

Commission of Inquiry
Into the Wrongful
Conviction of David Milgaard
before
THE HONOURABLE MR. JUSTICE
EDWARD P. MacCALLUM

Transcript of Proceedings

and

Testimony before the Commission
sitting at the
Radisson Hotel at
Saskatoon, Saskatchewan

On Tuesday, March 22nd, 2005

Volume 31

Inquiry Proceedings



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RONALD DALE WILSON, CONTINUED

- BY MR. HODSON

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1 Transcript of Proceedings

2 (Reconvened at 10:00 a.m.)

3 COMMISSIONER MacCALLUM: Morning.

4 RONALD DALE WILSON, continued:

10:04 5 BY MR. HODSON:

6 Q Good morning, Mr. Wilson.

7 A Morning.

8 Q Yesterday when we broke I was going through a
9 taped interview with you and Joyce Milgaard. I
10:04 10 think we established that it was either January to
11 April, 1981. Do you remember that?

12 A Yes.

13 Q Now before I go back to that, I just want to go
14 over a few points here, areas that I covered with
10:05 15 you on Thursday and again yesterday and just make
16 sure that I have got from you, and I'm just going
17 to go through this again with you and make sure I
18 fully understand your evidence and that I have it
19 complete. First I want to start off with your May
10:05 20 23rd and 24th statements, so just let's call up
21 document 325546 and this will be helpful,
22 Mr. Wilson, when we get into your subsequent
23 interviews, but I just want to identify what it
24 was you are untruthful or you are fabricating, the
10:05 25 lies that you told in the statement and at trial.



1 Okay, do you understand?

2 A Yes.

3 Q And I think the first one was the knife and I
4 think you've told us that in your statement and at
10:06 5 trial you lied about seeing a paring knife in the
6 car from Regina to Saskatoon; is that right?

7 A That's right.

8 Q And the second one is the woman that you stopped
9 and asked for directions, I think your statement
10:06 10 may have said young lady, I think at trial you
11 said you weren't sure of age, and as well the
12 comments you attributed to David Milgaard of
13 "stupid bitch" which are in your statement and at
14 trial; right?

10:06 15 A Right.

16 Q So that's the second one. The third one we get to
17 the vehicle being stuck after you asked for
18 directions and I think what you told us, and
19 correct me if I'm wrong, is that you made a couple
10:06 20 of fabrications. The first was on the location
21 where you got stuck, I think you told us that you
22 lied about that, that you weren't sure where it
23 was, but at trial you put it near the funeral home
24 or near the murder scene; is that fair?

10:07 25 A Yes.



1 Q And you told us that's not true; correct?

2 A Correct.

3 Q And as well, as far as the time apart, I think in
4 your statement you said 15 minutes and at trial it
10:07 5 varied a bit in distance and time, but I think you
6 told us, told this Commission that that was
7 stretched, that it wasn't 10 or 15 minutes, it was
8 a couple of minutes?

9 A Correct.

10:07 10 Q Is that correct?

11 A Correct.

12 Q And then another lie you told us was the comments
13 you attributed to David Milgaard when he got back
14 in the car, of "I got her, I fixed her," you said
10:07 15 that was not truthful; correct?

16 A Correct.

17 Q And that was in your statement and at trial;
18 correct?

19 A Correct.

10:07 20 Q I think next then you told us that the blood on
21 David Milgaard's clothes, which was in your
22 statement and at trial, you told us that was also
23 not true?

24 A Correct.

10:07 25 Q And similarly the cosmetic bag you said, it was in



1 your statement and at trial, you said that wasn't
2 true?

3 A Correct.

4 Q And then lastly I think you told us that those
10:08 5 were the words -- you basically told the police in
6 your statement and at trial that David admitted to
7 you that he had hit a girl or did a girl and
8 grabbed her purse in Saskatoon?

9 A Correct.

10:08 10 Q And you told us that was a lie?

11 A Correct.

12 Q Now, the last item which was in your statement
13 about your discussion with Nichol John you did not
14 testify to at trial, but that was in your
10:08 15 statement; correct?

16 A Correct.

17 Q And I guess actually there was one other one that
18 I should have put in up here, at trial you
19 testified that when you returned to the car Nichol
10:08 20 John was hysterical?

21 A Correct.

22 Q I think you told us that was not true. So we've
23 covered basically everything that you say was
24 untruthful in your statement and at trial; is that
10:08 25 fair, at least those that are incriminating to Mr.



1 Milgaard?

2 A Correct.

3 Q I would like to ask you, Mr. Wilson, and we
4 touched on this a few other ways, but I would like
10:09 5 to ask you this and ask you to think about it and
6 give me a complete answer. What if anything did
7 the police do to cause you to fabricate evidence
8 or lie in your May 23rd or 24th, 1969 statement?

9 A Just by driving me around the scene, showing me
10:09 10 where everything was, and then by going through
11 the polygraph test and saying I was lying.

12 Q Okay. Is there anything else that you say the
13 police did that caused you to make up or fabricate
14 or lie in those two statements other than what
10:09 15 you've told me?

16 A Just power of suggestion.

17 Q What do you mean by power of suggestion?

18 A Well, suggesting that we must have been here, must
19 have been there.

10:09 20 Q And is that when you were driving around?

21 A Yes.

22 Q Is there anything else?

23 A Drug use.

24 Q Okay, let me just remind you of the question, what
10:10 25 if anything did the police do --



1 A Oh, yeah, right.

2 Q -- to cause you to fabricate evidence in your
3 statements.

4 A Okay. What I just said prior, that's about it.

10:10 5 Q And are you able to tell us what police officers
6 you say caused you or influenced you in any way,
7 if at all, to fabricate evidence in your
8 statements?

9 A Roberts, Karst and Short.

10:10 10 Q And tell me what Mr. Roberts did that you say
11 caused you to lie in your statements?

12 A Just the way the polygraph test had gone.

13 Q So what you've already told this Commission before
14 about what happened?

10:10 15 A Yes.

16 Q What about Mr. Karst?

17 A That driving around and showing me where things
18 were and --

19 Q Anything else?

10:10 20 A No, that's all.

21 Q What about Mr. Short?

22 A Same with Mr. Short.

23 Q Okay. Now I want to ask you a similar question,
24 but it relates to trial, and just listen to the
10:10 25 question carefully. What if anything did the



1 police do to cause you to lie at the trial of
2 David Milgaard?

3 A Nothing.

4 Q So what if anything prevented you from telling the
10:11 5 truth at the trial of David Milgaard?

6 A I don't know.

7 Q Did the prosecutor Mr. Caldwell do anything at all
8 to cause you to lie at trial?

9 A Just suggesting to me about the length of time
10:11 10 that we were separated.

11 Q And is that what you told us yesterday about the
12 discussion you had with him?

13 A Yes.

14 Q Anything else?

10:11 15 A No.

16 Q If we could go back to the interview with Joyce
17 Milgaard, and I think it's document ID 022904, and
18 go to page 022931. If you could go to page
19 022934, and here is Mrs. Milgaard saying to you,
10:13 20 "But anyhow, I am hoping that she still will call
21 me," and they are talking about Nichol John, "And
22 if she does, that I will be able to have a chance
23 just to chat with her as I have with you. And as
24 I said, I'm not going to be having a big to-do, or
10:13 25 any more publicity. I do have \$10,000 and I'm



1 willing to pay that \$10,000 out to anybody that
2 can prove David, you know." Wilson, "I can't
3 prove it." Milgaard, "No, but if you think of
4 anything that will help. I mean this is what I'm
10:13 5 interested in right now, Dale. I'm not
6 interested..." and then you asked to get a
7 transcript of the trial. Do you recall that
8 discussion with Mrs. Milgaard?

9 A Yes, I do.

10:13 10 Q And what did you understand the reference to the
11 \$10,000 to be?

12 A I really didn't know at the time.

13 Q And when you said here, "I can't prove it," what
14 did you mean by that?

10:14 15 A That I couldn't prove that I was lying.

16 Q And why is that?

17 A Because I didn't think that anybody would believe
18 me.

19 Q The next document, for the record,
10:14 20 Mr. Commissioner, and I'll just -- it doesn't need
21 to be called up -- but there is a second
22 transcript that goes along with that tape, it's
23 177479, and I believe we obtained this transcript
24 either from David Milgaard or Joyce Milgaard, but
10:14 25 it's a transcript for that tape. I would now like



1 to call up document 177468, please, and this is a
2 little bit difficult to read, but if we could just
3 call up that top part, and this appears to be a
4 transcript of a second call with Mrs. Milgaard and
10:15 5 I'll just go through part of it. You see the date
6 April 15th, 1981. Is that your -- was that your
7 phone number at the time do you remember,
8 352-1723?

9 A I believe so.

10:15 10 Q And it starts off, it's Joyce Milgaard, "How are
11 you?" D, which is Dale Wilson, "Not bad." "Dale,
12 I just came back from Winnipeg and I found some
13 very interesting things," etcetera. Do you
14 remember a second call where Mrs. Milgaard called
10:15 15 you back?

16 A No, I don't.

17 Q If we could just scroll down, please -- no, up two
18 lines please. Mrs. Milgaard says, "Well, no this
19 was very close after, in comparison ... the first
10:16 20 statement that I had ... they were all identical
21 and they all sort of agreed. And then the next
22 thing that we had was a statement when Shorty went
23 to the police and this was sort of through --" and
24 then D for Dale, "Well I never knew anything about
10:16 25 it, Mrs. Milgaard, till after Shorty went to the



1 police, cuz I was doing time in jail and I never
2 heard anything about it until May. I didn't know
3 nothing about it --" and the question, "Until
4 May?" Answer, "-- about what was going on until
10:16 5 May. There's no statement from me at least until
6 May or June because they came and talked to me in
7 May."

8 If I can pause there,
9 Mr. Wilson. Is that correct? I think you were
10:16 10 telling Mrs. Milgaard there was no statement until
11 May and you've already told us you gave one in
12 March?

13 A Yes.

14 Q Do you know why you would have told her that at
10:16 15 the time?

16 A I was probably thinking of the May statements.

17 Q Okay. And then Mrs. Milgaard says, and if you can
18 scroll down, "Well I wonder -- the date on this
19 statement was in March." You answer "No, cuz I
10:17 20 was in bush camp, doing time. They pulled me in
21 from bush camp -- they talked to me; they got no
22 statement or nothing." "And that was in May?"
23 And you say, "I got out of jail and it was a
24 month, a month and a half later that they came and
10:17 25 saw me and took me up to Saskatoon. That's when



1 they put me on this lie detector test and they
2 never got a statement from until that time, from
3 what I can remember ... there was no statement
4 before then, at least until May. I know damn well
10:17 5 when I was at bush camp."

6 And that statement, do you
7 remember that discussion, a discussion of that
8 nature with Mrs. Milgaard?

9 A I don't recall it, no.

10:17 10 Q And that's not quite right is it?

11 A No, it's not.

12 Q And if you could just scroll down, and J, which I
13 believe is Joyce Milgaard, "Well, maybe what I
14 would like to do is, when I'm up in Regina, is
10:17 15 come and see you and show you -- these are from
16 Mr. Tallis' files that he got from the police
17 department. And, like it has your name and
18 signature on it. It would certainly be
19 interesting for me to find out whether, you know,
10:18 20 it's --" and then your answer, "Well, I'd have to
21 check my criminal record, too. Like, I'm pretty
22 sure it was May because there was no snow on the
23 ground. It was beautiful out unless we had a good
24 winter that year again, I don't know."

10:18 25 And if we can go to the next



1 page, please, and at the top, this is
2 Mrs. Milgaard, and if you can just call that out,
3 "-- and neither of you had seen each other at that
4 point -- were all identical. You know, everything
10:18 5 was exactly right, and then along came Cadrain on
6 March 2, the police talked to him, and at that
7 point they contacted his priest Father Murphy,
8 and --" and you say, "What's the priest got to do
9 with it?" Mrs. Milgaard, "Well, believe it or not
10:18 10 Father Murphy called Shorty in and he told him
11 that he knew that he was involved and that he was
12 in a great deal of trouble and that he was going
13 to maybe end up in prison, and he convinced Shorty
14 that the only 'out' for him was to really
10:19 15 co-operate, plus the fact that he would be
16 eligible for a \$2,000 reward if he did
17 co-operate." And to you, "What did Shorty do?
18 Give the priest confession or something?" "No, it
19 wasn't in a confessional, otherwise they wouldn't
10:19 20 have got the information. He just called him to
21 talk to him." And then Dale, "I would still like
22 to know how the priest knew about it." "Because
23 he was told by the police to call him in." And
24 you say, "The police told Shorty's priest --?"
10:19 25 "Asked Shorty's priest to co-operate and to call



1 him in and to talk to him." Dale, "How did that
2 come about in the first place? Do you know that?"
3 "That came about because Shorty had been picked up
4 on a vagrancy charge in Regina, okay, and they
10:19 5 found out that he had left Saskatoon about the
6 time of the murder and this is when it all tied
7 in. So they were very highly suspicious of
8 Shorty. And I guess they really put him through
9 the traces. So, what happened as a result of this
10:20 10 was that Shorty, realizing that he had a chance of
11 getting this reward and getting himself off the
12 hook and, incidentally, he did get the reward..."

13 Do you recall a discussion of
14 that nature with Mrs. Milgaard?

10:20 15 A Yes.

16 Q Carrying on, "Well this is the thing, we have
17 found out", and then you say, "He got steamed on
18 the stand but he got the reward"; what did you
19 mean by "steamed"?

10:23 20 A I don't recall.

21 Q And it says "well it was just amazing to me that
22 this had happened. Now in talking to Shorty, one
23 of the things that he had mentioned, do you
24 remember anything about the radio not being
10:23 25 operating or anything". "In my car, no, it was



1 not operating at all".

2 Do you recall that discussion
3 with Mrs. Milgaard?

4 A Yes.

10:23 5 Q If we can go to the next page, please, here
6 Mrs. Milgaard says, "Oh dear, one of the things
7 that she said that" -- and I think this is
8 referring to Albert Cadrain's mother -- "One of
9 the things that she said that Shorty said that he
10:23 10 remembered lots of things that were never told,
11 and one of the things said was that they were
12 driving along, you guys were driving along
13 together after you left Saskatoon and the radio
14 came on and David reached out and snapped the
10:23 15 aerial, broke it right off, because he didn't want
16 anybody to hear", and you say, "That's a bunch of
17 bullshit".

18 Do you remember that discussion
19 with Mrs. Milgaard?

10:23 20 A Yes.

21 Q And that's truthful, what you said there?

22 A Yes.

23 Q And then carrying on down here, Mrs. Milgaard,
24 "Well there's one point, the next thing he said
10:23 25 when you were in Calgary and Edmonton, David was



1 constantly into the library looking up old
2 newspapers and wouldn't let any of you see what he
3 was doing", and you say, "That's also a lie". Do
4 you recall that?

10:23 5 A Yes.

6 Q And is that truthful?

7 A Yes.

8 Q Now you are telling Mrs. Milgaard that what Shorty
9 Cadrain is saying is a lie; is that correct?

10:23 10 A Yes.

11 Q Is there any reason you didn't tell her about your
12 lies in this conversation?

13 A I don't know.

14 Q Scroll down, please. And then you are asked,
10:23 15 here, "Oh no, none of that is in your statement,
16 do you remember when you broke in -- well not you
17 because it was David and that was in Aylesford
18 (sic), I think, at the elevator", and you say,
19 "No, me and David did it, I said that on the
10:23 20 Canada Evidence Act so they couldn't do nothing to
21 me, it was me and David", "Oh, both of you",
22 "Yeah".

23 Is that true, do you recall
24 that -- first do you recall that discussion with
25 her?



1 A That? No.

2 Q And is that true, what you told her about you and
3 David breaking into the elevator?

4 A I don't recall.

10:23 5 Q And then you are asked, "Well do you remember what
6 was taken out of the elevator", and you answer,
7 "Some cash and, I don't know, we picked up a few
8 other things. Right now I can't offhand -- I know
9 we found a bit of cash and", "And that's where the
10:23 10 flashlight came from, right", "I can't remember,
11 Mrs. Milgaard, I'm sorry. I remember cash, it was
12 in a jar."

13 Do you remember that discussion
14 with Mrs. Milgaard?

10:23 15 A No I don't.

16 Q Do you remember finding cash or having cash in the
17 elevator?

18 A I don't remember, no.

19 Q Next page, please, at the top. You are asked,
10:23 20 "Right, but was there a knife taken from the
21 elevator at that time", you say, "I don't know",
22 "You don't", "No", "Like the only time I actually
23 think I told them that there was a knife, I can't
24 remember if it was before Saskatoon or after
10:24 25 Calgary, we stopped someplace to buy some food,



1 breed, cheese and blah, blah, blah, and we had to
2 pick up a knife, I don't know if that was the time
3 or whatever."

4 Now you told us last week, and
10:24 5 in fact yesterday and today, that you did find a
6 bone-handled -- or you did see a bone-handled
7 hunting knife, and I think you said it was taken
8 from the elevator; correct?

9 A Yes.

10:24 10 Q Do you recall this discussion with Mrs. Milgaard?

11 A No I don't.

12 Q Can you think of any reason, assuming this
13 accurately reflects your discussion with her, as
14 to why you wouldn't have told her about the knife?

10:24 15 A Just didn't tell her.

16 COMMISSIONER MacCALLUM: Pardon?

17 A Just didn't tell her.

18 BY MR. HODSON:

19 Q And then carrying on, scroll down a bit, "But that
10:25 20 could have been after Saskatoon rather than
21 before", and Dale, "It could have been. Like I
22 told you before, I'll come and talk to you, I'll
23 help you as much as I can. I guess like that was
24 a long time ago and, you know, I was pressured a
10:25 25 bit, but I wasn't pressured to the point where I



1 would convict your son".

2 Do you recall saying words to
3 that effect to Mrs. Milgaard?

4 A No I don't.

10:25 5 Q Would that be what you would have thought at the
6 time, and this is 1981?

7 A It would be, yeah.

8 Q And is that what you believe today?

9 A No.

10:25 10 Q What do you believe today?

11 A That I was pressured.

12 Q By whom and how?

13 A Through the suggestions and the driving and stuff
14 from the police force, and Mr. Roberts, and the
10:25 15 polygraph test.

16 Q Were you pressured to lie at trial?

17 A No.

18 Q And it appears, here, that you say -- and again,
19 "I'll come and talk to you, I'll help you as much
10:26 20 as I can".

21 Do you recall having a
22 discussion of that nature with Mrs. Milgaard in
23 1981?

24 A Yes I do.

10:26 25 Q Okay. Do you know when you -- after then, and I



1 don't think you -- I think you told us yesterday,
2 and please correct me if I'm wrong, that you only
3 remembered one call; you remembered talking to
4 Mrs. Milgaard on the phone?

10:26 5 A Just the one time.

6 Q Okay. There appears to be two transcripts; is it
7 possible you talked to her twice in that time
8 period?

9 A It's possible, yes.

10:26 10 Q After this telephone discussion in early 1981 when
11 would be the next time that you remember talking
12 to either Mrs. Milgaard, or anybody on behalf of
13 the Milgaard family, or David Milgaard?

