONER FITCH:** Okay. Thank you.

10 **CHIEF DAVE MacNEIL:** I would think shortly after though it was
11 probably restricted, but that would -- just because it's a -- was a serious investigation,
12 but I don't know that for sure either.

13 **COMMISSIONER FITCH:** Okay. You had mentioned today in your
14 sharing with us that you couldn't recall positively, but you believe that you received a
15 text of the replica cruiser from Deputy Chief Hearn at some ---

16 **CHIEF DAVE MacNEIL:** Yeah.

17 **COMMISSIONER FITCH:** --- point. Over the course of the day,
18 have you reflected on that any further?

19 **CHIEF DAVE MacNEIL:** I had mentioned to the counsel in our --
20 one of our breaks that, you know, it may have been I seen it when I got to the station,
21 I'm not sure. And I don't want to sound non-committal on that, but I just don't -- I don't
22 recall, to be honest, with any degree of accuracy. It might have been when I was home,
23 but it might have been when I got to the station too.

24 **COMMISSIONER FITCH:** Okay. We've heard from others in their
25 testimony that they were shocked when they actually saw the level of detail on the
26 replica vehicle. Knowing that you can't recall when you saw the picture, what was your
27 reaction?

28 **CHIEF DAVE MacNEIL:** Yeah, surprise, absolutely, yeah. Yeah.

1 **COMMISSIONER FITCH:** When you attended the station, you had
2 mentioned that you went in, and you got into your uniform, and got your kit.

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **COMMISSIONER FITCH:** Presuming that included a mobile radio?

5 **CHIEF DAVE MacNEIL:** Yeah.

6 **COMMISSIONER FITCH:** And do you have police radio in your car
7 as well?

8 **CHIEF DAVE MacNEIL:** Yeah.

9 **COMMISSIONER FITCH:** And were you driving your police car
10 from home to Truro?

11 **CHIEF DAVE MacNEIL:** Yeah.

12 **COMMISSIONER FITCH:** Okay. Were you monitoring the radio
13 transmissions with your officers during that time?

14 **CHIEF DAVE MacNEIL:** No, so I'll correct that. So I have a
15 portable radio that's issued to me. So when I'm in my car, it's in my car, when it's not,
16 it's at the office. So ---

17 **COMMISSIONER FITCH:** Okay.

18 **CHIEF DAVE MacNEIL:** --- it wasn't in my car on my way there.

19 **COMMISSIONER FITCH:** Okay. And so were you monitoring the
20 transmission with your officers once you got kitted up and headed in?

21 **CHIEF DAVE MacNEIL:** I was -- yeah, I came on the floor, like,
22 the main floor, and was trying to talk to Inspector Smith and Corporal Cormier, so I
23 didn't really have the radio on because I was in the police agency.

24 **COMMISSIONER FITCH:** Okay. So any of the conversations that
25 were going back and forth between, for example, Corporal Cormier and dispatch, you
26 did or did not ---

27 **CHIEF DAVE MacNEIL:** No, did not.

28 **COMMISSIONER FITCH:** --- have opportunity hearing those

1 conversations?

2 **CHIEF DAVE MacNEIL:** No. That's right.

3 **COMMISSIONER FITCH:** Okay. Do you recall at any time -- and
4 forgive me, I'm not sure if this was a telephone call or radio transmission of RCMP -- or
5 pardon me, OCC conversation with Dispatch Bagley at 10:37, I think it's at paragraph
6 95, making reference to the fact that they didn't know where the perpetrator was and
7 that he was -- appeared to be going in circles?

8 **CHIEF DAVE MacNEIL:** If it's in the Foundational Document, I --
9 but I don't -- I didn't -- I don't recall right now when I would have found that out but ---

10 **COMMISSIONER FITCH:** You've never heard ---

11 **CHIEF DAVE MacNEIL:** No.

12 **COMMISSIONER FITCH:** You didn't hear that for yourself?

13 **CHIEF DAVE MacNEIL:** No.

14 **COMMISSIONER FITCH:** You've been a member of the Truro
15 Police Service for 28 years, I believe?

16 **CHIEF DAVE MacNEIL:** Twenty-ninth (29th) now, yeah.

17 **COMMISSIONER FITCH:** Twenty-nine (29). And a number as
18 chief. In your experience, have there been times in the past where RCMP have been in
19 the jurisdiction conducting investigations and that you didn't learn about that until after
20 the fact, for example, arrest made ---

21 **CHIEF DAVE MacNEIL:** Sometimes, but both agencies like to
22 operate under the premise if they're in each other's jurisdiction, we out of courtesy we
23 let each other know, and they try to do that, you know.

