

Small Group Session

Séance en petit groupe

Commissioners / Commissaires

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

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

Dr. Kim Stanton

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II Appearances / Comparutions

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Ms. Katie Devine	Daughter of Heather O'Brien
Ms. Sandra McCulloch	Counsel, Patterson Law
Ms. Grace MacCormick	Counsel, Patterson Law
Mr. Leo Artalejo	Facilitator
Ms. Maureen Wheller	Community Liaison Director
Ms. Emily Hill	Commission Counsel
Commissioner M. MacDonald	Commissioner
Commissioner Kim Stanton	Commissioner
Commissioner Leanne Fitch	Commissioner

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Truro, Nova Scotia

--- Upon commencing on Saturday, September 17, 2022 at 3:00 p.m.

MR. LEO ARTALEJO: So thank you for being here today.

We're recording this session and it will be translated *[sic]* into English and French *[sic]* and posted as a public document as part of the record of the Commission.

Today we are looking forward to hearing from you because we are starting to formulate the final recommendations that will be in the report and we really want to make sure that we understand what the experience was of your family so we can make sure that those recommendations are meaningful and effective for families in the future. So we're hoping to hear from you today about topics - how you were accessing information, how you gathered support during and in the immediate aftermath of the Mass Casualty, what were the things that were most helpful to you as families, and what are the things that are most important to have for Canadian families in the future.

So we've put together the three questions that I sent you by email earlier in the week. We are happy to hear you. We will listen to you respectfully. And my job is just to facilitate the questions and to really support you in helping us learn and hear from your experience. So if you need a break, if you'd like to respond in a brief manner or in a lengthy manner, feel free. We're really looking forward to learning from you today.

And I'll check in with you as we go, each of the rounds, just to see if you would like a break or if you would like to talk a walk or whatever you might need.

So thank you for being here.

The first question is: What do you want to tell us about your experience seeking information and getting support during and immediately after the Mass Casualty?

MS. DARCY DOBSON: I had just written down, and I'm probably

1 going to read most of what I wrote instead of -- I'm not trying to avoid eye contact with
2 anybody but there's -- our family is rather large so it comes from everyone.

3 So I guess I'm going to start with saying there will forever be a
4 before and after April 18th and 19th. It goes without saying how fortunate we are to have
5 a large family who are very close. Without each other, I'm really not sure how any of us
6 would have conquered the uphill battle that has been finding answers and the grief that
7 comes with it.

8 Initially and immediately after the Mass Casualty, we had no idea
9 what happened to our mother. She was texting us one minute and the next, no one
10 could find her. When we finally started to piece together what was going on, one by
11 one, my father, myself and my siblings headed down to where her car was in the ditch.
12 Trying to get information out of anyone there was impossible.

13 Two of my siblings had the RCMP officers point guns at them. One
14 officer even told my father if he went near my mother he would have to shoot him. All
15 the while with no real explanation, it seems to me, that if you didn't have access to
16 social media that morning, there wasn't an RCMP officer in the province that would tell
17 you what was going on.

18 Michaela, who couldn't be here today but has given a statement to
19 the Commission, was at the scene two times that morning before someone told her it
20 was being investigated as a homicide. There were no specifics what was being
21 investigated as a homicide. We really didn't know.

22 Meanwhile, we have information that leads us to believe that our
23 mother was not deceased at this point. And the Inquiry has found no fact on that one
24 way or the other.

25 Michaela asked me to let you know that hindsight is 20/20 and if
26 she knew then what she knows now, she would have went through the RCMP members
27 who stood there threateningly with their guns drawn at her in her way, just to get to her
28 mother.

1 Getting back to the immediate afters of the 19th, we spent the
2 afternoon making numerous phone calls. I personally called the hospital. My sister-in-
3 law and my brother called the RCMP. We finally decided to go back to the scene but it
4 took all of us to get any information. Imagine if you can, six adult children and their
5 father begging for answers six hours after the perpetrator was killed, until finally
6 someone came and took our father aside, to show him a picture. This was our next of
7 kin notification, on the side of the road, with a cell phone picture.

8 Not only that, Andrew, my oldest sibling, was asked to go to
9 Burnside the following day to give DNA for proper identification. He dutifully went to
10 Burnside only to be shown a photograph of his mother on a table, dead and mutilated.
11 They never needed his DNA. And our father had identified her the same way the day
12 before. And that's something Andrew will have to live with for the rest of his life. And it
13 was completely unnecessary.