14 A In the '90s.

10:26 15 Q Would that be when Mr. Henderson contacted you?

16 A Yes.

17 Q Did you take any steps to avoid being contacted?

18 A I had moved to B.C., but that wasn't the reason.

19 Q Okay. If we could just carry on, and you say,
10:27 20 "Actually, I will agree with you that he was
21 convicted on circumstantial evidence", and
22 Mrs. Milgaard says, "He certainly was" -- well I
23 think that's Mrs. Milgaard -- Mrs. Milgaard says,
24 "He certainly was", and you say, "Because there
10:27 25 was no eyewitness or nothing, there was just all



1 of us stoned people, and we maybe possibly got in
2 our heads that at the time. I don't know, to this
3 day I don't know, I have been thinking about it
4 ever since I talked to you last time and I'm
10:27 5 totally confused now, and I talked to Nicky".

6 And just, if I can pause there,
7 you will recall yesterday we went through a
8 transcript where you had talked to Mrs. Milgaard;
9 do you remember that?

10:27 10 A Yes.

11 Q So would you agree; this appears to be a follow-up
12 conversation?

13 A Yes.

14 Q And scroll down, "You have talked to Nicky", you
10:27 15 say, "Well she phoned me once just after she
16 phoned you, I just got back from Calgary, I was
17 working there for eight weeks".

18 Were you working in Calgary, do
19 you remember?

10:28 20 A Yes.

21 Q "And I guess she phoned the house twice and I
22 haven't got back to her. I guess some radio
23 station, like somebody, not you but a radio
24 station were pestering her quite bad, they wanted
10:28 25 to interview her and blah, blah, blah".



1 Do you remember discussing that
2 with Mrs. Milgaard?

3 A Yes.

4 Q Do you remember discussing that with Nichol John
5 about her -- about the radio station?

6 A I don't think I ever got ahold of Nichol.

7 Q Okay. And then, carrying on, and you say, "And I
8 guess she wants to talk to me about it and I
9 really don't want to get involved with her again
10 type of thing". Mrs. Milgaard, "Well I'm writing
11 a letter to her through her lawyer just, you know,
12 to just a couple of questions that I need to ask
13 her. Do you remember when I -- or when we had
14 talked you had said that you were very, I believe
15 you had said that you were stoned and that you
16 didn't know whether David had blood on his clothes
17 or whether it was Kool-Ade". And you say, "I
18 don't remember that at all, I even believe in the
19 trial I don't remember like that."

20 This is the second time the
21 Kool-Ade has come up; does that ring a bell at all
22 with you?

23 A No it doesn't.

24 Q Next page, please, just call out that portion.

25 And Mrs. Milgaard says, "Yes, and of course we



1 even had the coat there that David had been
2 wearing and it didn't have any blood on it, that
3 must have surprised them a great deal too, but
4 that never came out in Court you see." Dale, "But
10:30 5 one thing I found also kind of weird, okay, after
6 all, whatever happened happened. Quite a few
7 months later, okay, my car got, I left it out on
8 the street and it got picked up and it got sold at
9 police auction, right". Mrs. Milgaard, "Yeah".
10:30 10 Mr. Wilson, "And then they went and found my car
11 afterwards and brought it out and found hair
12 samples and supposedly, from what I can
13 understand, blood samples in the back seat of my
14 car that supposedly matched that nurse's from what
10:30 15 I can recollect".

16 Now do you remember having a
17 discussion with Mrs. Milgaard about that?

18 A Yes I do.

19 Q And can you explain, is that accurate, what's
10:30 20 attributed to you there, Mr. Wilson; did you say
21 that or words to that effect?

22 A Words to that effect, yes.

23 Q And where did you get that information from?

24 A I got that some years later and I can't remember
10:31 25 where I got it from.



1 Q So when you say "some years later"; some years
2 after Mr. Milgaard was convicted?

3 A Yes.

4 Q And someone would have told you that -- well let's
10:31 5 use your words here -- that blood samples in the
6 back seat of your car supposedly matched the
7 nurse's?

8 A Yes.

9 Q And who was it that told you that; are you able to
10:31 10 help us out at --

11 A I don't --

12 Q -- all?

13 A I don't recall.

14 Q Do you now know that to be the case?

10:31 15 A No, I know that to be false.

16 Q And when and how did you learn about that?

17 A Prior to the trial I do believe.

18 COMMISSIONER MacCALLUM: Which trial?

19 A The David Milgaard trial.

10:31 20 BY MR. HODSON:

21 Q Okay. Let's try this again. So I thought you
22 told us it was after the trial you became aware of
23 --

24 A Of this, yes.

10:31 25 Q Yes.



1 A But I had learnt about my car the first time
2 around when they said it was clean.

3 Q Right.

4 A Prior.

10:32 5 Q So prior to David Milgaard's trial I think you had
6 told us that you heard from the police, I believe
7 you said, that your car was clean?

8 A Yes.

9 Q So they had looked at it and you were aware that
10:32 10 it was clean?

11 A Yes.

12 Q Now here, in 1981, you appear to be telling
13 Mrs. Milgaard that blood samples in the back seat
14 of your car supposedly matched that nurse's, and I
10:32 15 think you said you found that out years after?

16 A Yes.

17 Q So after 1970?

18 A Yes.

19 Q And my question was who, who from?

10:32 20 A I don't know.

21 Q Now at this time, 1981, I think you have told us,
22 Mr. Wilson, that, in your mind, you believed David
23 Milgaard to be innocent?

24 A Yes.

10:32 25 Q Correct? And you had told us that you had lied at



1 trial and that you knew that?

2 A Yes.

3 Q How did you reconcile that with this information
4 that there was blood samples in the back that
10:33 5 matched the nurse's?

6 A I thought it had been some new evidence that
7 hadn't been told.

8 Q Okay. But you knew, prior to trial, that you were
9 told that there was no evidence in your car; is
10:33 10 that what you told us?

11 A Yes.

12 COMMISSIONER MacCALLUM: I'm not sure I
13 heard your explanation, sir; what was it?

14 BY MR. HODSON:

10:33 15 Q I'm not sure there was one. Let's --

16 A To what, sir?

17 COMMISSIONER MacCALLUM: Well counsel asked
18 you if you believed Milgaard to be innocent as
19 you said, and you knew you had lied at trial as
10:33 20 you said; what are you doing, in 1981, telling
21 Mrs. Milgaard that your car was found to have
22 samples of hair and blood in the back seat that
23 matched the nurse's?

24 A Because I had been told that by somebody, and I
10:33 25 can't remember who, so I thought the evidence had



1 been changed.

2 COMMISSIONER MacCALLUM: All right.

3 BY MR. HODSON:

4 Q Scroll down, please. And then Mrs. Milgaard
10:34 5 answers, "But they never, none of that was ever
6 submitted in Court, they never ever". And you
7 say, "Not that I know of, no, like I didn't see
8 all the evidence and heard it all". Question,
9 "No, none of that, there was nothing to indicate
10:34 10 that". And then you are reported to say, "For the
11 preliminary hearing I was in custody, if you
12 remember correctly, I never heard nothing, and
13 then when the trial came I was out of custody but
14 they left me in town to do my testimony, I think I
10:34 15 was on the stand for two days or something and
16 then they shipped me back home, and the only thing
17 I heard is in what I read in the paper. Like I
18 don't know what any of the other testimony was or
19 nothing, I don't know what any of the other
10:35 20 witnesses said, police or doctors or anything
21 else."

22 Do you recall a discussion of
23 that nature with Mrs. Milgaard at the time?

24 A Yes I do.

10:35 25 Q And is that truthful?



1 A Yes.

2 Q And then Mrs. Milgaard says, "There, there was
3 just absolutely no police reports or anything to
4 indicate that anything was found in your car, that
10:35 5 car was absolutely clear according to the police
6 reports". Next page. And you say, "That's not
7 what they told me after they reconfiscated it".
8 "That's not what they told you, they actually told
9 you that they found blood that matched up to the
10:35 10 nurse's". Dale, "It was either blood or hair".
11 "Blood or hair". "Yes". "None of that came out
12 at Court, not one iota. I mean we've gone through
13 these transcripts with a fine-toothed comb so, you
14 know, none of that is there so that is something
10:36 15 that we should sure check up on".

16 And pause there. Do you recall
17 a discussion of that nature with Mrs. Milgaard?
18 Go back to the top of the page, please.

19 A Yes.

10:36 20 Q And when you say, "That's not what they told me
21 after they reconfiscated it", can you tell us what
22 you may have been referring to there?

23 A I thought the car had been picked up twice and
24 gone through.

10:36 25 Q Okay, and when did you think it had been picked



1 up, which two times?

2 A Well the first time was when, the first time they
3 checked it, and then the time after that it was
4 confiscated again.

10:36 5 Q Okay. I think you told us, or when we went
6 through the evidence earlier, that when you went
7 into jail on February 25, 1969, you had left your
8 car in the street, and then the police impounded
9 it; is that right?

10:37 10 A Yes.

11 Q And then you never -- you abandoned it --

12 A Yeah.

13 Q -- I think is what you told us?

14 A Yes.

10:37 15 Q So, help me out here, when is the two times that
16 they would have reconfis -- or looked at it or
17 gone through it?

18 A After, from what I can gather after they released
19 it the first time it went back to wherever, and
10:37 20 then it got confiscated again after that.

21 Q Okay. Now, in fairness, we did go through -- and
22 I don't need to call the documents up -- but I
23 think there was a check of your car on May (sic)
24 3rd, 19 -- around May (sic) 3rd of 1969 when
10:37 25 Mr. Walters and Mr. Riddell saw you in jail; do



1 you remember going through those documents?

2 A Yes.

3 Q And I think I read a report of March the 4th, '69
4 where Ken Walters said he checked out your car; do
10:37 5 you remember us going through that?

6 A Yes.

7 Q And, secondly, do you remember me going through
8 with you, I think it was May 30th, 1969 when they
9 went through with Mr. Fedor, who had bought the
10:38 10 car from police auction, and we went through a
11 document where they ripped out the seat and the
12 glove compartment; do you remember going through
13 that?

14 A Yes.

10:38 15 Q Are those the two times, then, that you are
16 referring to?

17 A No.

18 Q Okay. You are saying there was another time?

19 A Yes.

10:38 20 Q And on what basis do you say that?

21 A As I said, somebody must have told me, and I can't
22 recall who.

23 Q Okay. And when, in time, would that have been
24 relative to the trial of David Milgaard?

10:38 25 A After.



1 Q So it was after David Milgaard's trial?

2 A Yes.

3 Q And is this what you were telling me a bit
4 earlier; that someone told you they found hair and
10:38 5 blood in there?

6 A Yes.

7 Q And then scroll down, please, and you say here,
8 "Okay, you have got the transcripts", and, "Umm".
9 Question, or Dale, "Okay. Other than my lie
10:39 10 detector test did I, on the stand, say that Dave
11 did it".

12 And at that time, Mr. Wilson,
13 were you not aware of what you had said at trial
14 or --

10:39 15 A No.

16 Q And it's reported here, "No, I don't, you didn't
17 actually say that David did it, no." And then you
18 asked, "But that I believed that I thought that he
19 did". And Milgaard, "Yeah". Wilson, "Okay,
10:39 20 that's what I wanted to know".

21 Do you recall a discussion of
22 that nature with Mrs. Milgaard; is that -- does
23 this accurately record what you would have
24 discussed with her?

10:39 25 A Yes.



1 Q And why would you want to know that; can you help
2 us out?

3 A I don't recall.

4 Q Okay. It says here, just to help you out, you are
10:39 5 saying -- you ask her -- and I'm paraphrasing a
6 bit here -- about whether you said at trial you --
7 David did it. And she says, "No". "But that I
8 believed that I thought he did". And
9 Mrs. Milgaard says "Yeah". And you say, "That's
10:40 10 right".

11 Were you just trying to clarify
12 what you had said at trial, is that --

13 A Probably because I can't remember what I had said
14 at trial.

10:40 15 Q Scrolling down, Mrs. Milgaard says, "But I mean we
16 feel, in going through it, that it looks as though
17 the police had sort of pressured you to agree with
18 Shorty's story". Mr. Wilson, "Well like the main
19 point I got, that stupid lie detector test, they
10:40 20 ask you blah, blah questions, you are saying yes
21 and no to these, you don't know what the machine
22 is or what that machine is saying. I'm not a lie
23 detector technician, they show you a picture, does
24 this look familiar, yes, okay, it could end up in
10:40 25 no in the machine but you don't know, I can't read



1 it, you know. Plus, okay, all this was about four
2 or five months afterwards, you know. Like I'll
3 tell you what, go for a new trial dear."

4 And do you recall a discussion
10:41 5 of that nature with Mrs. Milgaard?

6 A Yes.

7 Q And does what is recorded here accurately reflect
8 what you discussed with her on the telephone then?

9 A Yes.

10:41 10 Q And why would you tell Mrs. Milgaard "go for a new
11 trial"?

12 A Because maybe, then, the truth might have come
13 out.

14 Q And is there any reason that you didn't tell her,
10:41 15 at this time, what, in your mind, you knew to be
16 the truth?

17 A No.

18 Q And you made a decision not to tell her; is that
19 fair?

10:41 20 A Yes.

21 Q And can you tell us why?

22 A Because I didn't think she could really help
23 David, and neither did I, at that time.

24 Q And, "J: Go for a new trial? I would love to go
10:42 25 for a new trial". "D:", which I presume is Dale,



1 "I don't, I could maybe get myself into trouble
2 and I could get myself maybe into trouble with a
3 lot of my friends, but they may be -- but the way
4 we have been talking the last couple of times I
10:42 5 would say go for a new trial. I agree with you,
6 solely, like there's shit for evidence actually."

7 Do you recall a discussion of
8 that nature?

9 A Yes.

10:42 10 Q What did you mean when you said, "I could get
11 myself into trouble with a lot of my friends" --
12 and I think this, you can ignore that, --

13 A Yes.

14 Q -- I think that is just an editorial comment.

10:42 15 A For perjuring myself, because I really didn't know
16 I lied.

17 Q Well you say, "I could get myself into trouble
18 with a lot of my friends"; who, which friends, and
19 what kind of trouble were you talking about?

10:42 20 A That would be, basically, my biker club back then.

21 Q And what, what kind of trouble were you worried
22 about getting in?

23 A Umm, that they wouldn't class me as solid any
24 more.

10:43 25 Q And why is that?



1 A Because, once you are under that kind of area,
2 they don't like you when you talk to the police.

3 Q And what did you mean -- and I think you told us
4 this is -- does this record, fairly closely, what
10:43 5 you would have said to Mrs. Milgaard?

6 A Yes.

7 Q And you told her "there's shit for evidence";
8 what did you mean by that?

9 A Because I thought it was all circumstantial.

10:43 10 Q And what did you base that thinking on?

11 A You know, I just didn't think there was enough
12 evidence, like from what I had heard and
13 everything else, that there was enough evidence to
14 convict him.

10:43 15 Q Well, what had you heard at that time, what did
16 you know about the evidence that had been
17 presented at trial if anything?

18 A I think that's after I learnt that Nicky hadn't
19 said anything so --

10:44 20 Q So this is at -- at this time you are telling us
21 that you knew that Nichol John had not said in
22 Court that she saw David Milgaard --

23 A I believe so. I think it was prior to that or
24 after that, I can't recall.

10:44 25 Q Okay. Next page, please, and then at the top



1 there is a reference to the motel room incident.
2 You know what the motel room incident is, don't
3 you, Mr. Wilson?

4 A Yes.

10:44 5 Q And we've heard evidence from a number of
6 witnesses on it, Mr. Melnyk and Mr. Lapchuk and
7 Ute Frank, Deborah Hall and Bob Harris, about an
8 incident in a motel room with David Milgaard, and
9 I think the date was -- I think somewhere in May
10:45 10 of 1969, before he was arrested but after he had
11 been questioned, I think is what either all or
12 most of the witnesses said, and you are aware of
13 that?

14 A Yes.

10:45 15 Q And you are aware of the evidence of some of those
16 witnesses about David reenacting a murder with a
17 pillow?

18 A Yes.

19 Q And so you are asked here, like, and you say,
10:45 20 "Like I wasn't there so I don't know nothing about
21 it, it was just hearsay, and that kind of, I don't
22 know, makes me kind of see things differently".
23 "Well look at it this way, Ron, you know David",
24 and you say, "I know David, I know". "And if
10:45 25 someone was" -- let's just pause there.



1 Did you have this discussion

2 with --

3 A Where are you?

4 Q Right at the top. Just get my colours back.

10:45 5 Right here.

6 A Okay.

7 Q If we could just go back to the top, very top, and

8 you say, "Yeah, when he flipped out on that pillow

9 or something", you say, "Like I wasn't there so I

10:46 10 don't know nothing about it, it was just hearsay

11 and that kind of, I don't know, makes me kind of

12 see things different."

13 Do you recall saying that to

14 Mrs. Milgaard?

10:46 15 A Yes.

16 Q Okay. And what did you mean by that?

17 A I don't know.

18 Q Let me ask you this; you would have become aware

19 from Lapchuk -- Lapchuk and Melnyk were your

10:46 20 friends in 1970?

21 A Yes.

22 Q Did you become aware, from them, about this motel

23 room incident?

24 A I believe I did.

10:46 25 Q And do you recall what they would have told you?



1 A No I don't.

2 Q Do you recall knowing about what supposedly
3 happened in the motel room back in 1970?

4 A I don't think I really heard anything until people
10:46 5 were coming back from Saskatoon after they
6 testified. I can't recall when I heard it.

7 Q So at the time you had this discussion with
8 Mrs. Milgaard you had -- had you heard about it
9 then?

10:47 10 A Yes.

11 Q And --

12 A Well I didn't believe it happened.

13 Q You didn't believe it happened?

14 A No.

10:47 15 Q Why not?

16 A Because I know, I know all them people, I know
17 they were all stoned and stuff, and stupid things
18 can happen and they can imagine things.

19 Q Okay. Well here, I think -- and you have told us
10:47 20 this is right -- "I wasn't there so I don't know
21 nothing about it, it is all just hearsay, and that
22 kind of, you know, kind of makes me see things
23 different".

24 A I don't know what I meant by that.

10:47 25 Q Was there a point in time in your life, Mr.



1 Wilson, where you did believe that David Milgaard
2 had reenacted a murder or a stabbing, or something
3 like that, in a motel room?

4 A No.

10:47 5 Q And what do you base your conclusion on; is it
6 your discussion with these people or just --

7 A Just the way I know those people also.

8 Q If you can just scroll down. And Milgaard, "If
9 someone was bugging him and really coming down and
10:48 10 saying hey, you did it, you did it, you did it,
11 it's exactly what he would do". Wilson, "At that
12 point in time nobody knew that though". Milgaard,
13 "Oh yeah, they admitted in this motel room".