24 **COMMISSIONER FITCH:** Okay. As a provincial police force and a
25 municipal police force, it's my understanding that both entities are sworn in with
26 provincial jurisdiction?

27 **CHIEF DAVE MacNEIL:** Correct, yeah.

28 **COMMISSIONER FITCH:** Correct. So it wouldn't be uncommon

1 for Truro to make arrests in RCMP jurisdiction or vice versa?

2 **CHIEF DAVE MacNEIL:** Yeah, correct. Yeah.

3 **COMMISSIONER FITCH:** On the issue of MOUs, it was asked of
4 you -- I think it's with respect to cost recovery and services available, where do you get
5 your services for emergency response team and explosive disposal?

6 **CHIEF DAVE MacNEIL:** We get that from the provincial police
7 service, the RCMP.

8 **COMMISSIONER FITCH:** And is that on a cost recovery basis?

9 **CHIEF DAVE MacNEIL:** No, never has been.

10 **COMMISSIONER FITCH:** Okay. Has that been included in the
11 forms that you made reference to?

12 **CHIEF DAVE MacNEIL:** I've only signed a couple of those forms,
13 so I'm not sure exactly what is. There may be a spot where you specify what service is
14 being asked, but it's been a while since I've seen the forms, so I don't want to say with
15 any certainty.

16 **COMMISSIONER FITCH:** Okay. Thank you.

17 The -- on to the issue of the Nova Scotia Association of Chiefs of
18 Police, until the recent changes, what would the composition of those meetings be?
19 Who -- how many representatives would you have and rank structure from RCMP as
20 well as municipal agencies? It was just chiefs or ---

21 **CHIEF DAVE MacNEIL:** No.

22 **COMMISSIONER FITCH:** --- chiefs, deputies, inspectors ---

23 **CHIEF DAVE MacNEIL:** Yeah, superintendents ---

24 **COMMISSIONER FITCH:** --- superintendents?

25 **CHIEF DAVE MacNEIL:** --- correct, yeah. So associate
26 membership, everyone with inspector rank is an associate member anyway. And, yeah,
27 so superintendent and above are actual active members. And the large agencies like
28 the RCMP, Cape Breton and Halifax would have only so many of those

1 superintendents. So if Halifax had eight superintendents, they weren't all active
2 members, so that way they couldn't control a vote, but there was -- there's a limited
3 amount so. And it was relegated, I believe off the top of my head, to five voting
4 members from Cape Breton, five from Halifax, five from the RCMP, and then the chief of
5 the other agencies, chief and deputy of the other agencies.

6 **COMMISSIONER FITCH:** Okay. Then that's exactly where I was
7 headed was the distribution of votes on significant issues.

8 **CHIEF DAVE MacNEIL:** Okay.

9 **COMMISSIONER FITCH:** So I realize that the Nova Scotia Chiefs
10 of Police Associations were lobbying, working with government, trying to initiate change
11 ---

12 **CHIEF DAVE MacNEIL:** Yeah.

13 **COMMISSIONER FITCH:** --- forward motion, forward movement.

14 **CHIEF DAVE MacNEIL:** Correct.

15 **COMMISSIONER FITCH:** But is it fair to say that the strategic
16 decisions that are made at the Chiefs Association level do have a roll out impact or
17 effect on day-to-day policing?

18 **CHIEF DAVE MacNEIL:** Maybe in a limited capacity, but those
19 decisions are at another table usually, as I spoke of earlier, like, with our PEC
20 committee. We have a very strong Provincial Executive Committee, and those
21 operational day-to-day nuts and bolts on what projects we're going to take on, from
22 enforcement action in the province, which projects we're going to take on for intelligence
23 probes and those types of things, those are more at that table. The Nova Scotia Chiefs
24 is more on the -- I'm not going to say the political side, but more on that side.

25 **COMMISSIONER FITCH:** Sure, but if at Nova Scotia Chiefs
26 meetings, there's a decision to make -- to be made around emphasis to be put on, for
27 example, impaired drivers, or intimate partner violence, that would have knock on
28 effects to your individual organizations operationally?