14 That day I contacted Mattatall Varner Funeral Home. My older
15 siblings and I went to the funeral home together, and Bruce Varner was instrumental in
16 bringing our mother home to us. He was a wonderful help from beginning to end, and I
17 would recommend this funeral home to anyone who was suffering through loss.

18 Wayne Bent was the liaison officer assigned to deal with the Mass
19 Casualty, and there were issues from the very beginning. He wouldn't speak to my
20 sister Katie when she called. He didn't show up to my father's home for days, and it
21 took a fight to get him there. We found out later he was one of the officers who was on
22 the side of the road on Plains Road with his gun drawn, and we can only speculate this
23 to be the reason why he avoided our family for so long.

24 We were never referred to Victim Services. A distant family
25 member suggested we call ourselves, and we did. Some of our family members,
26 immediate family members, have never been contacted by Victim Services, and it's
27 been two and a half years.

28 Our mother's car was returned to us, and although we understand it

1 is not the responsibility of RCMP members to clean a car, you would certainly have
2 thought forensics might have wanted the shell casing that was left on her seat, which is
3 additional proof that the windows did not need to be smashed out by RCMP officers.

4 The days immediately following the death of our mother were by far
5 some of the worst of our lives.

6 **MR. LEO ARTALEJO:** Thank you.

7 **MS. DARCY DOBSON:** That's what I have for your round one
8 questions.

9 **MR. LEO ARTALEJO:** Okay. I'm just going to check in with you,
10 Darcy. Do you need a break?

11 **MS. DARCY DOBSON:** No, I'm all right.

12 **MR. LEO ARTALEJO:** Are you okay to go to round 2?

13 **MS. DARCY DOBSON:** Sure.

14 **MR. LEO ARTALEJO:** Okay. So much of the work that still lies
15 ahead for the Commissions is to make final recommendations that are effective and
16 meaningful. Which issues are most important to you and your family for the
17 Commission to focus on, as we finalize those recommendations?

18 **MS. DARCY DOBSON:** So the single biggest issue and
19 recommendation that we would like to see come out of this Inquiry is regarding the
20 Ready Alert system. There needs to be changes to the Ready Alert system in Nova
21 Scotia. Police need direct access, as well as the province. There need to protocols put
22 in place.

23 When someone says that it would do more harm than good, they
24 need to understand that Ready Alert would have saved my mother's life and I will
25 always believe that. She never would have left her home that day if an alert had gone
26 out. She believed the threat was 20 kilometres away from her; she had nothing to worry
27 about because that is what the men and women who serve and protect us told the world
28 on Twitter.

1 Another big issue for our family is Victim Services. Victim Services
2 needs more funding. They need better partnerships with psychologists and
3 psychiatrists and the ability to bring a crisis team who have the ability and the
4 experience to deal with mass casualty situations. As rare as they are, they happen and
5 our province, quite frankly, was not prepared to deal with the aftermath.

6 I've got to paraphrase this a little bit. As far as unions go, and like
7 our family in particular, nobody got any time off. And I think that a recommendation to
8 the Labour Board or something to that effect -- when somebody you love is murdered,
9 five days of bereavement is not enough. And when you work for a union, you have no
10 choice but to go back to work, which happened to multiple members of my family.

11 **MS. KATIE DEVINE:** Psychologists and therapists that work for
12 Victim Services is very minimal because a lot of them will not work with Victim Services
13 because they're not paid enough for what they do.

14 I had a psychologist in the beginning. My benefits ran out through
15 work and she would no longer do anything for me because Victim Services -- she did
16 not want to work with Victim Services because they wouldn't pay what she wanted to be
17 paid. So then I was left for months looking for another therapist that would be paid
18 through Victim Services 'cause I couldn't afford to do it myself.

19 And Victim Services didn't even have to find that therapist. They
20 gave me a list to go through, and I had to make phone calls.

21 **COMMISSIONER STANTON:** We heard from a few people that if
22 they had been given a list of the people who were ready to take clients for that rate, that
23 would have been better. Then they could have ---

24 **MS. KATIE DEVINE:** Half of them on the list had a waiting list, too.

25 **COMMISSIONER STANTON:** Exactly. Yeah.

26 **MS. DARCY DOBSON:** There is definitely a mental health
27 resource problem in this country, and in this province. And something needs to be done
28 about it.

1 You never expect a mass casualty to happen but it does. We're
2 living proof that there was nobody who knew how to handle the mass of mental health
3 issues that came with it.