14 Wilson, "But at that point in time nobody knew
10:48 15 anything about Saskatoon". Milgaard, "Oh yes they
16 did, they". "How". Milgaard, "In their testimony
17 it had come on the news, is what they testified,
18 and they knew that David had been picked up and
19 questioned on it so they were bugging him, and
10:48 20 George Lapchuk admitted that he had been bugging
21 him". Wilson, "I didn't even know that".

22 Milgaard, "Oh yeah, that he had been bugging him,
23 and David said that's when he leaped off the bed
24 and grabbed the pillow and started stabbing the
10:49 25 pillow and said I did it, I did it, I stabbed her



1 this many times, and then he rolled over and
2 starting laughing at them. Now David doesn't
3 remember even doing it". Wilson, "He was probably
4 stoned". Milgaard, "But he said he could have
10:49 5 done it, I could certainly see him doing it, just
6 for the shock to get them off his back, but told
7 in Court it was terrible".

8 And then stop there. Do you
9 recall a discussion of that nature with
10:49 10 Mrs. Milgaard?

11 A Yes I do.

12 Q And, what I read you, does that accurately record
13 what you recall being discussed?

14 A Yes.

10:50 15 Q Scroll down, please, starting here. Milgaard,
16 "Okay, one of the things, which of the policemen
17 that you talked to was really the most threatening
18 to you". Wilson, "I can't even remember their
19 names, one was short, kind of medium fat".
10:50 20 Milgaard, "Would that have been Sergeant Mackie".
21 Wilson, "Give me the other one". Milgaard, "One
22 was Lieutenant Short". Wilson, "I think it was
23 Lieutenant Short. They were both at first really
24 nice about it, and then even when they came and
10:50 25 talked to me when I was out at bush camp, still



1 never knew about the murder". Next page at the
2 top, Wilson, "I think that was Karsh that went out
3 to see you". It says D here, that may be a
4 mistake, but -- and then Wilson, "I don't know who
10:51 5 it was but at that time I still never knew about
6 it and they said don't you read the papers, don't
7 you have a radio, because at that point in time,
8 you know, I was stoned all the time, my radio in
9 my car didn't work, I don't believe in reading
10:51 10 newspapers unless I'm looking for a job, news is a
11 bunch of shit, why should I know about it".

12 Do you recall a discussion of
13 that nature?

14 A Yes.

10:51 15 Q And is that truthful, what you say there?

16 A Repeat that, please?

17 Q Is that the truth what you told Mrs. Milgaard,
18 that part I read to you?

19 A Yes.

10:51 20 Q And then you are asked, "One of the things, when
21 your car was stuck, they said that you -- did
22 you -- you remember talking to the woman on the
23 street?" Answer, "Yep." Question, "Okay." And
24 Wilson, "That woman was definitely a nurse. I
10:51 25 remember she wore a white uniform and a black



1 leather cape, or some danged thing." Question,
2 "She was wearing a white uniform and a black
3 cape?" Wilson, "Yep."

4 And just ignore the handwritten
10:51 5 note there. Do you recall that discussion with
6 Mrs. Milgaard?

7 A Yes, I do.

8 Q And is that the truth?

9 A No.

10:51 10 Q What's not truthful about it?

11 A I don't remember seeing a nurse's uniform.

12 Q Okay. And why would you tell Mrs. Milgaard that
13 at this time?

14 A I don't know.

10:52 15 Q Carrying on, Milgaard, "Okay, as you went down
16 that street, you stop at about one-third of a
17 block down, the testimony indicates, and asked her
18 the directions, and then you continued on down
19 that block. You mentioned that you made a U-turn
10:52 20 at an intersection, and I believe you said it was
21 a 4-way stop." Wilson, "I don't know. Like I
22 said, you've got the transcripts. I don't."
23 Milgaard, "Well, Nicky had indicated that you made
24 a U-turn, that you got stuck in a lane-way behind
10:52 25 a funeral home. Now, we have gone over that route



1 and we've even measured it out, and
2 scientifically, if the girl was one-third of the
3 way down the block, the length of that street and
4 everything, it just does not match up, it could
10:52 5 not work that way. So we can, you know,
6 scientifically refute that part of it if we get
7 back to trial. But it's to get back to trial
8 and --" Wilson, "Yeah right. Have you talked to
9 David lately?" Milgaard, "I haven't spoken to him
10:53 10 on the phone in the last little while. He was --"
11 and you say, "How's he doing?" Mrs. Milgaard,
12 "Pretty down, really down." Etcetera.

13 Do you recall this discussion
14 with Mrs. Milgaard? Actually, let me just carry
10:53 15 on. You say, "How's his butt?" And I think this
16 was after he was shot when he was out of jail.
17 "Pardon?" "How's his butt? (Slight chuckle).
18 Well actually his one leg -- for a while we
19 weren't sure ... you see, the bullets were lodged
10:53 20 in his spine; they made it sound very funny by
21 saying it was in his butt --" Wilson, "That's
22 what they said." Milgaard, "Actually it was in
23 his back."

24 Do you recall that discussion?
10:53 25 A Yes, I do.



1 Q Next page, please, and go right down to the
2 bottom, very last, and this is Mrs. Milgaard.
3 "Oh, I see. One of the things, when the police
4 talked to you in May and they asked you to think
10:54 5 about your statement overnight and then you had to
6 add to it the next day, did they threaten you at
7 all? Like, I wondered, it's unusual for a person
8 to give a statement and then to give another
9 statement." Wilson, "Okay, when they came to see
10:54 10 me in May, I didn't know I was going down. They
11 asked me a bunch of questions, you know, if we
12 were in Saskatoon, blah-blah-blah ... I said yeah.
13 I think they had -- I'm not sure if they had Dave
14 in custody at that time, or not. But they said I
10:54 15 was a suspect, Shorty was a suspect, and Dave was
16 suspect and all this other kind of crap. And at
17 that time I, like -- screw you; I don't know
18 nothing about this."

19 Do you recall a discussion of
10:54 20 that nature with Mrs. Milgaard?

21 A Yes.

22 Q Now, what -- let's just go through this. "I
23 didn't know I was going down." What --

24 A I don't know what I meant by that.

10:55 25 Q You don't know?



1 A (Shakes head).

2 Q And is what you say here about you being a
3 suspect, Dave being a suspect, Shorty being a
4 suspect, is that true?

10:55 5 A Yes.

6 Q And then carrying on here, Wilson, "And I think
7 the only thing that did screw me up really bad was
8 they started showing me pictures and putting me on
9 a lie detector test." Milgaard, "And you realized
10:55 10 that maybe they might tag you with it, too?"
11 Wilson, "That they might have something to go on,
12 you know." Carrying on, "Plus, well, like I said,
13 a lot of it was stoned memories, but being stoned
14 is being stone; I even said that in court. You
10:55 15 know, like Dave's lawyer, if I remember correctly,
16 asked me, you know, what chemicals do you like and
17 blah-blah-blah, and I told him. I could be
18 looking at you and your nose could hit the floor."

19 Do you recall a discussion of
10:55 20 that nature with Mrs. Milgaard?

21 A Yes, I do.

22 Q And is that true?

23 A Yes.

24 Q Carrying on, "But you didn't indicate in your
10:56 25 testimony in court that you were stoned on the way



1 up there, or that you or David had had any drugs
2 at the time?" Wilson, "That I don't remember."
3 Milgaard, "And yet this is what surprised me when
4 I talked to you: You said that you were so stoned
10:56 5 right out of it that you didn't know whether it
6 was --" Wilson, "No, Dave and I hung together
7 quite a bit. We were in Vancouver together a few
8 times. We were always stoned." Milgaard, "But
9 the evidence seemed to indicate that you went to
10:56 10 get the stuff, that you didn't have any money.
11 You headed to Saskatoon and then you were heading
12 up there and you did the break and entry so that
13 you could get some money to buy some stuff, but
14 you didn't have any on the trip up." Wilson,
10:56 15 "Well, as far as I can actually remember, we
16 always had a few joints, whether we had money or
17 not. Like not LSD or anything, just a few
18 smokes."

19 Do you recall that discussion?

10:56 20 A Yes.

21 Q And is that truthful?

22 A Yeah, we just had a few joints for us on the trip.

23 Q And then you were asked, "But I mean, you wouldn't
24 be smoked up to the extent that you'd have known
10:57 25 blood if you saw it." Next page at the top,



1 Wilson, "Not smoked up to the extent that you
2 don't know what's happening, no." Milgaard, "So
3 you'd have known blood if you saw it?" Answer,
4 "Yeah." Milgaard, "And you didn't see any blood
10:57 5 on his clothes?" Answer, "Not that I recollect,
6 and I believe that's in my testimony." Milgaard,
7 No, well that's right. Well I thank you for
8 talking to me. I will probably get in touch with
9 you."

10:57 10 Is this, do you recall this
11 discussion with Mrs. Milgaard about the blood?

12 A No, I don't.

13 Q I mean, we went through your trial evidence, you
14 recall me showing you where at trial you said you
10:57 15 saw blood?

16 A Yes, yes.

17 Q At this time did you --

18 A I probably didn't recall my testimony.

19 Q You didn't recall your testimony?

10:58 20 A No.

21 Q And then you talk about, "Do you think Nichol is
22 afraid?" And you answer, "Yep. She's petrified."
23 "Is she scared of you or of me?" Wilson, "Well,
24 she's always asking me what to say and I'm saying,
10:58 25 'what do you mean, you're asking me? You say what



1 you want to say; I don't know what you've got to
2 say.' And -- well, first time I've had any
3 contact with her since the trial is when she
4 phoned me after you got a hold of her. And she
10:58 5 was really petrified. And I calmed her down in
6 five minutes and that was it. And I says, okay,
7 take it easy kid and chow."

8 Is that right?

9 A Yeah.

10:58 10 Q And is that -- do you recall that discussion with
11 Mrs. Milgaard?

12 A Yes.

13 Q Do you recall discussions with Ms. John back then?
14 Do you recall her being petrified?

10:58 15 A Yes.

16 Q And what do you recall of that?

17 A She was just scared that she was going to talk to
18 Joyce.

19 Q Do you know why?

10:59 20 A She didn't tell me why.

21 Q And then it appears here Mrs. Milgaard says,
22 "Well, hopefully I'll be able to touch base."
23 Mr. Wilson, "Okay. What I'll do -- I'll phone her
24 tomorrow." "You'll phone her? Do you have
10:59 25 her -- "



1 Do you recall that discussion
2 with Mrs. Milgaard?

3 A Yes.

4 Q Did you in fact phone Nichol John on behalf of
10:59 5 Mrs. Milgaard?

6 A I don't believe I did, no.

7 Q And do you know why not?

8 A I believe there was no answer the first time and
9 after that I just said the hell with it.

10:59 10 Q Okay. Just scroll down a bit, please, and Joyce
11 Milgaard, "-- so much if I could even go over ...
12 like, I have the film made and -- of the area and
13 everything -- and just sit down and show Nicky
14 exactly what the situation is." Dale Wilson, "I
10:59 15 don't think that would help much, Mrs. Milgaard,
16 because it's been so many goddamned years. Like,
17 a film of the area is not going to help us at all.
18 Because that was a long time ago, and I -- well,
19 I've been through Saskatoon three or four times
11:00 20 since then and I don't think it would help at all.
21 Not the films. I don't even think going out there
22 would help much at all. Because that was a long
23 time ago and Saskatoon's changed a little bit
24 since then."

11:00 25 Do you remember that discussion



1 with Mrs. Milgaard?

2 A Yes.

3 Q And is that truthful?

4 A Yes.

11:00 5 Q Now, do you recall in 1983 or thereabouts
6 receiving a letter from David Milgaard?

7 A No, I don't.

8 Q I just want to go through -- call up document
9 213630, and this is a letter, if you can go to the
11:01 10 next page, please, from David Milgaard, go back to
11 the first page, to a fellow named Howard Shannon.
12 Do you know the name Howard Shannon at all?

13 A No, I don't.

14 Q And the date here is July 12th, 1983 and if you
11:01 15 could just call out that paragraph, and it says:

16 "I have written Ron Wilson a letter, a
17 copy is enclosed. I would like you and
18 Anthony Merchant to make arrangements to
19 deliver it to him personally. I suggest
11:01 20 that you read the letter right now
21 before you read any further.

22 The scenario as I see it
23 unfolding would see introductions, the
24 presentation of my letter and your
11:01 25 verbal support that you are willing to



1 offer in this situation. The things I
2 would like you to say could cost you
3 money but if I had it I would do it on
4 the hope that Ron might co-operate with
11:02 5 us. First, I would suggest that before
6 he make a decision that he consider the
7 whole picture, what advantages are in it
8 for him and what problems ... his legal
9 position, the publicity etc. He may
11:02 10 need to get away for a while from the
11 local publicity, a couple of weeks in
12 Vancouver might make the strain a little
13 easier. His lawyer will have to be
14 paid. He may have a few financial
11:02 15 commitments he needs taken care of
16 before he can go away for awhile ..."

17 Scroll down.

18 "Howard I am sure this asshole is rotten
19 to the core, appeal to that part of him
11:02 20 up to whatever point you feel
21 comfortable.

22 This whole plan may not
23 succeed, the effort and the expense just
24 to make the presentation to him
11:02 25 yourselves may find him telling us to



1 stick it in our ass. I really think
2 though from what Peter has said about
3 Wilson that we have a chance to put this
4 thing right."

11:02 5 Now if I can pause there. Were you ever
6 contacted by anybody named Peter?

7 A No.

8 Q Does the name Peter Carlyle-Gordge sound familiar
9 to you at all?

11:02 10 A No.

11 Q Were you ever contacted by any media people?

12 A No.

13 Q Any media people at all?

14 A Prior to Supreme Court, yes.

11:03 15 Q Now next I'm going to call up 048235. Now,
16 Mr. Commissioner, I should add that there's no
17 date on this letter. I'm not certain that it goes
18 with the July 12th, 1983 letter that I just
19 referred to, but I want to just go through this
11:03 20 with Mr. Wilson to see if he's ever received it,
21 and you understand that, Mr. Wilson, we will hear
22 evidence later as to whether or not this was the
23 letter referred to, but this is a letter
24 purportedly written by Mr. Milgaard to you, and
11:03 25 call it out, it says:



1 "I was before the parole board last June
2 and because I tell them the truth, that
3 I did not kill any nurse in Saskatoon
4 they bumped me two more years for full
11:04 5 parole and said to re-apply in six
6 months for day parole.

7 I have always wondered what it
8 was that made you and Nichol go against
9 me as you did. All our early statements
11:04 10 are the truth, we had no reason to lie
11 or make up stories because we never
12 murdered anyone.

13 I cannot handle it any more man
14 and the one thing I want from life is
11:04 15 for everyone to find out how I have been
16 screwed.

17 I want you to go to a lawyer of
18 your choice and put this thing right.
19 You can do so without getting yourself
11:04 20 in trouble. You will also probably end
21 up with the 10,000 still up for grabs, I
22 do not give a shit about the money. You
23 should know, regardless of what you do,
24 that I do not ever want to meet you
11:04 25 face to face but if you help to put



1 things right I will consider it your
2 apology for this whole fucken ordeal.

3 Think back to early morning
4 Saskatoon, the boulevarded road that we
11:04 5 really came in on ... remember an old
6 lady we saw probably headed for a bus,
7 we turned around in the intersection and
8 cruised by ... I am not sure if we
9 stopped or not ... we then kept on until
11:05 10 we had some soup at a garage before we
11 crosses a bridge and went downtown and
12 then on to Cadraains. We never killed
13 anyone, I never killed anyone. It is
14 all in your mind just like it is in
11:05 15 mine; I want you to tell it like it was.

16 David Milgaard."

17 Do you recall, Mr. Wilson, getting a letter --
18 this letter or a letter like it from Mr.
19 Milgaard?

11:05 20 A No, I didn't.

21 Q Have you ever seen this letter before?

22 A Yes.

23 Q When did you see it?

24 A In your office.

11:05 25 Q Prior to that had you seen it anywhere?



1 A No.

2 Q After the trial had you ever communicated with
3 David Milgaard --

4 A Not --

11:05 5 Q -- either by letter or by phone?

6 A Not until the '90s.

7 Q And when and how did that come about?

8 A That was after I talked to Mr. Henderson.

9 Q And I think we'll get to that next, that's June
11:05 10 4th of 1990, is that -- that's the date of the
11 statement. Would it have been around that time?

12 A Somewhere in there, yes.

13 Q And what was the discussion you had with him? Did
14 you call him or did he call you?

11:06 15 A I can't remember who called who.

16 Q And what was the nature of the discussion?

17 A Just that I told him I was sorry and was going to
18 try and make things right.

19 MR. HODSON: Okay. Mr. Commissioner, I'm
11:06 20 moving into the June 4th, 1990 statement. I can
21 start that now or if you want to break, I can do
22 that as well.

23 COMMISSIONER MacCALLUM: We'll break,
24 please.

25 *(Adjourned at 11:06 a.m.)*



1 (Reconvened at 11:30 a.m.)

2 BY MR. HODSON:

3 Q Mr. Wilson, I would now like to move to June the
4 4th of 1990 and your dealings with a fellow by the
11:30 5 name of Paul Henderson. Do you remember
6 Mr. Henderson?

7 A Yes, I do.

8 Q And do you remember giving a statement to
9 Mr. Henderson on June 4th, 1990?

11:30 10 A Yes, I do.

11 Q And who did you understand Mr. Henderson to be
12 associated with or who was he?

13 A He was associated with Mrs. Milgaard.

14 Q Maybe we'll just call up the document and identify
11:30 15 it first so we know what we're talking about.
16 It's document 003337. I think it's part of -- the
17 doc ID is 336. And you'll see at the top it says
18 statement of Ronald Dale Wilson. Now, is this
19 handwriting yours?

11:30 20 A No, it's not.

21 Q And then if we could go to the sixth page, to
22 003342, and you'll see, dated June 4, 1990,
23 Nakusp, B.C., and is that your signature above
24 Ronald Dale Wilson?

11:31 25 A Yes, it is.



1 Q And so that's the statement of June 4th, and when
2 we talk about that you'll know that I'm referring
3 to this document then?

4 A Yes.

11:31 5 Q And then I think if you could call up 003343, is a
6 supplemental, a supplement, you see supplement to
7 statement of Ronald Dale Wilson, same date, and is
8 that your signature at the bottom?

9 A Yes, it is.

11:31 10 Q So it would appear that you gave two statements to
11 Mr. Henderson on June 4th, 1990; is that right?

12 A Yes.

13 Q Now let's just go back and tell us from the
14 beginning about your dealings with Mr. Henderson.
11:31 15 When and how were you contacted?

16 A I believe it was the morning of the 4th, he gave
17 me a phone call at home and started discussing the
18 Milgaard case with me and wanted to know if I
19 wanted to come for coffee and discuss it and at
11:32 20 first I said no, and I thought about it, and then
21 I agreed to go and meet him for coffee and we
22 discussed it and then we went for lunch and he --
23 I believe he told me a few things about the
24 Cadrains and stuff, other people that he had
11:32 25 talked to, and he wanted to talk more in length



1 and I decided I was going to. At first I wasn't
2 going to, but I decided why not, see what he's got
3 to say and listen to what he had to say.