1 **CHIEF DAVE MacNEIL:** Sure, yeah. But associate members and
2 active members can be involved in that dialogue still. Those types of things typically
3 don't go to a motion. We make very few motions as an association. So really, we
4 wouldn't have a vote on are we going to support this or that. We would discuss it as a
5 group and whether you're associate, or an inspector as an associate member, or a
6 Chief as an active member, you'd have a say in that still.

7 **COMMISSIONER FITCH:** And this is my last question.

8 **CHIEF DAVE MacNEIL:** Sure. I'm losing my voice, so that's good.

9 **COMMISSIONER FITCH:** Are there representatives from the
10 Department of Justice Nova Scotia that are present at NB Chief's table -- or Nova
11 Scotia Chief's table?

12 **CHIEF DAVE MacNEIL:** Nova Scotia Chiefs. Yeah. So they can
13 attend the -- they're not there for the business meeting, which is for active members, but
14 they would be there definitely on the professional development side, or the general
15 meetings. Also on the PEC committee, the Executive Director for Policing Services
16 does attend the PEC meeting as well, because they fund the CSS, so they have a say
17 in that -- not a voting say ,or an operational crime say, but they are there at the table as
18 well.

19 **COMMISSIONER FITCH:** Great. Thank you very much, Chief.
20 Those are all my questions.

21 **CHIEF DAVE MacNEIL:** Thank you.

22 **COMMISSIONER MacDONALD:** Commissioner Stanton?

23 **COMMISSIONER STANTON:** Thank you. Just some
24 clarifications, please. I understand that on the morning of the 19th Risk Manager Briers
25 gave Corporal Cormier a call and updated the Truro Police Service with respect to what
26 he knew at the time, which was he thought there were more than seven dead and that
27 there was a fully marked police car involved. And he suggested that Corporal Cormier
28 tell all Truro Police Members to put on hard body armour. And then Corporal Cormier

1 updated Truro Police Members at 8:51 about this and then gave Deputy Chief Hearn a
2 call to update him as well on all of that information.

3 **CHIEF DAVE MacNEIL:** Yeah.

4 **COMMISSIONER STANTON:** I may have missed it, but I just
5 wondered if you know whether that message to Truro Police Members to put on their
6 hard body armour was passed along?

7 **CHIEF DAVE MacNEIL:** I'm not sure.

8 **COMMISSIONER STANTON:** Okay.

9 **CHIEF DAVE MacNEIL:** I know from some of the officers'
10 statements to the Commission that they did have their hard body armour on. But I don't
11 know if they did that on their own or if it was as a result of that.

12 **COMMISSIONER STANTON:** Okay. And so at -- so before 9:00
13 in the morning, the hospital is -- the hospital is still locked down, you're getting
14 information -- at least Corporal Cormier got information about that, and also this
15 dispatcher told Constable Reeves at 8:49 that the -- passed along the BOLO
16 information that the perpetrator could be anywhere in the province. And we'd heard
17 previous testimony about there being a bit of a debate about whether to use a roadblock
18 in these circumstances. And I just wondered if you -- did you at any point consider
19 putting a roadblock at Highway 2 coming into Truro from the north?

20 **CHIEF DAVE MacNEIL:** Me personally, or the police service?

21 **COMMISSIONER STANTON:** Either.

22 **CHIEF DAVE MacNEIL:** So yeah, I didn't have a whole lot of
23 information, as I said earlier, until later on in the morning. And I don't know the police
24 service, that's not in our area. So really, you know, if -- I think -- and again, I don't want
25 -- I'll speak for myself. If I felt that the RCMP thought that this situation had dispersed
26 that wide and they needed us to do that, and they asked, we would have done that. But
27 just to go assert ourselves into the situation when not knowing exactly what they had
28 under control, what they didn't, what required from us, we wouldn't do that to typically.

1 Much like we wouldn't expect another police agency to assert themselves in our area
2 without being asked to come and assist. For a few reasons, command and control, so
3 we know who's doing what, and those types of things. So that would be my answer to
4 that.

5 **COMMISSIONER STANTON:** Okay. And so the information that
6 Corporal Cormier briefed Deputy Chief Hearn on, did -- I believe Deputy Chief Hearn
7 then briefed you. Is that right?

8 **CHIEF DAVE MacNEIL:** He provided me some information and he
9 indicated that Inspector Smith was being called into the office to see if -- you know, to
10 organize or see what else was required from us.

11 **COMMISSIONER STANTON:** Okay. Thank you. And then I
12 believe you said as well that whether to have a regional policing model is under
13 discussion.