4 **MS. KATIE DEVINE:** Another thing that really bothers me about it,
5 I worked for the Health Authority. I worked under Mental Health and Addictions
6 Services. And the fact that they needed me to get paperwork signed by a therapist that
7 I could not find, or I had to come back to work, in a Correctional facility is just beyond
8 me.

9 There was no regard for the job I was in. It was just, "You're
10 unionized; you have to come back and do this job. You're just an administrative
11 assistant. Why does working in a jail bother you so much?"

12 All they have to do is open a newspaper to know who I am and
13 what happened to me. I shouldn't have to beg for time off work.

14 I eventually left that job because there was no respect there. And
15 when I took more time off work, I wasn't paid for it because it was a reoccurring illness.
16 It's going to be a reoccurring illness for the rest of my life. I was diagnosed with PTSD,
17 depression, anxiety. The system doesn't work.

18 **MR. LEO ARTALEJO:** So I'm just hearing that streamlining mental
19 health support and getting that to the families as quickly as possible and not putting the
20 work on the families of figuring out who's available and how am I going to pay for it.

21 **MS. KATIE DEVINE:** I didn't even know Victim Services existed.
22 My brother-in-law is an RCMP officer in Alberta. He asked me if they had been in
23 contact with me yet, and I said, "I have no idea what you're talking about."

24 **MR. LEO ARTALEJO:** So then how did you get connected with
25 Victim Services?

26 **MS. KATIE DEVINE:** I tried to call Skipper and he wouldn't talk to
27 us individually. He would only talk to one member of the family.

28 **MS. DARCY DOBSON:** Which happened to be our sister-in-law.

1 And which is not -- I feel like somebody should have done their homework on that. My
2 mother had five adult daughters. It didn't need to be our sister-in-law that took those
3 calls.

4 **MR. LEO ARTALEJO:** Is there anything that would be helpful to
5 Canadian families in the future when we think about the liaisons and support role?

6 **MS. KATIE DEVINE:** There needs to be more.

7 **MR. LEO ARTALEJO:** There needs to be more, okay.

8 **MS. DARCY DOBSON:** Yeah, more than one.

9 **MR. LEO ARTALEJO:** Yeah.

10 **MS. DARCY DOBSON:** One liaison officer -- you have 22 victims,
11 an unborn child ---

12 **MS. KATIE DEVINE:** With one liaison officer.

13 **MS. DARCY DOBSON:** --- with one liaison officer, but when you
14 think about it, there's -- our mother is one person with eight children who have families
15 of their own. She has siblings, a husband -- so like, the reach is huge in our family
16 alone. So you look at that in 22 separate cases, and one liaison officer. It's ridiculous,
17 actually.

18 **MR. LEO ARTALEJO:** Would you like a break?

19 **MS. DARCY DOBSON:** Yes, actually, I think before the next
20 round.

21 **MR. LEO ARTALEJO:** Okay.

22 **--- End of : 20220917 SGS O'Brien AUD Pt1of2.MP3**

23 **--- Start of : 20220917 SGS O'Brien AUD Pt2of2.MP3**

24 **MR. LEO ARTALEJO:** So we just took a seven and a half-minute
25 break and we're back for round 3.

26 The round 3 question is: Are there other things that would be
27 important for the Commission to understand when it comes to your experience seeking
28 information and getting support during and after the Mass Casualty?

1 **MS. DARCY DOBSON:** I want to start this one by just saying to
2 know my mother was to love her. She was one of those people. She walked into a
3 room, the second you met her you just -- she had a heart of gold and so this question
4 segues into a topic, for us, our entire family believes needs to be on the record and
5 should really be considered when making decisions during an inquiry into any casualty.

6 We have had our mother's Fitbit information for the nearly two and
7 a half years she's been gone. We have wrestled with the fact that it recorded her
8 heartbeat well into the evening of April 19th. We provided this information to the
9 Commission, and you neglected to disclose it to the public while reading the Plains
10 Road Foundational Document. It feels like anything that may be difficult or make
11 anyone uncomfortable to answer is neglected by the Commission.

12 And I want you to understand the countless hours that I personally
13 fought with myself, my own logic was hindered by this information. And then when we
14 started to get disclosure from the Mass Casualty Commission, something came through
15 that made our world spin all over again.