4 Q And then what happened?

11:32 5 A Well, after we got talking I went, okay, this
6 looks like a good time to say something to them,
7 bring out the truth, and let's sit down and do it.

8 Q Okay. Let's just go back. I think you said he
9 called you that morning; is that right?

11:33 10 A I believe so, yes.

11 Q Had you heard of him prior to that?

12 A I don't believe I had, no.

13 Q And so was the call right out of the blue or did
14 you know --

11:33 15 A Yes.

16 Q And what did he tell you about who he was and what
17 he was doing?

18 A That he was an investigator, I don't remember the
19 name of the company, and that he was working with
11:33 20 Mrs. Milgaard.

21 Q The Centurion Ministries, does that sound
22 familiar?

23 A Yes.

24 Q And had you been contacted by people in the past,
11:33 25 media or anybody else?



1 A No.

2 Q And so what did he tell you he wanted to talk to
3 you about?

4 A He wanted to talk to me about the Milgaard case.

11:33 5 Q And what about it?

6 A That he had talked to other witnesses and wanted
7 to discuss stuff with me about it.

8 Q Okay. And what do you recall him telling you
9 about what he had learned from other witnesses?

11:33 10 A It was something to do with the blood from Cadrain
11 and that's about the main one I can remember right
12 now.

13 Q And what do you remember him telling you about the
14 blood and Cadrain?

11:34 15 A That there had been some recantation about it or
16 something.

17 Q And a recantation by whom; do you know?

18 A One of the Cadrains. I don't know if it was
19 Albert or one of his relatives.

11:34 20 Q And do you remember anything else being discussed
21 about Shorty Cadrain?

22 A Not at this time, no.

23 Q Do you recall if there was any discussion about
24 his mental condition or any problems he may have
11:34 25 been having?



1 A There might have been, yes.

2 Q Do you recall that or do you know?

3 A I don't recall.

4 Q Was there anything mentioned by Mr. -- and this
11:34 5 was on the telephone, was it, or are you talking
6 about the telephone or the meeting?

7 A At the meeting.

8 Q Okay. Let's just pause then for a moment. So you
9 then agreed to meet with Mr. Henderson; is that
11:35 10 right?

11 A Yes.

12 Q And why did you agree to meet with him, why now?

13 A I wanted to see what he had to say.

14 Q Why?

11:35 15 A Because I was curious.

16 Q Curious about what?

17 A About what was going on at that point in time.

18 Q Had you made a decision to tell a different
19 version of events than what you said at trial?

11:35 20 A Not at that point in time, no.

21 Q So --

22 A It was later on during the day.

23 Q So when you agreed to meet with Mr. Henderson, you
24 were curious and you wanted to find out what he
11:35 25 had to say about the David Milgaard case; is



1 that --

2 A Yes.

3 Q And at that time, and I think you've already told
4 us this, but at that time your frame of mind, I
11:35 5 think you told us that you believed David Milgaard
6 to be innocent and that you knew you had lied at
7 trial?

8 A Yes.

9 Q And prior to talking -- or prior to Mr. Henderson
11:36 10 calling you, had you in your own mind thought
11 about telling someone that you had lied at trial?

12 A Yes.

13 Q Tell me about that?

14 A Well, I had started thinking about it really
11:36 15 heavily a couple of years before that, but I
16 didn't know who to turn to.

17 Q So this would be around 1988, in there?

18 A '88, '89, somewhere in there.

19 Q So tell me then, what were you thinking?

11:36 20 A That maybe it was about time that I came out and
21 told the truth to somebody, but I didn't know who
22 to go to or what to do about it.

23 Q And what made you reach the conclusion that now --
24 or pardon me, then was the time to do it as
11:36 25 opposed to some other time?



1 A Because by now I had stopped doing my drugs and I
2 started getting my head together and it started
3 bothering me more and more.

4 Q And what bothered you?

11:37 5 A That David was in jail for something he didn't do.

6 Q And so prior to Mr. Henderson contacting you, had
7 you made a decision in your own mind as to whether
8 you were going to do something about it?

9 A Not totally, no.

11:37 10 Q So were you still pondering it then?

11 A Yes, I was.

12 Q And then tell me what went through your mind then
13 when Mr. Henderson called you?

14 A I was a little nervous, didn't know really what he
11:37 15 wanted, so I went to see what was going on.

16 Q So now tell us where you met with him and how long
17 you met with him?

18 A At first we met I believe in the Kuskanax
19 Restaurant for coffee in the morning. I don't
11:37 20 know how long we talked.

21 Q And would this be -- sorry, would this be in
22 Nakusp?

23 A In Nakusp, B.C., yes.

24 Q And that's where you were living at the time?

11:38 25 A Yes.



1 Q So carry on?

2 A And then -- I'm trying to recall here. I think we
3 talked for a little while and then I went back to
4 my house and then he recalled me back later and
11:38 5 wanted to know if I wanted to meet for lunch.

6 Q So the initial meeting with him then, tell us what
7 you remember about what was discussed with him?
8 What did he tell you?

9 A It was something to do with the Cadraings and I
11:38 10 can't remember, recall which one or --

11 Q And so he talked about the Cadraings. Did he talk
12 at all about Nichol John?

13 A I don't recall that, no.

14 Q Do you recall any discussion about the motel room
11:38 15 incident, the motel room reenactment?

16 A No.

17 Q Do you recall any discussion with him about -- or
18 let me rephrase that. Did he tell you anything
19 about a possible other suspect in the Gail Miller
11:39 20 murder?

21 A I believe he did.

22 Q And what do you recall him telling you?

23 A That there was another suspect involved. I don't
24 know if he gave me a name or not.

11:39 25 Q Did he mention Larry Fisher, do you recall that?



1 A I don't recall if he did or not.

2 Q And do you recall anything about this other
3 suspect, did he tell you anything about who he
4 was, where he was or why he was another suspect?

11:39 5 A I don't believe so at that time, no.

6 Q Did Mr. Henderson provide you with any documents
7 to read?

8 A I believe from Albert Cadrain's brother.

9 Q Would that be Dennis Cadrain?

11:39 10 A I believe so, yes.

11 Q What about the trial transcripts, any of that, did
12 he --

13 A Later on during the day.

14 Q So the first meeting I think you said was in a
11:39 15 restaurant; am I right?

16 A Yes.

17 Q And the only piece of paper -- well, let me
18 rephrase that. You told us about something from
19 Dennis Cadrain; is that right?

11:40 20 A Yes.

21 Q And was that a statement do you think?

22 A It might have been, yes.

23 Q Anything else that you remember him showing you by
24 way of paper documents at that time?

11:40 25 A At that time, no.



1 Q And what did you tell him in the morning?

2 A Probably nothing.

3 Q And why was that?

4 A Because I didn't, I really didn't know for sure if
11:40 5 I wanted to talk to him at that point.

6 Q What did you understand Mr. Henderson's objective
7 to be in meeting with you?

8 A He wanted to see if I was going to say anything I
9 guess.

11:40 10 Q Say anything about what?

11 A About the Milgaard case.

12 Q What did you -- was he there on behalf of David
13 Milgaard?

14 A I think he was there on behalf of Joyce.

11:40 15 Q Joyce Milgaard?

16 A Yes.

17 Q And what did you understand his objective to be?

18 A That he was investigating it to see if they could
19 bring out any more evidence.

11:41 20 Q Were you aware as to whether any proceedings were
21 ongoing at this time related to David Milgaard?

22 A No, I wasn't.

23 Q Do you recall any discussion about David Milgaard
24 having made an application to the federal Minister
11:41 25 of Justice to review his conviction?



1 A I believe I did know that. I saw it on the news
2 or read it.

3 Q And was that prior to meeting with Mr. Henderson
4 or after?

11:41 5 A I believe so, yes.

6 Q Prior?

7 A Yes.

8 Q So then after you left the restaurant, did you
9 take anything with you?

11:41 10 A No, I didn't.

11 Q And how was it left with him then when you left?

12 A Pardon?

13 Q How did you leave it with Mr. Henderson, did you
14 say see you later or did you agree to go back and
11:41 15 meet him or how did you --

16 A I believe I told him to call me later on in the
17 day, that I would think about if I wanted to talk
18 to him some more.

19 Q And did you take the transcripts of the trial or
11:42 20 prelim or anything like that with you or any
21 previous statements?

22 A No.

23 Q Did you discuss, in this first meeting with
24 Mr. Henderson, did you discuss your evidence at
11:42 25 all?



1 A I don't believe so.

2 Q Do you remember if Mr. Henderson was tape
3 recording this first session?

4 A No.

11:42 5 Q He wasn't or you don't recall?

6 A I don't recall.

7 Q When you met -- did you meet with him later that
8 day?

9 A Yes.

11:42 10 Q And was there a tape recorder for that?

11 A Yes, there was.

12 Q So after you went home that morning, then tell us
13 what happened next?

14 A I believe I talked it over with my wife if I
11:42 15 should go back and talk to Mr. Henderson or not
16 and she said it was up to you, so I thought about
17 it for a while and I decided that I would, so when
18 he called back I agreed to meet with him again.

19 Q Okay. So when you made the decision to go back,
11:43 20 what had you resolved in your mind that you were
21 going to do?

22 A That I wanted to see more of what he had to say
23 and maybe this was my chance that I could say to
24 him what I wanted to say.

11:43 25 Q Why did you need to see more of what he had to



1 say?

2 A Just curious.

3 Q Did your decision to tell him the truth hinge on
4 what he knew or what he told you?

11:43 5 A Not really, no.

6 Q I don't understand, Mr. Wilson, and maybe I'll ask
7 it again. Are you -- you talked with your wife
8 and you said okay, I'm going to go back and meet
9 with him, and did you resolve in your mind I'm
11:43 10 going to tell him the truth?

11 A Probably not totally, no.

12 Q And why was that?

13 A Because I didn't know what I was going to do
14 really. Let's see what happens.

11:43 15 Q And did it depend on what Mr. Henderson had to say
16 to you as to whether or not you would tell him the
17 truth and all of the truth?

18 A I can't recall what I was thinking.

19 Q Well, I think you said you were going to wait to
11:44 20 see what happens; is that fair?

21 A Yeah, I think so.

22 Q So was it still a possibility that, when you went
23 back to see Mr. Henderson the second time on June
24 4th, 1990, that you may not have told him
11:44 25 everything or you may not have told him the truth;



1 was that still a --

2 A That was still --

3 Q -- possibility in your mind?

4 A That was still a possibility, yes.

11:44 5 Q Okay. When did you make the decision, then, to
6 tell Mr. Henderson the truth?

7 A After, later on in the day, after I had read my
8 transcripts again.

9 Q And what caused you to make that decision?

11:45 10 A Because after I read them, and it was bringing
11 everything out, and I started to cry and I said
12 "can we make this straight".

13 Q Can we what?

14 A "Can we make this straight", something to that
11:45 15 line.

16 Q And was it -- was it anything that Mr. Henderson
17 said or did that caused you to make this statement
18 and to tell your story on June 4th, 1990?

19 A No.

11:45 20 Q And what was it with this opportunity, Mr. Wilson,
21 that you decided to tell your story, or to tell
22 the truth, compared to other opportunities?

23 A Because now I had somebody I could talk to, tell
24 him the truth, and I felt comfortable with.

11:46 25 Q Had you thought, prior to this time, of phoning



1 Joyce Milgaard and telling her?

2 A No.

3 Q Why not?

4 A Because I wasn't comfortable talking to Joyce.

11:46 5 Q Why not?

6 A I don't know.

7 Q What about David Milgaard; did you think of
8 phoning him?

9 A No.

11:46 10 Q Why not?

11 A Didn't think I could get ahold of him.

12 Q What about the police; did you think of phoning
13 the police?

14 A No.

11:46 15 Q Why not?

16 A I would get in a lot of trouble.

17 Q How?

18 A Charged with perjury, etcetera.

19 Q Okay. Well what's the difference between telling
11:46 20 Mr. Henderson that you lied at trial and telling
21 the police that you lied at trial?

22 A I -- at that time I didn't know the difference.

23 Q And when you told Mr. Henderson that you lied at
24 trial you knew -- or did you know that something
11:46 25 further would develop out of this?



1 A Yes, I was hoping.

2 Q And would it be fair to say that, when you told
3 Mr. Henderson that you lied at trial, you knew
4 that somehow, in some way, the police would find
11:47 5 out about it; is that fair?

6 A Yes, eventually.

7 Q So let's go back to the afternoon then. You,
8 where did you meet him the second time, I think
9 you said he asked you to go for lunch?

11:47 10 A Yes. Back at Kuskanax Lodge in Nakusp.

11 COMMISSIONER MacCALLUM: Can you take a try
12 at spelling that, please?

13 A No, I can't.

14 MR. HODSON: We actually have a spelling
11:47 15 somewhere, in one of the statements, so when I
16 get to that I will alert the Court Reporters.

17 COMMISSIONER MacCALLUM: Okay, thanks, do
18 that.

19 BY MR. HODSON:

11:47 20 Q And so you would have gone back to the same place
21 and had lunch, then, with Mr. Henderson?

22 A Yes.

23 Q And was that in a public setting?

24 A Yes.

11:47 25 Q And was that discussion tape-recorded to your



1 knowledge?

2 A No.

3 Q And what did you discuss at lunch?

4 A That it would -- at lunch I think it was just a
11:48 5 basic conversation between the two of us, what I
6 was doing and how I was doing, and just basically
7 get -- I was comfortable, just having a chitchat.

8 Q And I think you said earlier, and you said it
9 again, you were comfortable with Mr. Henderson?

11:48 10 A Yes I was.

11 Q And why was that? What was it that you observed
12 in him?

13 A He seemed to be an easy-going fellow.

14 Q And did you find him easy to talk to then?

11:48 15 A Yes I did.

16 Q So what happened after lunch?

17 A He asked me if I would come back to his room and
18 would -- I would like to go over my transcripts.

19 Q Okay. And did you agree?

11:48 20 A Yes I did.

21 Q Okay, and so tell us what happened next?

22 A I went back and I read my transcripts, I don't
23 know if it was my preliminary and trial or just
24 trial, I can't recall.

11:48 25 Q And so this would have been your evidence that you



1 had given at David Milgaard's trial?

2 A Yes.

3 Q And was this the first time that you had read the
4 transcript?

11:48 5 A Yes.

6 Q And do you know if you read the entire transcript
7 or just parts of it; do you remember?

8 A I read the whole thing.

9 Q And you said you didn't remember if you did the
11:49 10 preliminary hearing or not; is that right?

11 A I believe I only did the one.

12 Q And would that have been the trial?

13 A Yes.

14 Q Did you read any other transcripts?

11:49 15 A I believe my March statements and my May
16 statements.

17 Q So your March 3rd, '69 statement to Inspector
18 Riddell; you read that?

19 A Yes.

11:49 20 Q And your May 23rd and May 24th, 1969 statements to
21 the Saskatoon City Police?

22 A Yes.

23 Q Do you recall anything else that you read?

24 A No I don't.

11:49 25 Q Did you read any of Nichol John's trial evidence



1 at that time?

2 A I don't recall.

3 Q So after you read them, did you read them to
4 yourself or did you go through them with Mr.
11:49 5 Henderson, or tell us what you did?

6 A I read them to myself.

7 Q And was Mr. Henderson there when you were reading
8 them?

9 A I think he left for a while.

11:49 10 Q So tell us what happened, then, after you read --
11 what was your reaction after you read the trial
12 transcripts?

13 A I couldn't believe how damning it was.

14 Q And why was that?

11:50 15 A Because I had never read them before, and I had
16 never read any press about it or anything, so I,
17 you know, didn't really know how bad it was.

18 Q Well you knew what you said at trial?

19 A Yes.

11:50 20 Q And --

21 A But I just put it in the back of my head and just
22 didn't dwell on it.

23 Q So prior to reading the transcripts, though -- and
24 I don't want to go through it again -- but I think
11:50 25 this morning when we started I went through what



1 you told us were lies at the trial, that David had
2 admitted stabbing a girl and putting her purse in
3 a trash can?

4 A True.

11:50 5 Q And I think you told me yesterday that that was
6 pretty damning and you knew that?

7 A Yes.

8 Q So what was it, when you read the transcript, that
9 --

11:50 10 A Because then I saw the whole picture.

11 Q And, prior to reading that, did you not think your
12 evidence was damning?

13 A As I said before, not until I found out that Nicky
14 hadn't said anything, like --

11:51 15 Q And --

16 A -- not as bad.

17 Q And when did you find that out, was --

18 A After, years after the trial.

19 Q So, prior to your meeting with Mr. Henderson, you
11:51 20 were aware that Nichol John had not repeated her
21 evidence at trial that she saw David Milgaard stab
22 a girl?

23 A Yes.

24 Q So any other reaction after you read through your
11:51 25 transcript?



1 A I felt guilty because I knew I had lied. Excuse
2 me.

3 Q Pardon me?

4 A Because I knew I had lied.

11:51 5 Q Okay. And I think you had told us back in 1970
6 you knew you had lied though?

7 A Yes.

8 Q Was this a different feeling than --

9 A Yes it was.

11:51 10 Q And how and why was it different?

11 A It was more powerful, because now my head was
12 clear, I could bring everything out front.

13 Q Did you try and justify or rationalize in your
14 mind why you would have lied -- and I'm talking at
11:52 15 the time when you first read these transcripts --
16 and I think you said you were, I can't recall your
17 words, but you realized how damning they were?

18 A Yes.

19 Q And in your own mind, sir -- I'm not asking about
11:52 20 what you discussed with anybody else -- did you,
21 in your own mind, try and rationalize what you had
22 done?

23 A Yes I did.

24 Q Tell us about that?

11:52 25 A Just tried to -- how could I put that -- I



1 couldn't figure out why I did it, how I did it,
2 but then I started thinking back and aspects of
3 what had happened, and I'm -- and then everything
4 started coming together.

11:52 5 **Q** What started coming together?

6 **A** How my statement got changed, how things happened.

7 **Q** Okay. And what statement are you referring to?

8 **A** How my March 3rd statement got changed.

9 **Q** And you -- when you changed your March 3rd to May
11:53 10 23rd?

11 **A** Yes.

12 **Q** And did you discuss that with Mr. Henderson?

13 **A** Afterwards, yes.

14 **Q** Yeah. And so, prior to talking to Mr. Henderson
11:53 15 about this, did you think through, in your mind,
16 this rationalization?

17 **A** I believe so, yes.

18 **Q** And what did you think? And, again, let's -- if
19 you can, and if you can't please tell me, I want
11:53 20 to know what you were thinking after you finished
21 reading your transcripts and statements before you
22 talked to -- now let me ask this: Did you talk to
23 Mr. Henderson about your transcript and your
24 statements at some point?

11:53 25 **A** At some point, yes.



1 Q Prior to talking to him had you had a chance to
2 read through the transcripts and the statements in
3 their entirety without discussing them with Mr.
4 Henderson?

11:54 5 A Yes, I believe I did.