14 **CHIEF DAVE MacNEIL:** What was?

15 **COMMISSIONER STANTON:** Whether to have a regional policing
16 model is under discussion?

17 **CHIEF DAVE MacNEIL:** I don't know where that is right now.
18 That's a decision that the County Council ---

19 **COMMISSIONER STANTON:** You've been part of discussions?

20 **CHIEF DAVE MacNEIL:** Yeah. Since 2019, yeah.

21 **COMMISSIONER STANTON:** Okay. And is that -- I assume
22 because you've been part of those discussions, it's something that you think would be
23 worthwhile exploring further?

24 **CHIEF DAVE MacNEIL:** I believe it would, yeah.

25 **COMMISSIONER STANTON:** Okay. Thanks so much.

26 **CHIEF DAVE MacNEIL:** You're welcome.

27 **COMMISSIONER MacDONALD:** Thank you so much, Chief
28 MacNeil. All my questions have been answered. So it falls on me to offer our sincere

1 thanks to you. It's been a very long day. It's almost 6:00, two minutes before 6:00.

2 **CHIEF DAVE MacNEIL:** It's been a long day.

3 **COMMISSIONER MacDONALD:** It's been a long day, and I'm so
4 sorry it went longer than we all expected.

5 **CHIEF DAVE MacNEIL:** Don't -- don't need to apologize to me. I -
6 - it was my duty to be here, and I appreciate the opportunity.

7 **COMMISSIONER MacDONALD:** Well, thank you. And that's
8 where I'm going as well, it was a difficult day for you and it's a difficult subject matter for
9 all of us. But you know, we're all here for the same purpose and that is to make Nova
10 Scotians and Canadians safer. And you have contributed to that today, sir, and for that
11 we're very grateful and we appreciate it.

12 **CHIEF DAVE MacNEIL:** Appreciate it. Thank you. Thanks for
13 your work, and to the families, thank you for everything you've been doing. So yeah.

14 **COMMISSIONER MacDONALD:** Thank you, and you're free to
15 go.

16 **CHIEF DAVE MacNEIL:** Okay. Thank you.

17 **COMMISSIONER MacDONALD:** Thank you.

18 **COMMISSIONER STANTON:** That's fine. Thank you.

19 Like many parts of Canada, Nova Scotia is served by multiple
20 police forces and emergency response organizations, and today we've learned more
21 about the Truro Police Service and how it works alongside and collaborates with other
22 police forces, including the RCMP.

23 Chief MacNeil has helped to build our understanding of how Truro
24 Police Service coordinates activities, including training, communications, intelligence,
25 sharing, and mutual assistance with its neighbouring forces. He's also shared his
26 experience as a member of the -- of this community which has been so affected. And it
27 wouldn't have been an easy day for him, and we do appreciate him being here. We
28 thank Chief MacNeil and Commission Counsel and participant counsel for all of your

1 questions that have been very illuminating today.

2 The foundational document on Truro Police Services that was
3 shared today helps to build our understanding of what happened. It provides
4 information about the actions and decisions of Truro's officers during the mass casualty.
5 You'll be able to read the document and related source materials on our website, along
6 with the other many foundational documents and materials shared to date. For more
7 detailed information about discussions we've been having on police training or decision
8 making, we do encourage you to watch the webcasts of last week's roundtables, which
9 include preeminent experts from around the world who talked about best practices and
10 their experience in these areas. And the videos are on the website as well.

11 And through the website we continue to accept suggestions for
12 relevant research or ideas for change about any of the issues we're exploring through
13 this work. We'll use these suggestions to inform our final report and the
14 recommendations to help make communities safer. You can find that information under
15 the public submissions tab on the website.

16 Tomorrow Commission counsel will present a foundational
17 document about RCMP public communications, and we'll hear from RCMP witnesses,
18 Corporal Jennifer Clark, Glen Mason, and Superintendent Dustine Rodier to speak
19 about different aspects of public communications.

20 Thanks again. I know it's been a long day. We do appreciate you
21 hanging in there. We'll see you tomorrow at 9:30. Thank you.

22 **THE REGISTRAR:** Thank you. The proceedings are adjourned
23 until June the 7th, 2022 at 9:30 a.m.

24 --- Upon adjourning at 6:02 p.m.


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CERTIFICATION

I, Wendy Clements, a certified court reporter, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Wendy Clements, une sténographe officiel, certifie que les pages ci-hauts sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Wendy Clements