16 We received information that two officers felt a pulse on our mother
17 the day that she died, that they asked for LifeFlight and they performed first aid. So we
18 are left to ask ourselves how long did she suffer? What did she feel? Could she hear
19 Michaela who was her baby, screaming for her? Was the blanket Cst. Fahey said he
20 covered her up to make her comfortable -- was it warm enough?

21 This beautiful, elaborate, sophisticated, self-made, intelligent
22 woman, this mother, this wife, this sister, this nurse -- why was she left there like that?

23 After we had this information we had to keep quiet for months
24 because, of course, we signed undertakings that didn't allow us to share the information
25 you disclosed to us. So when finally we had the opportunity to let the world know what
26 had happened to her, so maybe we could learn, so maybe someone else's mom didn't
27 suffer a similar fate, or the lack of resources that she needed, or at the very least for
28 someone to show her a little compassion like she had to hundreds of patients over her

1 long nursing career. She deserved at least that.

2 And when we were finally given that opportunity to sit and learn
3 from the mistakes made regarding our mother that day, the Commission just didn't. No
4 one knew. No one knew what you made us agonize over for months. So as a family,
5 we decided to release that information, the information you wouldn't release. And after
6 that, you went on a fact-finding mission or something like that, to that effect. And you
7 destroyed our mother's dignity.

8 You very insensitively chose a day that the Medical Examiner was
9 discussing the perpetrator to discuss our mother's injuries. She deserved her own day,
10 one that was not overshadowed by the man who murdered her. She is the only victim
11 you allowed testimony on her injuries, all to prove nothing. I could have stomached
12 what you did if you at least had answers when it was all done. You watched members
13 of the RCMP contradict each other constantly with their statements and testimony
14 regarding our mother. And to this day, all that entire exercise has yielded is no fact.

15 You have no fact. You have never provided a fact, one way or the
16 other.

17 I leave you with these few questions regarding that topic. Why is
18 she the only victim with a thoracic seal on her chest and i-gel down her throat? Why do
19 four members have stories that contradict one another? In the unfortunate event that
20 someone you loved suffered the same fate, wouldn't you want some sort of definite?

21 Reliving this over and over again since those two dreadful days has
22 been the hardest thing this family has ever been through but we've done it together. I
23 would appreciate it if you took the time to see when you say words like, "I understand",
24 that that is a stinging slap. Although you may empathize, the truth is, you do not
25 understand. And I hope you never do. I hope no one does.

26 This circumstance is unimaginable and only people who truly
27 understand are those who lived through it and remain living victims of this rampage.

28 The Inquiry into this event has taken its toll on our family and many

1 others. Our counsel has been treated like nothing but a nuisance. I have been
2 personally attacked by the NPF, and a letter sent to the Commissioners stating I made
3 allegations when in fact I have proof to back up everything I said. I have the evidence
4 that there was no allegations but only truth. Our lawyers asked you to have the NPF
5 retract the statement, and there was no further communication.

6 All participants were not treated equally in this process. You
7 continuously remind my counsel to keep things respectful and the same reminders are
8 not given to other participating counsel, including the NPF.

9 As a family, we are dissatisfied with the entire Inquiry process and
10 the way that we have been publicly disrespected.

11 And that is what I have.

12 Do you have anything else?

13 **MS. KATIE DEVINE:** No.

14 **MR. LEO ARTALEJO:** Thank you, Darcy. It took a lot of courage
15 to share those thoughts.

16 **MS. DARCY DOBSON:** Thank you.

17 **MR. LEO ARTALEJO:** I just want to see if you need a break or ---

18 **MS. DARCY DOBSON:** No.

19 **MR. LEO ARTALEJO:** Okay. I'll just check with the
20 Commissioners and see if there's any comments.

21 **COMMISSIONER MacDONALD:** Thank you for being here for
22 your mother and your touching tribute, and for representing the rest of your family. It
23 wasn't easy, and it was courageous and it was really honest, and I appreciate that. I
24 was the one who said "I understand", and I apologize.

25 **MS. DARCY DOBSON:** It was you.

26 **COMMISSIONER MacDONALD:** Okay. I could never understand,
27 and that was a mistake to say that. I don't remember when I said it.

28 **MS. DARCY DOBSON:** You said it to my father.

1 **COMMISSIONER MacDONALD:** Okay, now I remember the ---

2 **MS. DARCY DOBSON:** Yes. And you need to understand that a
3 lot of my family is not sitting here today because they've lost respect for this process,
4 because we had high hopes going in. And we weren't listened to. I have had meetings
5 with your counsel where I have been completely disrespected -- eyerolling. Like, I had
6 never felt more disrespected in my life as I have going through this process, to be
7 completely frank about the situation.