6 Q Okay. And what, what did you conclude in your
7 mind at that time, if you are able to tell me?

8 A I am not -- be able -- I can't tell you.

9 Q So, once you were done, what did you say to Mr.
11:54 10 Henderson?

11 A I believe I asked him, if he could go through this
12 with me, that I could show him what was true and
13 what was false.

14 Q Okay. And then is that what you did?

11:54 15 A I believe so, yes.

16 Q And tell me what, what and how you did that?

17 A I can't recall, right now I can't.

18 Q Was this in his hotel -- or this is in his room?

19 A Yes.

11:54 20 Q And was that portion of your discussion
21 tape-recorded?

22 A Yes it was.

23 Q And so tell us, to the best that you can recall,
24 what did you do? Did you pick open the transcript
11:55 25 and start on page 1 or tell us what you did?



1 A I don't know if I just went to certain areas or I
2 started at page 1.

3 Q Was it you explaining it to Mr. Henderson or did
4 he have specific questions for you?

11:55 5 A I don't recall.

6 Q So how long did it take you to read the
7 transcripts?

8 A Oh, probably a good hour and a half.

9 Q And then how long did it take for you and Mr.
11:55 10 Henderson to go through the transcripts and the
11 statements?

12 A And the statements?

13 Q Yes?

14 A Probably an hour.

11:55 15 Q And what was Mr. Henderson's reaction when you
16 were telling him these things; do you remember?

17 A No, I don't remember.

18 Q So, after you had gone through the transcripts and
19 statements with Mr. Henderson, what happened next?

11:56 20 A I believe he asked me if I would like to make a
21 new statement.

22 Q Okay. And what did you say?

23 A Yes.

24 Q And then did you carry on, did you take a break,
11:56 25 do you remember?



1 A I think we took a break.

2 Q Together or apart?

3 A Together.

4 Q And where did you go?

11:56 5 A We went to the lounge.

6 Q How long?

7 A I had one beer, that was it.

8 Q Would this be around supper time?

9 A Getting close to there.

11:56 10 Q So then after the lounge you went back to the
11 room, then, did you?

12 A Yes.

13 Q And then what happened?

14 A I believe I commenced giving my new statement.

11:56 15 Q And was the tape recorder on at this time; do you
16 remember?

17 A I believe so, yes.

18 Q And so tell us about -- and I'll go through the
19 statement in a moment -- how did that come about?

11:56 20 Explain, explain the nature of the discussion
21 between you and Mr. Henderson that gave rise to
22 this statement?

23 A That I don't recall at this time.

24 Q Did he ask you questions, and you give him
11:57 25 answers, and then he would write it down?



1 A I believe some of it was done in that way.

2 Q Okay. Was there any reason you didn't write it
3 out as opposed to him?

4 A Because I was shaking pretty bad.

11:57 5 Q Pardon me?

6 A I was shaking pretty bad and you can't read my
7 writing.

8 Q So I think you said some of it would have been
9 question and answer; is that right?

11:57 10 A Yeah, after I'd tell him something and he would
11 ask me a question about it, and I would give him
12 an answer.

13 Q And then, what, tell us how you reviewed this
14 statement?

11:57 15 A How I --

16 Q He would write it down and then at the end --

17 A He would write it down the way I told him to write
18 it down.

19 Q Pardon me?

11:57 20 A He would write it down the way I told him to write
21 it down.

22 Q Okay, and then what would happen?

23 A Just continue on.

24 Q And then, when you were done this statement, did
11:57 25 you read it over?



1 A Yes I did.

2 Q Now were the words used in the statement your
3 words, Mr. Henderson's words, or some combination
4 of the two?

11:58 5 A I would say 90 percent my words.

6 Q If we could call up the typed version of this
7 statement, it's 052969, and, Mr. Wilson, this is
8 simply someone has typed up the handwritten
9 statement. Okay, we're just going to go through
11:58 10 this, it's a little easier to read. And let me
11 ask you, generally, you have read this statement
12 over in the past; have you?

13 A Once or twice, yes.

14 Q And are you satisfied that it accurately records
11:59 15 what you would have told Mr. Henderson on June
16 4th, 1990?

17 A Yes.

18 Q And is this statement the truth?

19 A Yes.

11:59 20 Q If we could go through, call out the second
21 paragraph, you say:

22 "Twenty years ago, I was a witness for
23 the Crown in the murder trial of David
24 Edgar Milgaard in Saskatoon, Sask.

11:59 25 Subsequent to my testimony, Milgaard was



1 convicted by a jury in the stabbing
2 death of Gail Miller. I am providing
3 this statement to Milgaard's
4 investigator Paul Henderson because I
11:59 5 believe that he is innocent and because
6 I believe that my testimony was coerced
7 by police."

8 And I think you have told us that's true; is that
9 right?

12:00 10 A Yes.

11 Q When did you form this belief? And I'm just
12 talking about -- let's just take this last
13 sentence.

14 A Quite a few years before that.

12:00 15 Q When did you form the belief that your testimony
16 was coerced by police?

17 A Oh probably, when it came right down to it, 1970.

18 Q Can you tell us how it was that your testimony was
19 coerced by police?

12:00 20 A By the polygraph tests, the driving around, the
21 suggestions.

22 Q Okay. Let me just clarify. I think what your
23 word is, when you say "testimony", are you
24 referring to the trial evidence?

12:00 25 A I believe I was referring to everything.



1 Q So that when you say "everything" what do you
2 mean?

3 A Statements, trial, preliminary, everything.

4 Q Okay. So tell us what, when you made this
12:01 5 statement, what were you thinking when you said
6 you believed that your:

7 "... testimony was coerced by police."

8 A That it was the police that had made me change my
9 story.

12:01 10 Q Okay. And when and how do you say that happened?

11 A That happened May 22nd, 23rd.

12 Q Okay. So is that what you told us before about, I
13 think your words this morning were, power of
14 suggestion and the driving around; is that --

12:01 15 A Yes.

16 Q And the polygraph?

17 A Yes.

18 Q Now I think you told me this morning that at
19 trial, when you gave your evidence, that you did
12:01 20 not believe -- and I don't know, can't recall what
21 words were used, it wasn't "coerced" -- but I
22 think you said the police didn't cause you to lie
23 at trial?

24 A No.

12:01 25 Q So when you are saying here:



1 "... I believe that my testimony was
2 coerced by police."

3 A That's just a word I said at the time.

4 Q Which word is that?

12:02 5 A 'Coerced'.

6 Q Is that -- and what did you mean by that?

7 A Manipulated.

8 Q What about your evidence at trial, Mr. Wilson, did
9 you then, or do you now, believe that your
12:02 10 testimony at trial was coerced by police?

11 A Yes.

12 Q Can you tell us how? I'm talking about at trial,
13 not the statements, but at trial?

14 A No, at the trial, no.

12:02 15 Q No?

16 A No.

17 Q Go down to the next paragraph:

18 "At the time of this murder in January
19 1969, I had driven from Regina to
12:03 20 Saskatoon with Milgaard and Nicol John,
21 both friends of mine for the purpose of
22 picking up Milgaard's friend, Shorty
23 Cadrain, and then heading from there to
24 Edmonton or Calgary. following this
12:03 25 trip with Milgaard, John and Cadrain, we



1 all returned to Regina where I was
2 arrested for fraud, as I recall, and
3 sentenced to a jail term."

4 And I think that's what you have told us already;
12:03 5 is that fair?

6 A Yes.

7 Q Scroll down, please:

8 "I was serving the remainder of this
9 jail sentence at a bush camp outside
12:03 10 Regina when two police detectives, one
11 from Regina and the other from
12 Saskatoon, started questioning me about
13 the Gail Miller and I recall them
14 telling me that I was a suspect in the
12:03 15 murder because they knew that I and the
16 others had arrived in Saskatoon on the
17 morning of the murder and had left town
18 the same day."

19 Who, which police detectives were you referring
12:03 20 to here?

21 A I'm not sure, because I'm not sure which visit I
22 was really --

23 Q Okay.

24 A -- talking about.

12:03 25 Q And we went over that when we went through your



1 evidence and, I think, when Mr. Tallis
2 cross-examined you. Are you able to help us out
3 and tell us which instance; are you talking about
4 the March 3rd, 1969 meeting with Riddell and
12:04 5 Walters?

6 A No.

7 Q It would be a later one?

8 A Yes.

9 Q And are you able to tell us who the police
12:04 10 detectives would have been?

11 A I can't recall right now.

12 Q If you could scroll down, please, it says:

13 "I distinctly remember telling the
14 detectives during this initial
12:04 15 questioning that I knew nothing about
16 the murder and hadn't even heard about
17 it. they told me that they thought I
18 was lying. But it was true."

19 Was this referring to -- I think you told us your
12:04 20 initial questioning was March 3rd, '69; is that
21 correct?

22 A Yes.

23 Q Is that what you are referring to there?

24 A I believe so.

12:04 25 Q And I can't remember exactly what you told us



1 yesterday about -- let me ask you this; did
2 Inspector Riddell or Ken Walters tell you that
3 they thought you were lying after the March 3rd
4 questioning?

12:05 5 A I don't believe so, no.

6 Q Okay. Do you know what you are referring to here?

7 A I probably have the two interviews mixed up,
8 that's all.

9 Q You --

12:05 10 A Or I'm combining them together.

11 Q I think at some point, I think what you had told
12 us, at some point the police told you they thought
13 -- well, let me ask you this --

14 A They didn't believe me that I hadn't heard about
12:05 15 the murder.

16 Q Okay. I'm sorry?

17 A That they didn't believe me, I think in both
18 interviews, neither one of them could believe me
19 that I had never heard about the murder.

12:05 20 Q Okay. Is that what you meant when you said:

21 "they told me that they thought I was
22 lying."

23 A Yes, I believe so, yes.

24 Q So that would be lying about telling the police
12:05 25 that you hadn't -- well, it says here:



1 "... that I knew nothing about the
2 murder and hadn't even heard about it."

3 Is it your evidence, sir, that when you said the
4 police told you they thought you were lying it in
12:05 5 was reference to you not hearing about it?

6 A Yes.

7 Q If you could scroll down, please, it says:

8 "During this period of time I was being
9 held in the Regina Correctional Center.
12:06 10 I was 17 years old and very frightened
11 because I felt that the police were
12 trying to pin the murder on me. I don't
13 recall how long police questioned me in
14 Regina but I believe I was kept in jail
12:06 15 there for the remainder of my term."

16 And is that truthful?

17 A Yes.

18 Q And is there anything in addition to what you have
19 already told us in this inquiry, Mr. Wilson, about
12:06 20 being a suspect that you were thinking of when you
21 said that you were:

22 "... very frightened because I felt that
23 the police were trying to pin the murder
24 on me."

12:06 25 A I believe that was probably after the second



1 interview I probably went back to my cell, I know
2 I went back to my cell and started thinking about
3 it, so it probably started worrying me then.

4 Q So this would be after the second visit?

12:07 5 A Yes.

6 Q And I think that was March 18th; does that sound
7 right?

8 A I believe so.

9 Q 1969, or March, thereabouts?

12:07 10 A Thereabouts.

11 Q So, I'm sorry, you recall going back to your cell
12 and thinking about it?

13 A Yeah.

14 Q Tell us what you were thinking about?

12:07 15 A Well what was really going on, and maybe they were
16 going to try and dig something up, but then I kind
17 of just "nah, can't happen", so --

18 Q Scroll down to the next full paragraph, please:

19 "Sometime later, maybe two weeks after
12:07 20 police started questioning me. I ended
21 up somehow being questioned by police in
22 Saskatoon. I can't recall being
23 escorted there by police but know that I
24 wouldn't have gone there on my own. I
12:08 25 was hooked up to a polygraph and they



1 started asking me the same questions
2 again. Had I killed Gail Miller? Did I
3 think David Milgaard had killed her?
4 They asked me the same questions over
12:08 5 and over. I kept answering no, I didn't
6 kill Gail Miller and didn't think David
7 Milgaard had. I recall that I was
8 questioned on the polygraph twice for
9 maybe as long as six hours. It was like
12:08 10 a sweat session."

11 I'll just pause there. And go back to the top:

12 "Sometime later, ...",

13 and you say somehow, you:

14 "... ended up somehow being questioned
12:08 15 by police in Saskatoon."

16 And, again, what I want to know, Mr. Wilson, when
17 you made this statement on June 4th, 1990, what
18 was it you were referring to about being
19 questioned by police in Saskatoon?

12:08 20 A The polygraph test and --

21 Q So that was the May 22nd-24th, 1969?

22 A Yes.

23 Q And so it says:

24 "Sometime later, maybe two weeks after
25 ...",



1 I think you told us it was probably a little
2 longer than two weeks, is that --

3 A Yeah.

4 Q And you say:

12:09 5 "I can't recall being escorted there by
6 police but know that I wouldn't have
7 gone there on my own."

8 What did you mean by that?

9 A At that time I couldn't remember how I got up to
12:09 10 Saskatoon.

11 Q Pardon me?

12 A I couldn't remember how I had got to Saskatoon.

13 Q How you got there?

14 A Yeah.

12:09 15 Q Okay. Do you remember now?

16 A Yes.

17 Q Okay. How -- and is this accurate, what you said
18 here?

19 A Yeah, I wouldn't have gone on my own, I had to be
12:09 20 escorted.

21 Q Okay. And I think you told us, before, that you
22 got a ride up with some police officers; --

23 A Yes.

24 Q -- is that right? And then you say:

12:09 25 "I was hooked up to a polygraph and they



1 started asking me the same questions
2 again."

3 And are these the same questions you had told us,
4 before, that you were asked?

12:09 5 A Yes.

6 Q And you say here:

7 "I recall I was questioned on the
8 polygraph twice for maybe as long as six
9 hours."

12:09 10 And I think you told us there were two sessions;
11 is that right?

12 A Yes.

13 Q And the six hours; is that accurate?

14 A Yes, between the two sessions, yes.

12:09 15 Q And then it says:

16 "It was like a sweat session."

17 What did you mean by that?

18 A It was grueling, it was hard on me.

19 Q Okay. Were those your words in the statement?

12:10 20 A Yes.

21 Q And what, what did you mean by them, or were you
22 referring to the polygraph session?

23 A Yes.

24 Q Would you, today, describe your session with
12:10 25 Inspector Roberts as a sweat session?



1 A Yes, I would.

2 Q And why is that?

3 A Because it seemed to never quit.

4 Q If I can carry on, it says:

12:10 5 "My mind was ...",

6 and then next page:

7 "... exhausted and I was mentally
8 scrambled."

9 Tell us what you meant by that?

12:10 10 A Because I was coming down off of drugs, and then
11 those just -- I was tired and I was -- I had had
12 enough.

13 Q And then you say:

14 "I remember it now being like
12:10 15 brainwashing."

16 What did you mean by that?

17 A Just, it's just always been a word that I used, I
18 -- because I really don't know what brainwashing
19 is.

12:11 20 Q Okay. And what did you -- what did you mean by it
21 then?

22 A That you got stuff pounded into your head that
23 wasn't right, or --

24 Q Okay. When did you start to have these thoughts
12:11 25 or these beliefs that you set out in this



1 paragraph about the sweat session and that, and
2 the brainwashing, how long had you thought that
3 for?

4 A Since 1970.

12:11 5 Q So, at the time, after you met with Mr. Roberts,
6 --

7 A I mean I felt, like, I was just wasted from this.

8 Q And you say:

9 "Finally I began to implicate Milgaard
12:11 10 in the murder, telling police the things
11 they wanted to hear."

12 What do you mean by that?

13 A That's after the polygraph test, when they -- the
14 questions stopped coming that, as soon as I
12:12 15 finally said "yes" instead of "no", so then I
16 started implicating David then.

17 Q And when you say:

18 "... telling police the things they
19 wanted to hear."

12:12 20 what is it that you thought the police wanted to
21 hear?

22 A That Dave had killed Gail Miller.

23 Q And is that what you are referring to when you
24 made this statement?

12:12 25 A Yes.



1 Q Next paragraph:

2 "I am now certain that I was manipulated
3 by police into lying and later giving
4 false testimony against Milgaard."

12:12 5 What did you mean by that?

6 A Through the suggestions and polygraph tests.

7 Q Okay. And you say:

8 "I am now certain ...",
9 was there a point when you weren't certain about
10 this?

12:13

11 A Yes.

12 Q Okay. When did you become certain?

13 A I'm not sure.

14 Q Would it have been at the time of the statement or
15 prior?

12:13

16 A Of this statement?

17 Q Yes?

18 A Prior.

19 Q About how long prior?

12:13

20 A I can't -- can't recall.

21 Q And when you said in your statement that you were:

22 "... manipulated by police into lying
23 and later giving false testimony against
24 Milgaard.",

12:13

25 is that any different, I think on the first page



1 I asked you, you said:

2 "... because I believe that my testimony
3 was coerced by police."

4 A Right.

12:13 5 Q Are you saying anything differently here?

6 A No, I'm not.

7 Q It says:

8 "I also recall that sometime prior to
9 the point where I started to implicate
12:14 10 Milgaard police were using statements
11 allegedly made to them by Shorty Cadrain
12 to convince me that David had killed
13 Gail Miller."

14 Can you tell us what you are referring to there?

12:14 15 A I think, there, that they told me Shorty had seen
16 blood so I must have seen blood.

17 Q And when was that?

18 A May 22nd.

19 Q Okay. And was that prior to the point where you
12:14 20 started to implicate Milgaard?

21 A Yes it was.

22 Q And when you were -- use the word "allegedly",
23 what were you referring to there?

24 A That, supposedly, that they were made by Shorty.

12:15 25 Q Okay.



1 A Like, I didn't know Shorty's signature, I don't
2 even know if I saw a signature or not.

3 Q Did you ever see a statement?

4 A I'm not sure.

12:15 5 Q Next paragraph:

6 "One of the allegations, I recall, was
7 that Cadrain had seen blood on
8 Milgaard's pants on that morning at his
9 house. In court, I testified as to
10 having seen the blood on Milgaard
11 myself. In truth, I have no
12 recollection of seeing the blood on his
13 pants. I believe that the police
14 somehow convinced me that I had to have
15 seen the blood because Cadrain had."

16 If I could just pause here, no recollection --
17 and that's what you told us at this Commission --
18 that you didn't see blood or you didn't recall
19 seeing blood on David Milgaard's clothes; is that
12:15 20 correct?

21 A Correct.

22 Q Can you tell us what you meant when you said:

23 "I believe that the police somehow
24 convinced me that I had to have seen the
12:15 25 blood because Cadrain had."



1 A When they told me Shorty had seen it, so I must
2 have seen it.

3 Q So what did they do to -- it says somehow
4 convinced me. What did they do -- or what did you
12:15 5 mean when you said that, what did they do to
6 somehow convince you?

7 A I believe it was over some of the questioning too
8 along with supposedly Shorty seeing it.

9 Q Were you convinced at the time that you had seen
12:16 10 blood?

11 A No, I wasn't.

12 Q Were you ever convinced that you had seen blood on
13 David Milgaard's clothes?

14 A Totally in my mind, no.

12:16 15 Q So is this accurate, Mr. Wilson, then where you
16 say that:

17 "I believe that the police somehow
18 convinced me that I had to have seen the
19 blood because Cadrain had."

12:16 20 A Yes.

21 Q But I think you just said you weren't, you were
22 never convinced that --

23 A Not totally convinced, no.

24 Q Partly convinced?

12:16 25 A Like, to myself not convinced. For them I was



1 convinced.

2 Q I'm sorry, I don't understand that.

3 A Neither do I. Sorry. I just got mixed up.

4 Q Okay. Well, let's try this again.

12:16 5 A Okay.

6 Q And I'm just trying to understand what you
7 meant -- let's try it this way. Just read that
8 sentence:

9 "I believe that the police somehow
12:17 10 convinced me that I had to have seen the
11 blood because Cadrain had."

12 I would just like to understand from you, sir,
13 what you meant by that.

14 A What I did -- I did start to believe for a while
12:17 15 that I did see blood on his pants and after a
16 while I decided that I hadn't.

17 Q And can you give us any time frame as to when you
18 thought and when you didn't think?

19 A No, I can't give you a time frame, no.

12:17 20 Q Was it prior to the trial, during the trial, after
21 the trial?

22 A With this line here?

23 Q No, what you just told me. I think you said that
24 at a point, and I can't recall your exact words,
12:17 25 but for a while you believed you had seen it,



1 then --

2 A Before trial.

3 Q At trial when you testified that you saw blood?

4 A I hadn't, didn't believe that I saw blood then.

12:17 5 Q So at the time you gave the evidence at trial you
6 knew in your mind that you had not seen blood on
7 David Milgaard's clothes?

8 A Yes.

9 Q And so what was it -- and prior to that there was
12:18 10 a point where you had been, believed that or had
11 been convinced of that?

12 A Yes.

13 Q What caused you to become unconvinced at trial
14 when you testified?

12:18 15 A Just by thinking about it, like, let's make sense
16 out of this.

17 Q If we can scroll down, you say:

18 "From reading the transcript of my 1970
19 trial testimony, a copy of which was
12:18 20 provided to me by Paul Henderson on this
21 date, I can attest to having made the
22 following additional allegations against
23 Milgaard in the trial:"

24 And it says:

12:18 25 "- that I saw Milgaard with a maroon



1 handled paring knife prior to our
2 arrival in Saskatoon from Regina on the
3 morning of the Gail Miller stabbing
4 death."

12:18 5 And then you say:

6 "This was not the truth. I saw no knife
7 prior to our arrival in Saskatoon. I
8 recall that David purchased a paring
9 knife to cut our meat and cheese on the
10 trip. But this was when we stopped for
11 groceries in Rosetown - after we had
12 left Saskatoon."

13 Now, what about the bone-handled hunting knife,
14 Mr. Wilson, that you've told us about, is not
15 mentioned there.

16 A I believe it skipped my mind.

17 Q So apart from that, and I think you've already
18 told us then that there was no maroon-handled
19 paring knife in the car; correct?

12:19 20 A Correct.

21 Q Do you recall any discussion with Mr. Henderson
22 about a bone-handled hunting knife?

23 A No, I don't.

24 Q And next paragraph:

12:19 25 "I recall that detectives showed me



1 several knives, including one with a
2 maroon handle and that they pressured me
3 to tell them that the knife with the
4 maroon handle was the one I saw and that
12:19 5 I had seen David Milgaard with this
6 knife before we got to Saskatoon."

7 Can you explain what you meant by that?

8 A As per the polygraph test.

9 Q So you were showed several knives including one
12:19 10 with a maroon handle; is that true?

11 A Yes.

12 Q And was that the one that you picked out?

13 A Yes.

14 Q And when you used the words "pressured me", what
12:20 15 did you mean by that?

16 A Because he kept on going back to the same knife.
17 That's the one they wanted me to pick out.

18 Q And then the next paragraph:

19 "- that Nichol John was hysterical when
12:20 20 I returned to the car after we'd gotten
21 stuck in the snow and I'd gone for help.

22 I have no recollection of her
23 being hysterical at that time. The
24 allegation that Nichol became hysterical
12:20 25 after witnessing a murder take place



1 makes no sense to me. If Nichol had
2 seen Milgaard kill someone she would
3 never have continued with us on the
4 trip."

12:20 5 And I'm just wondering here, Mr. Wilson, when you
6 used the words, "I have no recollection of her
7 being hysterical at that time," which -- and I
8 want you to tell me what you meant by that,
9 because I think you have told us here that it
12:21 10 didn't happen.

11 A No, it didn't happen.

12 Q So --

13 A I said basically I have no memory of it, so -- I
14 just didn't say totally it didn't happen, I just
12:21 15 have no memory of it.

16 Q And your evidence before this commission is what,
17 what is the truth today?

18 A That she never got hysterical.

19 Q And so is there any explanation as to why you
12:21 20 would have used the words, "I have no
21 recollection"?

22 A No.

23 Q And it says, "The allegation that Nichol became
24 hysterical after witnessing a murder take place
12:21 25 makes no sense to me," and what do you mean by



1 that, and, "If Nichol had seen Milgaard kill
2 someone she would never have continued with us on
3 the trip"?

12:21 4 A I guess to me she would have split, you know, she
5 would have left us, she wouldn't even get back in
6 the car.

7 Q And so that made no sense to you?

8 A Exactly.

9 Q Did it make sense to you in 1970?

12:22 10 A At the trial?

11 Q In 1970 at any time, 1969 and 1970.

12 A Well, if she would have seen it, she would have
13 been gone at any time.

14 Q Okay. So did you think that in 1969?

12:22 15 A Yes.

16 Q When you told the police your statement on May
17 23rd and 24th?

18 A Yes.

19 Q And what about when you testified at trial, did
12:22 20 you think that?

21 A Yes.

22 Q I think you told us, and correct me if I'm wrong,
23 that there was a point in time prior to the trial
24 that you believed or thought, I'm not sure how
12:22 25 strongly, but I think you said you believed that



1 David Milgaard had killed Gail Miller; is that
2 right?

3 A Yes.

4 Q And when you had those thoughts, tell me if you
12:22 5 thought about what you said here, that it would
6 make no sense if Nichol had seen Milgaard kill
7 someone?

8 A No, I had no thought about that at that time, no.

9 Q Next page, please, and it says that:

12:23 10 "Someone found a woman's compact in the
11 glove compartment of the car after we
12 left Saskatoon. I have no independent
13 recollection today of this having
14 occurred."

12:23 15 And again, Mr. Wilson, I believe your evidence
16 before the Commission, and please correct me if
17 I'm wrong, is that you said it didn't happen as
18 opposed to not recalling; is that fair?

19 A That's fair.

12:23 20 Q And is that your evidence still?

21 A Yes.

22 Q And so what did you mean when you put in the
23 statement, "I have no independent recollection
24 today of this having occurred"?

12:23 25 A I -- how can I put it. The way I started wording



1 stuff, how I thought things over over the years.
2 Like, not that -- how can I put that. Memory and
3 that it didn't happen to me seemed to be the same
4 thing.

12:24 5 Q Okay. I'm just wondering, is there a reason you
6 didn't say in the statement that that didn't
7 happen as opposed to saying I have no independent
8 recollection?

9 A No, I have no reason for that.

12:24 10 Q And then the comment, and I believe this is either
11 from your statement or evidence:

12 "- that when we were alone together in
13 Calgary, Milgaard told me he'd 'hit a
14 girl' or 'got a girl' in Saskatoon and
12:24 15 put her purse in a trash can.

16 This testimony was planted in
17 my mind by police. At no time did
18 Milgaard confess anything like this to
19 me."

12:24 20 When did you first believe that statement, that,
21 "This testimony was planted in my mind by
22 police"?

23 A In the '80s.

24 Q When in the '80s; early '80s, mid '80s, late '80s?

12:25 25 A Probably after I talked to Joyce.



1 Q So after 1981, after those two phone calls we went
2 through, after that?

3 A Yes.

4 Q And how did you reach that conclusion? Tell us
12:25 5 what went through your mind if you can to reach
6 that conclusion?

7 A Well, probably with all the drugs I had done,
8 that's probably how I came to that conclusion,
9 through the drug fog.

12:25 10 Q Okay. I'm sorry, let me ask again. I don't think
11 you answered my question. I want to know when it
12 was that you first started to believe that this
13 testimony was planted in your mind by police, and
14 I think you said it was after talking to Joyce;
15 correct, in 1981?

16 A Yes.

17 Q And tell me how in your mind you reached that
18 conclusion?

19 A I can't at this time.

12:26 20 Q And did you think this in 1970 or 1971?

21 A I can't recall.

22 Q When you said in your statement that this
23 testimony was planted in your mind by police, what
24 did you mean by that?

12:26 25 A Along the same lines as I said before with the



1 polygraph test and the other stuff.

2 Q And when you used the word testimony, what did you
3 mean by that?

4 A By my statements.

12:26 5 Q Okay. What about your evidence at trial?

6 A That's different evidence.

7 Q Okay. Now, I think you told us, and please
8 correct me if I'm wrong, that you made this up?

9 A Yes.

12:26 10 Q That evidence; right?

11 A Yes.

12 Q Is that, in your mind, consistent with you saying
13 it was planted in your mind by police?

14 A It was something that fit from what they were
12:27 15 telling me, so --

16 Q Okay. I'm sorry, it was something that fit from
17 what they were telling you?

18 A Well, from what had been suggested to -- okay,
19 let's make something fit in there that makes it
12:27 20 look real.

21 Q Did the police tell you, back in 1969, to say:

22 "- that when you were alone together in
23 Calgary, that Milgaard told you he had
24 'hit a girl' or 'got a girl' in
12:27 25 Saskatoon and put her purse in a trash



1 can."

2 A I don't recall. Like I said, I made it up, so
3 probably not.

4 Q Next paragraph:

12:27 5 "By the time Milgaard went to trial
6 police had me convinced, in one sense,
7 that he was guilty. Deep down I wasn't
8 sure, however, and felt badly that I may
9 have been manipulated into testifying
12:28 10 against an innocent person and putting
11 him."

12 Actually, it should be putting him away,
13 Mr. Commissioner, the written statement has the
14 word away.

12:28 15 COMMISSIONER MacCALLUM: Thank you.

16 BY MR. HODSON:

17 Q How's that. Not very good. So let's just take
18 the first:

19 "By the time Milgaard went to trial
12:28 20 police had me convinced, in one sense,
21 that he was guilty."

22 What do you mean by that, in one sense, when you
23 say in one sense?

24 A The way I was thinking, that I thought he was
12:28 25 guilty.



1 Q Okay. The fact that you used the words "in one
2 sense," was there another sense that --

3 A No. Just the way it was worded.

4 Q Okay. And then you say:

12:28 5 "Deep down I wasn't sure, --"

6 Is that true?

7 A Yes.

8 Q "-- however, and felt badly that I may
9 have been manipulated into testifying
10 against an innocent person and putting
11 him away."

12 And again when you say that you may have been
13 manipulated into testifying against an innocent
14 person, what were you referring to?

12:29 15 A I was referring back to the May 22nd, May 23rd
16 statements.

17 Q So when you say here that you may have been
18 manipulated, are you referring to the same
19 evidence that you've given to this Commission
12:29 20 about -- I think earlier in the statement you used
21 the words -- let me back up. Earlier I asked you
22 to explain what you meant when you said, "because
23 I believed that my testimony was coerced by
24 police," and you also said -- I think there was
12:29 25 one other where you said the words manipulated. I



1 just can't put my finger on it. Are you
2 describing the same thing here as you were
3 describing before about being coerced and
4 manipulated then?

12:29 5 A Yes.

6 Q Is there anything different that you are referring
7 to here?

8 A No.

9 Q And:

12:30 10 "At the time, I was heavily involved in
11 drugs, including heroin, speed,
12 marijuana and LSD. I consider myself
13 not to have been mentally stable at that
14 period of my life."

12:30 15 What did you mean by that?

16 A That I was always in a drug fog, mostly stoned all
17 the time, stoned or coming down.

18 Q And that you considered yourself not to have been
19 mentally stable?

12:30 20 A Yes.

21 Q And what do you mean by that?

22 A I was a mess.

23 MR. HODSON: Scroll down, please. I see
24 it's 12:30, Mr. Commissioner, and it will
12:30 25 probably take me 10 minutes to get through this



1 statement. We may as well break.

2 (Adjourned at 12:30 p.m.)

3 (Reconvened at 2:00 p.m.)

4 COMMISSIONER MacCALLUM: Counsel, before we
02:03 5 start, just a word on scheduling.

6 Not to overstate the case, the
7 air service from Saskatoon to Edmonton is less
8 than what one might wish. We've striven mightily
9 to adapt ourselves to what's there on offer so
02:03 10 that we could begin on Monday morning, but really
11 the service from Edmonton this way on Sunday is
12 practically non-existent, you have to go through
13 Calgary and the result of it all is that you
14 spend more time than it would take to drive, and
02:03 15 I have tried driving for the last while only to
16 find that it is both arduous and dangerous, so
17 what we're going to do is this, we'll convene,
18 instead of Monday morning, we'll convene Monday
19 at 1:00 p.m. and we'll finish our week at
02:04 20 Friday -- I mean Thursday at 3:30 p.m. The
21 reason for that is that the WestJet direct flight
22 going back to Edmonton will be moved an hour
23 ahead when daylight savings time goes into effect
24 in Alberta, so there won't be a great difference
02:04 25 except to make up for the lost time Monday



1 morning, we'll have to start at nine a.m. on
2 Tuesday, Wednesday and Thursday instead of 10
3 a.m. Those are the only differences.
4 Ms. Congram will prepare a new schedule and
02:04 5 circulate it. That will start, I think it's a
6 week from Easter Monday when we reconvene.

7 BY MR. HODSON:

8 Q Thank you. If I could call up again document
9 052963 -- sorry, 969 -- and go to page 971, and,
02:05 10 Mr. Wilson, this was the statement that you and I
11 were discussing before the break, it's your June
12 4th, 1990 statement to Mr. Henderson, okay?

13 A Yes.

14 Q And let's just start, call out that paragraph, and
02:05 15 we may have touched on this, let's just go over it
16 again. You say:

17 "I was manipulated into lying against
18 him - manipulated into believing my own
19 lies."

02:05 20 What did you mean by that?

21 A That I was convinced that I -- that stuff I did
22 say at the trial was true.

23 Q And is that and was that the case?

24 A Yes.

02:05 25 Q Okay. Which lies then did you -- which of your



1 lies did you believe and when?

2 A I believe some of the knife, it got to a point
3 where I started believing it, about David
4 killing her, at some time I started believing it.

02:06 5 Q Okay. What time frame are you talking about here?

6 A May.

7 Q May of 1969?

8 A Yes.

9 Q So you say, "I was manipulated into lying against
02:06 10 him." Who were you referring to -- who are you
11 saying manipulated you into lying against him?

12 A The officer that gave me the polygraph and the
13 officers that drove me around the city.

14 Q And is that much of what you told us before about
02:06 15 the coercion and manipulation?

16 A Yes.

17 Q So anything different that you are referring to
18 here?

19 A No.

02:06 20 Q And when you say you were manipulated into
21 believing my own lies, who were you saying
22 manipulated you?

23 A The people I just mentioned.

24 Q Okay. And let's just go through them again, which
02:06 25 of the lies did you then believe?



1 A Probably 90 percent of them.

2 Q Okay. Let's go through them. First of all was
3 the knife, that you saw a brown bone-handled
4 paring knife between Regina and Saskatoon, and are
02:07 5 you telling us at some point you believed that you
6 actually had seen that knife?

7 A Yes.

8 Q When was that?

9 A In May.

02:07 10 Q Of 1969?

11 A Yes.

12 Q And what caused you to believe that you had seen
13 that knife?

14 A Because they told me I had, so --

02:07 15 Q Now -- and again this is the list we went through
16 this morning -- did you ever believe that you had,
17 or did you ever believe that David Milgaard had
18 said the words "stupid bitch" after asking the
19 lady for directions?

02:07 20 A No.

21 Q Did you ever believe that the lady you stopped for
22 directions was young?

23 A Yes.

24 Q And when did you believe that?

02:08 25 A I always thought she was young.



1 Q You always did?

2 A Yes.

3 Q Do you still think that?

4 A Yes.

02:08 5 Q Let's go to the third item, is the location where
6 the vehicle was stuck. Did you ever believe that
7 your vehicle was stuck near the murder scene;
8 namely, near the funeral home?

9 A Yes, I did believe that after a while, yes.

02:08 10 Q And when did you believe that?

11 A In May of '69.

12 Q And when did you stop believing that?

13 A Probably 1970.

14 Q After the trial, during the trial?

02:08 15 A Yes, after the trial.

16 Q And what caused you to stop believing that?

17 A Because I really knew I wasn't there.

18 Q Well, you just told me that you believed you were
19 at one point?

02:08 20 A Yes, at one point, yes.

21 Q And what caused you to stop believing that?

22 A Because I started thinking about it more and more
23 and just realized that no, we had not been there.

24 Q And was that after the trial?

02:09 25 A Yes.



1 Q What about your statement that David Milgaard had
2 said to you upon his return to the vehicle, "I got
3 her, I fixed her," did you ever believe that David
4 had said that, David Milgaard?

02:09 5 A No.

6 Q Did you ever believe that you observed blood on
7 David Milgaard's clothes?

8 A Yes.

9 Q And when did you believe that?

02:09 10 A May, '69.

11 Q And did you stop believing that?

12 A Yes.

13 Q When?

14 A After the trial.

02:09 15 Q Why?

16 A Another thing, that I started thinking about it
17 and it never happened.

18 Q Did you ever believe that Nichol John was
19 hysterical when you returned to the car on the
02:09 20 morning of January 31, 1969?

21 A No.

22 Q Did you ever believe that David Milgaard had
23 thrown a cosmetic bag out the window?

24 A No.

02:09 25 Q Did you ever believe that David Milgaard had told



1 you in Calgary that he hit a girl or did a girl in
2 Saskatoon, that he grabbed her purse and he jabbed
3 her with a knife and put the purse in a trash can?

4 A No.

02:10 5 Q And did you ever believe that Nichol John had told
6 you that she had seen David Milgaard stab a girl?

7 A No.

8 Q So when you are talking here about "manipulated
9 into believing my own lies," one would be the
02:10 10 knife I think you told me; is that right?

11 A Yes.

12 Q The second would be the blood?

13 A Yes.

14 Q And was there anything else? I'm sorry if I
02:10 15 missed --

16 A No.

17 Q This would be --

18 A Okay, you went through the one there, the putting
19 the purse in the garbage, yes.

02:10 20 Q You believe that?

21 A Yes.

22 Q What -- your evidence was, Mr. Wilson, I'll just
23 go through this again, at the trial and in your
24 statements, you said that David Milgaard told you
02:10 25 in Calgary when you were at the bus depot phoning



1 Heather Beaton that he hit a girl or did a girl in
2 Saskatoon, grabbed her purse and he jabbed her
3 with a knife and put the purse in the trash can.