8 **MS. KATIE DEVINE:** It definitely doesn't feel like anybody's on our
9 side.

10 **MS. DARCY DOBSON:** And I mean, you start every hearing by
11 saying you're remembering the victims and those most affected. Well, we feel out in the
12 cold more than anyone else involved. We know it's not a court of law, and I mean, that
13 was brought up a lot in the beginning. And that this was -- this wasn't something to
14 have any justice. We know that. We just wanted answers. We wanted to know what
15 actually happened. And we don't. We're two and a half years later and we have no
16 idea what actually happened.

17 And I mean, we may never know, and that's something that we're
18 going to have to learn to live with, sure. But it makes this entire exercise useless, really,
19 if there are no answers at the end of it; unless, of course, recommendations are
20 implemented that actually help in a mass casualty situation or ---

21 **MS. KATIE DEVINE:** That are actually implemented.

22 **MS. DARCY DOBSON:** Yes, implemented is the key word in that
23 sentence because there have been inquiries throughout the years that nothing has ever
24 been implemented.

25 **COMMISSIONER MacDONALD:** (indiscernible)

26 **MS. DARCY DOBSON:** Okay.

27 **MR. LEO ARTALEJO:** So any final words? I just want to give you
28 the last word, Darcy.

1 **MS. DARCY DOBSON:** I just -- I do have a question regarding the
2 death of my mother. And I just want to know if you have a fact surrounding her death?

3 **COMMISSIONER MacDONALD:** You mean a fact we haven't
4 disclosed, Darcy?

5 **MS. DARCY DOBSON:** A fact saying one way or another if she
6 was dead or alive when the RCMP got to her, because you have four statements that
7 are very, very contradicting, and all four of them contradict each other.

8 I have a lot of respect for the work you have done, in particular, in
9 your career. And it has been your job for a long time to decide what did and didn't
10 happen. And I just want to know if you have a consensus.

11 **COMMISSIONER MacDONALD:** I don't want to make it sound like
12 I'm putting you off, but that is something which -- that will be part of our process we will
13 have to engage in, the three of us, when everything is completed.

14 **MS. DARCY DOBSON:** Okay.

15 **COMMISSIONER MacDONALD:** When we hear submissions from
16 your counsel, from other counsel. Procedurally, that's how it works. We hear the
17 various submissions, and when everything is in and we have all the materials then we
18 have to take time and deliberate on all of this. And then it makes its way to a final -- I'm
19 just saying this to help you understand the process. I know it's a complicated process
20 but if were to say to you, "This is the fact we reached", somebody who disagrees with
21 that fact would say, "You've reached that before you've even heard from us in
22 submissions."

23 **MS. DARCY DOBSON:** Okay.

24 **MR. LEO ARTALEJO:** So I want to acknowledge that it's really
25 helpful to hear the questions you still have, the love for your mother is -- it's here today
26 and there is -- I guess I just wanted to reflect back that there's sort of -- sense-making
27 on the rational level and then there's the emotional level. And I just really want to reflect
28 for you that you've really shown up on the emotional level even though I understand that

1 there's gaps in the rational understanding. The strength that it takes to be here is
2 testimony to the love you have for your mom. And I'm really grateful for the chance to --
3 that you were willing to spend time with us.

4 And I think, just on behalf of the Commission, you know, we agree
5 with you that not only do the recommendations need to be meaningful and people-
6 centred, and effective, but we need to think about implementation and that is the big
7 part that will be in the final report, recommendations for implementing -- for how to
8 implement those recommendations. And it's something that the Commission and the
9 Commission staff are thinking a lot about. We are agreeing with you. And I think you
10 might have seen it in some of the comments from the Commissioners that we know
11 there need to be champions to make sure these things happen. And you will be a part
12 of that as well.

13 So I just want to thank you for showing up. I know it's difficult and I
14 think we, like you, are wanting to see the change. So I hope you can -- I just want you
15 to know that.

16 **MS. DARCY DOBSON:** Thank you.

17 **COMMISSIONER MacDONALD:** Thank you.

18 --- Session concludes

19


20

C E R T I F I C A T I O N

21

22 I, KAREN NOGANOSH, hereby certify the foregoing pages to be an accurate
23 transcription of the audio recording provided to the best of my skill and ability, and I so
24 swear.

25

26 

27 KAREN NOGANOSH