4 A The only part of that I believed was the trash can
02:11 5 part.

6 Q And what did you believe?

7 A That it did happen.

8 Q Did you see it happen?

9 A No.

02:11 10 Q Did you believe you saw it happen?

11 A No.

12 Q Did you believe David Milgaard told you that
13 happened?

14 A No.

02:11 15 Q Well then how did you conclude that it did happen?

16 A Because they showed me where the purse had been
17 put in the garbage.

18 Q And from that you believed that David Milgaard had
19 put it in there?

02:11 20 A Yes.

21 Q Scroll down, please, it says:

22 "I've been haunted through all these
23 years by my role in helping convict
24 David. Although he has suffered the
02:11 25 most, I feel that I was also a victim of



1 this case."

2 And can you tell us what you mean when you say,
3 "I have been haunted through all of these years
4 by my role in helping to convict David"?

02:11 5 A It always bothered me, when I thought about it it
6 always bothered me.

7 Q And then what did you mean when you say that, "I
8 feel that I was also a victim of this case"?

9 A Because to me I figured I got screwed.

02:12 10 Q Can you explain that for us, please?

11 A That I wasn't treated right and that's how
12 everything went wrong and --

13 Q Okay. When you weren't treated right by whom?

14 A By the police officers.

02:12 15 Q And when and how?

16 A In May of '69.

17 Q Are you again referring to the things you've told
18 us about?

19 A Yes.

02:12 20 Q And that would be driving around with the police?

21 A And the polygraph.

22 Q And the polygraph?

23 A Yes.

24 Q Anything else?

02:12 25 A No.



1 Q And you are saying that you felt screwed by what
2 happened?

3 A Yes.

4 Q And did you feel that you were a victim?

02:12 5 A Yes.

6 Q Do you still feel that?

7 A Yes.

8 Q If you can scroll down, please, you say:

9 "I have provided this statement to Paul
02:13 10 Henderson of Centurion Ministries bona
11 fide and in the interest of justice for
12 David Milgaard, whom I believe to be
13 innocent."

14 And is that what you thought at the time,
02:13 15 Mr. Wilson?

16 A Yes.

17 Q Now, there was a second, a supplemental statement
18 that was signed. Can you tell us -- and I'm sorry
19 if I asked you this already -- can you tell us how
02:13 20 that came about?

21 A Because I remembered some more details I believe
22 about the getting stuck part. I believe that's
23 what's on there.

24 Q We'll go to that and I'll go through that with
02:13 25 you, but tell us, was it after -- did you phone



1 Mr. Henderson back or did you remember it after --

2 A I think it was just a couple of minutes after.

3 Q Okay. Let's call up document 003943. Did I give
4 you the wrong number? It might be 003343. Yeah,
02:14 5 it is, 003343, I'm sorry. And that's part of
6 document ID 003336. Thank you. And I think you
7 already told us this morning that's your signature
8 there; is that correct?

9 A Yes.

02:14 10 Q And is this the supplemental statement that you
11 gave?

12 A Yes, it is.

13 Q Let's call out the first paragraph, it says:

14 "In reading a transcript of the 1970
02:15 15 trial testimony of Nicol John on this
16 date, I learned for the first time that
17 Nicol claimed that our car became stuck
18 in an alley behind a funeral home on the
19 morning in January 1969 that we arrived
02:15 20 in Saskatoon."

21 If I can pause there. Did you read the evidence
22 of Nichol John while you were with Mr. Henderson?

23 A By that I must have. I don't recall right now.

24 Q And it says here that, "I learned for the first
02:15 25 time that Nicol claimed that our car became stuck



1 in an alley behind a funeral home." Is that
2 correct?

3 A I believe so, yes.

4 Q Prior to that, did you have any knowledge as to
5 where Nichol said --

6 A No.

7 Q -- your car got stuck?

8 A No.

9 Q And if you could scroll down, please, you say:

02:15 10 "It is true that our car got stuck in
11 the snow while we were driving around
12 looking for Shorty Cadrain's house that
13 morning. It is also true that at some
14 point we stopped the car and asked a
02:15 15 lady for directions."

16 Is that true?

17 A Yes.

18 Q "But I saw no funeral home in the
19 location where we became stuck."

02:15 20 Scroll down:

21 "I recall that we became stuck at an
22 intersection at the end of a block. I
23 do not recall seeing a funeral home and
24 would have so testified if I had been
02:15 25 asked that question during the trial."



1 Did you think you were not asked questions about
2 that at the trial?

3 A I can't recall right now.

4 Q Do you remember yesterday, or I think it was
02:16 5 yesterday when I went through your evidence at the
6 trial and the re-examination by Mr. Caldwell, and
7 I showed you the map?

8 A Yes.

9 Q And you actually put an S right beside the funeral
02:16 10 home?

11 A Yes, I did.

12 Q Okay. So, at the time, what are you referring to
13 here when you say:

14 "... and would have so testified if I
02:16 15 had been asked that question during the
16 trial."

17 I probably missed that in my transcript and
18 hadn't remembered it.

19 Q Okay. We're done with that statement.

02:16 20 So tell me what happened after
21 you gave the statement to Mr. Henderson, who did
22 you talk to next, or how did you leave it with
23 him?

24 A I talked to my wife next --

02:16 25 Q Okay.



1 A -- I do believe.

2 Q Yeah. And then after that?

3 A I believe, I think Mr. Henderson gave me some
4 phone numbers, I'm not sure if it was for
02:17 5 Mr. Wolch or not.

6 Q Could it have been for Mr. David Asper; does that
7 sound right?

8 A Yes.

9 Q Okay. And did you call Mr. Asper?

02:17 10 A Yes I did.

11 Q Why did you call him?

12 A To see if I could talk to David.

13 Q To talk to Dave --

14 A Milgaard.

02:17 15 Q -- Milgaard?

16 A Yes.

17 Q And what do you recall of your discussion with
18 Mr. Asper?

19 A Just, I believe I told him I had recanted my
02:17 20 testimony and I would like to phone David and
21 apologize.

22 Q And did you, in fact, do so?

23 A Yes I did.

24 Q And would that have been on June 4th, 1990?

02:17 25 A I don't know. It was the 4th or the next day.



1 Q Within a day, it was that day or the next day, is
2 that --

3 A Yes.

02:17 4 Q And do you recall anything else of your discussion
5 with Mr. Asper?

6 A No I don't.

7 Q Did you have any discussion with Mr. Henderson as
8 to what was going to happen with your June 4th
9 statement, as to what he was going to do with it?

02:17 10 A I might have, but I don't recall.

11 Q Did you understand that it would become public or
12 that it would be used in proceedings?

13 A Yes, I probably did.

02:18 14 Q And did you have any discussion with Mr. Henderson
15 about getting a lawyer for yourself?

16 A Not at that time, no.

17 Q Did you have one subsequent?

18 A Not with Mr. Henderson, no.

02:18 19 Q Did you have a discussion with anybody about
20 getting a lawyer?

21 A I believe I did with Mr. Asper.

22 Q And what was that discussion?

23 A That, possibly, I might need a lawyer when this
24 starts going ahead.

02:18 25 Q I'm sorry, did he tell you that?



1 A I believe so, yes.

2 Q And did he tell you why?

3 A Probably did, but I don't recall.

4 Q So did you, in fact, get a lawyer?

02:18 5 A Eventually, yes, I did.

6 Q When you say "eventually" what do you mean by --

7 A A few days or something, I can't recall how long
8 it was.

9 Q I'm going to call up a newspaper article, 004761,
02:19 10 and this is a StarPhoenix article I think, Dan
11 Lett -- I'm sorry, it's a Winnipeg news article,
12 there's one on the next page from the StarPhoenix,
13 by a fellow called Dan Lett; do you recall talking
14 to Dan Lett?

02:19 15 A Yes, I do.

16 Q And the date here is June 7th, 1990 so that would
17 be three days after your statement; do you see
18 that?

19 A Yes I do.

02:19 20 Q If we could just call out, probably have to call
21 out -- and the article says -- let's just go back
22 to the top. First paragraph of that, please, just
23 scroll up. Yeah, right there, it says:

24 "One of the chief Crown witnesses in the
02:19 25 trial of convicted killer David Milgaard



1 says threats and manipulation by
2 Saskatoon police led him to lie in Court
3 in 1969.

4 In an interview from his home
02:20 5 in British Columbia, Ron Wilson said he
6 has lived in torment for lying and has
7 come forward to tell the truth about an
8 intensive police investigation into the
9 brutal slaying of Saskatoon nursing
02:20 10 assistant Gail Miller."

11 Did you have an interview from your home with Dan
12 Lett?

13 A Yes I did.

14 Q Was it by telephone or in person?

02:20 15 A Telephone.

16 Q And then it says here:

17 "'None of it happened the way they (the
18 police) said it happened,' Wilson said.
19 'I want to go straight.

02:20 20 'I was manipulated. It was
21 like you're a puppet. Then you're
22 scared that if you don't do what they
23 wanted you do to, they would put you
24 away.' "

02:20 25 Scroll down. I'm sorry, it says, just read this:



1 ''I was manipulated. It was like you're
2 a puppet. Then you're scared that if
3 you don't do what they wanted you do to,
4 they would put you away. They told me
02:21 5 that they would find some way to turn
6 the tables on me.'"

7 Did you say those words to Dan Lett at that time?

8 A I don't recall.

9 Q Words to that effect?

02:21 10 A Probably words to that effect, yes.

11 Q Yeah. Do you have any reason to believe that Dan
12 Lett would report differently than what you had
13 told him?

14 A I don't know.

02:21 15 Q Okay. It says here -- and I'm, I have asked you
16 enough about that word -- you say:

17 ''I was manipulated.'"

18 Assuming you said these words to Dan Lett, was
19 that -- is there anything different than what you
02:21 20 have already told me today about what you meant
21 by the word 'manipulated' in your statement?

22 A No.

23 Q And is that what you were referring to when you
24 told him -- or at least are reported to have told
02:22 25 him:



1 ''I was manipulated.'''

2 A Yes.

3 Q And it says:

4 ''It was like you're a puppet.'''

02:22 5 Do you remember words to that effect?

6 A I believe I did.

7 Q And what did you mean by that?

8 A Well, like they were telling you what to do, so
9 that's what you did.

02:22 10 Q And, again, who are you referring to?

11 A The people I dealt with in March -- in May of '69.

12 Q It then reports you as saying:

13 ''Then you're scared that if you don't
14 do what they wanted you do to ...'',

02:22 15 I'm assuming that's a typo and it said:

16 ''... wanted you to do they would put
17 you away. They told me that they would
18 find some way to turn the tables on
19 me.'''

02:22 20 Do you recall saying those words to Mr. Lett or
21 words to that effect?

22 A No I don't.

23 Q If you did say those words, or did you think this
24 at the time, are you able to help us out as to
02:22 25 what --



1 A Well I probably thought they might just put me in
2 jail for something.

3 Q That they would put you in jail for something;
4 who?

02:23 5 A The Saskatoon Police force.

6 Q For what?

7 A Whatever they could find.

8 Q Now you were already in jail, weren't you, when
9 they talked to you the first time?

02:23 10 A The first time, yes.

11 Q And when you were at the prelim you were in jail
12 as well?

13 A Yes.

14 Q And so I'm -- what do you mean when you say that
02:23 15 they would put you away for something? Are you
16 talking in connection with the Gail Miller matter?

17 A I don't know what I was talking about at that
18 time.

19 Q And in fairness, Mr. Wilson, you have told me you
02:23 20 don't remember using those words so --

21 A No.

22 Q If you could scroll down here, it says:

23 "Wilson said he is concerned people may
24 ..."

02:23 25 A Sorry.



1 Q Okay. It says here:

2 "Wilson said he is concerned people may
3 not believe him now because he lied
4 before, but he wants to set the record
02:24 5 straight because he believes Milgaard
6 was wrongfully convicted."

7 Would you have said that to the reporter at the
8 time?

9 A Not in so many words, but probably, yes.

02:24 10 Q Okay. At the time, were you concerned that people
11 may not believe you about your recantation?

12 A Yes.

13 Q And why was that?

14 A Because I just didn't think that they would
02:24 15 believe me.

16 Q And why, is there a reason, just general?

17 A Just general.

18 Q It's then reported that you say:

19 "'I have no more doubts,' he said.

02:24 20 'What I say now is the truth and what I
21 said then was fabricated.

22 'If people don't understand,
23 well, I'll have to live with it. I hope
24 they understand.'"

02:24 25 Would you have said words to that effect?



1 A Yes.

2 Q And what do you mean when you say:

3 "I have no more doubts," --

4 A That I was positive, then, he was not guilty.

02:25 5 Q And when you say:

6 "What I say now is the truth and what I
7 said then was fabricated.",

8 is that -- what were you referring to when you
9 said that?

02:25 10 A To the May 1969.

11 Q Okay. If you could go back to the main page of
12 that article, call out that portion, and the
13 report or the article says:

14 "In this recent interview, Wilson said
02:25 15 that after leaving Saskatoon the same
16 day as the murder, he, Milgaard, John
17 and Cadrain drove west, stopping in
18 Edmonton, Calgary and Banff, before
19 returning to Regina.

02:25 20 He said he did not hear of the
21 murder until March 1969, when Saskatoon
22 police called him in for questioning
23 about it. He was in jail in Regina at
24 the time on a fraud conviction.

02:25 25 He said he denied knowing



1 anything about the killing."

2 And do you recall saying words to that effect to
3 the author?

4 A Yes I do.

02:26 5 Q Carrying on:

6 "Two months later in May 1969, he said
7 police summoned him to Saskatoon for two
8 days of questioning.

9 Wilson said he began by denying
02:26 10 any knowledge of the crime, but after
11 hours of intense questioning by police
12 and polygraph operators, he broke down.

13 'They asked me questions about
14 everything - if I thought David had done
02:26 15 it, if I had done it, about these knives
16 that they showed me, if I had ever seen
17 them before. I was on polygraph for
18 over six hours.'"

19 If I can pause there; do you recall saying those
02:26 20 words to the reporter?

21 A Yes I do.

22 Q And again, just to clarify here, are you telling
23 them -- telling -- were you telling the reporter
24 anything differently than you have told us about
02:26 25 your session with the police and the polygraph



1 operator?

2 A No.

3 Q And here, and the words "police" and "polygraph
4 operators", plural, was there only one polygraph
02:27 5 operator?

6 A Yes, there was only one.

7 Q And that was Inspector Roberts?

8 A Yes.

9 Q And, again, I think you have already told us that
02:27 10 when you say:

11 "... on polygraph for over six hours.",
12 that was the --

13 A Two sessions.

14 Q -- two sessions? And then here:

02:27 15 "Eventually, Wilson said, if he wouldn't
16 agree with the police interrogators,
17 they claimed the poly-...",
18 go to the top here:

19 "... they claimed the polygraph machine
02:27 20 indicated he was lying."

21 And would you have told the reporter that?

22 A Yes.

23 Q And is that truthful?

24 A Yes.

02:27 25 Q And:



1 "Finally, he said, sheer fright forced
2 him to agree with anything the police
3 said."

4 Did you say words to that effect?

02:27 5 A Yes.

6 Q And is that truthful?

7 A Yes.

8 Q And can you explain what you meant by that,
9 please?

02:27 10 A Because I was scared, so I just gave them what
11 they wanted.

12 Q And who and -- and I'm sorry, when are you
13 referring to this, what time frame and with whom?

14 A The May, May '69.

02:28 15 Q With?

16 A With Roberts and the officers.

17 Q Okay. Which parts of the -- I mean we went over
18 that in a fair bit of detail.

19 A Mostly, I would say, the polygraph.

02:28 20 Q Okay. And the reporter says:

21 "In his testimony, Wilson provided the
22 trial with several important pieces of
23 evidence:

24 He said he had seen Milgaard
02:28 25 holding a maroon-handled paring knife in



1 the car before they arrived in
2 Saskatoon.

3 But Wilson now says he
4 repeatedly argued with police that he
02:28 5 had not seen any knife in the car. But,
6 he said, police refused to believe him
7 and eventually showed him five knives
8 and demanded that he identify one."

9 Would you have said words like that to the
02:29 10 reporter or words to that effect?

11 A Probably words to that effect.

12 Q And let's just go through that, it says:

13 "... Wilson ... says he repeatedly
14 argued with police that he had not seen
02:29 15 any knife in the car.";

16 did that happen?

17 A Yes, with the maroon-handled knife, yes.

18 Q And who was that that you were arguing with?

19 A Probably Mr. Roberts.

02:29 20 Q Do you recall?

21 A No, I really don't recall.

22 Q And it says that you "argued that he had not seen
23 any knife in the car"; what about the bone-handled
24 hunting knife?

02:29 25 A That was never brought up.



1 Q Never brought up?

2 A At that time.

3 Q With the reporter?

4 A With the reporter, no.

02:29 5 Q And why was that? Was there a reason?

6 A I don't recall right now.

7 Q And then it says:

8 "But, he said, police refused to believe
9 him and eventually showed him five
10 knives and demanded that he identify
11 one."

12 Did that happen?

13 A Yes.

14 Q And who demanded that you identify one; do you
02:29 15 remember?

16 A It was Roberts and whoever the other officer was
17 that was there at the time.

18 Q And you said:

19 "He said police forced him to identify
02:30 20 the maroon-handled paring knife thought
21 to be the murder weapon."

22 Did you say words to that effect to --

23 A To that effect, yes.

24 Q To the reporter. And did that in fact happen?

02:30 25 A Forced is pushing it a little bit.



1 COMMISSIONER MacCALLUM: What's that?

2 A Forced is pushing it a little bit.

3 BY MR. HODSON:

4 Q Can you think of a better word that in your mind,
5 Mr. Wilson, describes --

02:30

6 A Just that they came back to the same knife all the
7 time, so that's the one they wanted me to pick.

8 Q And then just the next paragraph:

9 "Wilson also testified that the car,
10 which he was driving, became stuck on a
11 street near a funeral home, meters away
12 from where Miller's body was eventually
13 found.

02:31

14 Wilson now says that he
15 continually told police the car became
16 stuck at the "T" intersection of two
17 streets, and not in an alley as John had
18 testified."

02:31

19 Did you tell the reporter that?

02:31

20 A Yes.

21 Q And is that truthful, did you tell --

22 A Yes.

23 Q And scroll down a bit more, please, just to the
24 bottom:

02:31

25 "Wilson testified that once they reached



1 Cadrain's house, he saw blood on
2 Milgaard's clothes.

3 Wilson now says he told police
4 he never saw blood and informed them
02:31 5 that his mother had washed Milgaard's
6 clothes when they returned to Regina and
7 she did not see blood."

8 Did you tell the reporter that?

9 A Yes.

02:31 10 Q And is that true?

11 A Yes.

12 Q Now, I think when we went through your statement
13 you did say in your statement that you saw blood;
14 right?

02:32 15 A Yes.

16 Q And can you help explain that comment, "Now says
17 he told police he never saw blood"? Did you not
18 tell the police that you saw blood?

19 A I did at one time, yes.

02:32 20 Q If I could call up 004760, please. This is an
21 article of June the 9th, 1990 in the *Star-Phoenix*
22 and it relates to an interview with Mr. Henderson,
23 Paul Henderson, and if you could just call out the
24 first paragraph, and this is, these are comments
02:33 25 attributed to Mr. Henderson and he's reported to



1 have said:

2 "Getting a key witness --"

3 Which is you,

4 " -- to recant testimony used to convict
5 a man of a 1969 murder took about eight
6 hours of gentle prodding, an American
7 private investigator probing the case
8 said Friday."

9 I'm just wanting your comments, Mr. Wilson, first
10 of all about the eight hours and secondly about
11 the gentle prodding. Did you view your session
12 with Mr. Henderson the same way he is reported to
13 have viewed it?

14 A No.

15 Q And tell us what -- do you disagree with his
16 description?

17 A Yes, I do.

18 Q And tell us why?

19 A Because for a while it was just a simple
20 conversation and I didn't think there was any
21 prodding or anything.

22 Q So you don't agree with -- you are saying he
23 didn't prod you; is that right?

24 A That's correct.

25 Q What about the eight hours, does that --



1 A That would be total all day.

2 Q Okay. If I could call up 003561, please. Now,
3 after, just time wise, so we just went through
4 June 7th, 8th and 9th of 1990, that's within a few
02:34 5 days after you gave your statement, did there come
6 a time, do you recall, being contacted by a fellow
7 named Eugene Williams from the federal Department
8 of Justice?

9 A Yes.

02:34 10 Q Tell me what you recall?

11 A I recall him giving me a phone call and asking if
12 he could come and interview me.

13 Q And would this have been in the same month as you
14 gave the statement to Mr. Henderson?

02:34 15 A I believe so, yes.

16 Q And what did he want -- what did you understand,
17 or did he tell you why he wanted to interview you?

18 A I can't recall.

19 Q Do you recall whether or not -- and again I don't
02:34 20 wish to put words in your mouth, Mr. Wilson, I
21 just want to know whether this refreshes your
22 memory at all -- any discussion about the fact
23 that Mr. Williams was working on an application by
24 David Milgaard to review his conviction; does that
02:35 25 sound familiar?



1 A Yes, it does.

2 Q And did Mr. Williams tell you that he wished to
3 interview you in connection with that?

4 A Yes.

02:35 5 Q And what did you tell him?

6 A I said yes.

7 Q And then did you meet with him?

8 A Eventually, yes.

9 Q And I'll go through the documents with you, I'm
02:35 10 just trying to get your recollection.

11 A Yes, eventually, yes.

12 Q Were there some hiccups or problems in getting
13 together with him?

14 A Yes, there was.

02:35 15 Q Can you tell us what those were?

16 A He was supposed to make an appointment with me and
17 let me know he was coming. He didn't and the one
18 day he just showed up on my doorstep.

19 Q And then what happened?

02:35 20 A I basically said I wasn't going to talk to him at
21 that time and I went to my lawyer's office and got
22 him to handle it from there.

23 Q Okay. Did you have any reluctance about speaking
24 with Mr. Williams?

02:35 25 A That day, yes.



1 Q And why?

2 A I wasn't prepared for him.

3 Q This -- I'm just going to go through a document,
4 Mr. Wilson, you may or may not have seen this
02:36 5 before, it's a memorandum dated June 19th, 1990
6 and it's Mr. Williams' memorandum to his own file,
7 so these are just his notes, okay?

8 A Yes.

9 Q And I just want to go through what he has written
02:36 10 down and see if you are able to tell us whether
11 his recording of what happened coincides with
12 yours. He says:

13 "On June 18th, 1990, accompanied by
14 Sergeant Gary Tidsbury and official
02:36 15 court reporter Jodee Smith, I went to
16 Nakusp, British Columbia. Arrangements
17 had previously been made to speak with
18 Mr. Wilson, after lunch, at the Nakusp
19 detachment of the RCMP on that date.
02:36 20 Given the uncertainty of the travel
21 time, no specific time was set. It was
22 Sergeant Tidsbury's understanding after
23 speaking with Mr. Wilson that the period
24 between 1:00 and 1:30 p.m. would be
02:36 25 suitable. Tidsbury had told Wilson that



1 he would call him when we arrived.

2 Before departing Kelowna,
3 Sergeant Tidsbury tried on successive
4 days to speak with Mr. Wilson by phone.
02:37 5 However, the phone calls were
6 unanswered. A telephone call to
7 Mr. Wilson's residence at 12:45 p.m.
8 also went unanswered."

9 Now, does that coincide with what you recall
02:37 10 happening?

11 A No.

12 Q And what do you disagree with according to what
13 Mr. Williams has --

14 A There was no appointment made.

02:37 15 Q So you were waiting to hear from them to set
16 something up?

17 A Yes.

18 Q And then if you can just scroll down, it says:
19 "Shortly after lunch Sergeant Tidsbury,
02:37 20 accompanied by a member of the local
21 detachment, saw Mr. Wilson outside his
22 home, reminded him of the meeting.
23 Mr. Wilson spoke to his lawyer who
24 indicated that they would attend at 2:30
02:37 25 p.m. at the detachment.



1 Kenneth Watson, counsel to
2 Mr. Wilson arrived at the Nakusp
3 detachment at 2:40 p.m. and advised me
4 --"

5 This being Eugene Williams,

6 " -- that his client did not wish to be
7 interviewed. Apparently, his client was
8 concerned about the nature of my
9 questioning after Wilson had spoken to
02:38 10 David Asper, counsel to Mr. Milgaard.
11 Mr. Watson alluded to a concern
12 expressed by Mr. Asper that other
13 witnesses had been intimidated,
14 belittled and not believed. I invited
02:38 15 Mr. Watson to remain during the
16 questioning to protect his client's
17 interests. He told us that he would
18 consult his client and advise us
19 accordingly. He returned within a half
02:38 20 hour to repeat that his client would
21 only testify in a courtroom setting."

22 Does that sound familiar, Mr. Wilson?

23 A No.

24 Q Let's just go back, and I just want to know what
02:38 25 you know, and it says here:



1 "After Wilson had spoken to David Asper,
2 Mr. Watson alluded to a concern
3 expressed by Mr. Asper that other
4 witnesses had been intimidated,
5 belittled and not believed."

02:38

6 Do you recall a discussion with Mr. Asper about
7 Eugene Williams?

8 A No, I don't.

9 Q Do you recall a discussion, and again I don't want
10 to know communications or discussions with your
11 legal counsel, do you recall discussing with
12 anyone but your lawyer anything relating to
13 Mr. Eugene Williams and his questioning techniques
14 at this time?

02:39

15 A At this time, no.

02:39

16 Q Next if I could go to 003558 and this is a letter
17 from Kenneth Watson, he was your lawyer at the
18 time; correct?

19 A Yes.

02:39

20 Q And he's the lawyer representing you here at this
21 Commission?

22 A Yes.

23 Q And this is a letter dated June 9th, 1990 from
24 Mr. Watson to Eugene Williams, and so this would
25 appear to be the day after, at least if

02:40



1 Mr. Williams' memo was right that the attempted
2 interview was on June 18th, this would be the next
3 day, and Mr. Watson refers to I think a
4 misunderstanding about what was supposed to happen
02:40 5 the day before and:

6 "If the misunderstanding with respect to the
7 arrangements was my client's, I apologize
8 for any inconvenience this has caused you."
9 And the letter goes on to state, if you could
02:40 10 scroll down:

11 "Mr. Wilson's position is that he will
12 be making no statements to you. I
13 understand that you are in possession of
14 a copy of his June 4th, 1990 statement
02:40 15 to Mr. Henderson. Any further evidence
16 he gives will be before a court."

17 Do you remember taking this position with the
18 Federal Justice, Mr. Wilson?

19 A Yes, I do.

02:41 20 Q And can you tell us why at this time you would
21 have been taking that position?

22 A Because I thought court would be better than
23 talking to Mr. Henderson -- not Mr. Henderson,
24 Mr. Williams.

02:41 25 Q And was there a reason you wouldn't talk to



1 Mr. Williams in a non-courtroom setting?

2 A I think he pissed me off.

3 Q He did?

4 A Yes.

02:41 5 Q And why was that?

6 A By showing up unannounced.

7 Q And that's, you are referring to, and I think the
8 date is June 18th, is that --

9 A Yes.

02:41 10 Q Whatever day it was that he showed up?

11 A Yes.

12 Q And then scroll down, it says:

13 "I would confirm my advice to you that
14 my client --"

02:41 15 That being you,

16 "-- was aware from Mr. Asper that some
17 other witnesses interviewed by your
18 department were dissatisfied with their
19 treatment. I understand from you and
02:41 20 Mr. Asper that Mr. Asper has written to
21 your department expressing his position
22 with respect to that treatment."

23 And again, Mr. Wilson, are you -- this letter
24 from your lawyer to Mr. Williams says, reports
02:42 25 that you were aware from Mr. Asper that some



1 other witnesses interviewed by your department
2 were dissatisfied with their treatment. Were you
3 aware of that or do you recall that?

4 A They must have been then, yes.

02:42 5 Q Well, do you recall it?

6 A I don't recall it, no.

7 Q Next if we could call out 003570, and this is a
8 memorandum from Mr. Corbett who was in the same
9 department as Mr. Williams, or was at the time,
02:42 10 you see the date, June 25, 1990, and this
11 memorandum says:

12 "On June 22, 1990 I received a call in
13 the absence of Bruce MacFarlane from
14 Hersh Wolch, counsel acting for
02:42 15 Milgaard. He informed me that Ron
16 Wilson was prepared to be interviewed by
17 us on Thursday, June 28th, 1990 in
18 Nakusp, British Columbia, according to
19 the following terms;

02:43 20 - that there would be a court reporter
21 present to take a verbatim transcript of
22 the interview,

23 - that Mr. Watson, counsel for Wilson be
24 present at all times during the
02:43 25 interview,



1 - that Hersh Wolch be allowed to attend
2 the interview but would not take part in
3 any questions or cross-examination,
4 - that Mr. Williams not be the counsel
02:43 5 assigned to interview Mr. Wilson."

6 Does this sound familiar at all to you,
7 Mr. Wilson?

8 A It sounds familiar, but I really don't remember
9 it.

02:43 10 Q Okay. Well, do you have any reason to dispute --
11 or do you agree with what's said here, was this
12 your position at the time?

13 A I believe so, yes.

14 Q And this part here about Mr. Williams not be the
02:43 15 counsel assigned to interview Mr. Wilson, is that
16 something that you had put forward or do you
17 recall?

18 A I don't recall.

19 Q And what about having Hersh Wolch present while
02:44 20 you were being examined, do you remember why you
21 took that position?

22 A No, I don't.

23 Q Go to the next page of that document, please, and
24 again, Mr. Wilson, this is Mr. Corbett's
02:44 25 memorandum to the file, okay, these are his words



1 as to what he reports, as to what he believed
2 happens, and he said:

3 "I then endeavour to phone Mr. Watson
4 who was absent from the office and then
02:44 5 I spoke to Mr. Wolch, conveyed to him
6 our position with regard to the
7 interview of Wilson:

- 8 - that we were prepared to record the
- 9 interview by verbatim transcript,
- 02:44 10 - that a copy of the transcript would be
- 11 provided to Mr. Wolch, counsel for Mr.
- 12 Milgaard,
- 13 - that Mr. Watson, counsel for
- 14 Mr. Wilson, could be present at all
- 02:45 15 time,
- 16 - that we objected to the presence of
- 17 Mr. Wolch at the interview,
- 18 - that Mr. Williams would be assigned to
- 19 conduct the interview."

02:45 20 Scroll down.

21 "In discussing these conditions with Mr.
22 Wolch, I reiterated that we were most
23 anxious to be able to interview
24 Mr. Wilson. Mr. Wolch asked for reasons
02:45 25 for our taking a position that he should



1 not be present. I informed him that
2 given the emotional condition of Wilson
3 as described by his counsel, we felt
4 that the fewer persons present at the
02:45 5 interview the better. For the same
6 reason we did not intend to have police
7 officers present at the interview. I
8 reiterated that our sole purpose in
9 interviewing Mr. Wilson was to clarify
02:45 10 his recent statement as part of the
11 inquiry based on the application for
12 mercy made by Mr. Milgaard under Section
13 690 of the Code. Mr. Wolch indicated
14 that the conditions of the interview
02:45 15 were essentially those of Mr. Watson on
16 behalf of Mr. Wilson and he could not
17 agree to them. I advise Mr. Wolch that
18 I would put the conditions in a letter
19 to Mr. Watson with a copy to himself and
02:45 20 hopefully we could work something out."

21 Were you familiar at all or aware of these
22 discussions, Mr. Wilson, leading up to your
23 interview with Mr. Williams?

24 A No, I wasn't.

02:46 25 Q If we could call up 003572. Go to the next page,



1 please. This is a letter, Mr. Wilson, from
2 William Corbett, he's the author of the memo I
3 just read to you, to your lawyer, and it's
4 regarding you, I'll just call out a couple of
02:46 5 paragraphs, he says:

6 "I am writing with reference to our
7 earlier conversations concerning our
8 request to interview your client,
9 Mr. Ronald Dale Wilson. In his
02:47 10 statement of June 4, 1990, Mr. Wilson
11 recanted portions of the testimony he
12 gave at the January 1970 trial of David
13 Milgaard.

14 I am informed that Mr. Wilson
02:47 15 will be available to discuss his recent
16 statement and related matters on June
17 28, 1990, at Nakusp, British Columbia.
18 Assuming that the necessary travel and
19 other arrangements can be made, that
02:47 20 date is suitable."

21 Scroll down.

22 "I propose to conduct the interview in
23 private. Your client is entitled to be
24 represented by counsel. However,
02:47 25 neither representatives from the police



1 nor the applicant, Mr. Milgaard, should
2 be invited to attend. The department's
3 representative will be Eugene Williams.
4 If you wish, I am prepared also to
02:47 5 attend."

6 Further, the entire interview
7 will be on oath, and recorded by a
8 certified shorthand reporter. A copy of
9 the transcript will be made available to
02:47 10 yourself and counsel for the applicant.

11 I would like to allow
12 Mr. Wilson to be interviewed in an
13 informal setting with as few people
14 present as possible. Since Mr. Williams
02:48 15 has been working on this case for some
16 time and is knowledgeable of all
17 proceedings, it is necessary for him to
18 conduct the interview if we are to
19 proceed expeditiously. I can make
02:48 20 available to you all previous statements
21 provided by Mr. Wilson and a transcript
22 of his testimony at the preliminary
23 inquiry and trial.

24 In view of the distances
02:48 25 involved and the arrangements that must



1 be completed in the time frame set out
2 above, an early response would be
3 appreciated."

02:48 4 Were you aware of this letter or did you -- aware
5 of the contents of this?

6 A Yes, I was.

7 Q Call up 003559, and this is the next day, June 26,
8 1990, and again it's Mr. Watson's letter back to
9 the Department of Justice. Call out those
02:49 10 paragraphs. This is responding to the last letter
11 and he says:

12 "With respect to the terms of the
13 interview, my client wishes that the
14 interview be conducted in my office in
02:49 15 Nakusp. He is adamant that Mr. Williams
16 not be present. I realize that this is
17 not your wish, but my client is
18 steadfast in his resolve that someone
19 other than Mr. Williams conduct the
02:49 20 interview."

21 Can you tell us why you were adamant that
22 Mr. Williams not be present?

23 A I think I was just scared of him. Like I said
24 before, he pissed me off.

02:49 25 Q Why were you scared of him?



1 A Because he wasn't very pleased when I put him off
2 the first time.

3 Q And did you actually meet him on that date?

4 A I don't know if I did or I didn't. I can't
02:49 5 recall.

6 Q How would you know that he was put off then?

7 A Because I remember he was black.

8 Q Pardon me?

9 A I remember he was black, so --

02:49 10 Q And how do you remember he was put off on that
11 day?

12 A Because when I told him no date had been set for
13 that date for the interview, he was a little
14 upset.

02:50 15 Q Okay. So do you recall meeting Eugene Williams on
16 June 18th?

17 A I believe so, yes.

18 Q And I think we started down this path when you
19 said you were scared of him; is that right?

02:50 20 A Yes.

21 Q And what were you scared about happening?

22 A I'm not sure.

23 Q And so you were prepared to be questioned, but you
24 wanted it to be someone other than him?

02:50 25 A Yes.



1 Q Did you have discussions with anybody else, and
2 exclude your lawyer Mr. Watson, I don't want to
3 know about any discussions with him, did you have
4 any discussions with anybody else at or around
02:50 5 this time about Mr. Williams and his questioning
6 and his interviewing of witnesses?

7 A I might have talked to Mr. Asper.

8 Q And do you remember that?

9 A I don't totally recall it, no.

02:50 10 Q Do you recall anything?

11 A No.

12 Q And then scroll down to the bottom:

13 "Mr. Wolch has requested that he be
14 present at the interview and I have no
02:51 15 objection to it. I would therefore
16 anticipate that those present would be
17 Mr. Wolch, Mr. Wilson, the reporter,
18 your interviewer and me."

19 And I take it that that would represent your
02:51 20 interest at the time?

21 A Yes.

22 Q Or your position, pardon me, at the time?

23 A Yes.

24 Q Call up 002108, please -- actually, I'll come back
02:51 25 to that. Why don't we call up -- our last letter



1 referred to Mr. Wolch being present. When you did
2 finally meet with Eugene Williams, and I think it
3 was July 20th, 1990, was Mr. Wolch present?

4 A No, he wasn't.

02:52 5 Q Do you know why he wasn't present?

6 A No, I don't.

7 Q Was Mr. Asper present?

8 A No, he wasn't.

9 Q Who do you remember being present?

02:52 10 A My lawyer and myself, Mr. Williams and I believe a
11 reporter, court reporter.

12 Q Do I take it from that that you eventually agreed
13 to be examined by Eugene Williams?

14 A Yes, I did.

02:52 15 Q And that you agreed to proceed without having
16 Mr. Hersh Wolch present?

17 A Yes.

18 Q Do you recall what it was that caused you to
19 change your position on that?

02:52 20 A No, I don't.

21 Q Now I intend to go through the transcript of your
22 interview with Mr. Williams but maybe just some
23 general questions. You recall going through that
24 session --

02:52 25 A Yes.



1 Q -- with Mr. Williams and did the concerns that you
2 have about Mr. Williams come to pass in the course
3 of the interview?

4 A I can't remember.

02:52 5 Q If you could call up 124983, and although there's
6 not a date on this document, Mr. Commissioner,
7 it's July the 20th, 1990 that this interview takes
8 place. And you will see, at the top, it says:

9 "Ronald Dale Wilson, sworn";

02:53 10 do you recall going through this interview under
11 oath, Mr. Wilson?

12 A Yes, I did. Excuse me, can you just stop for a
13 second, I'm getting dizzy.

14 MR. HODSON: Okay. Do you want to take a
02:53 15 break?

16 A Yes, please.

17 COMMISSIONER MacCALLUM: 15 minutes.

18 (*Adjourned at 2:53 p.m.*)

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