

## Statutory Declaration

I, Iserhoff-Cooper, Brandon, 105 Popular Street, Waswanipi, 1989-06-29

(Name, first name, adress, birth date)

I do solemnly declare that,

I'm starting about the year 1996. I was approximately 6 or 7 years old. My parents separated when I was that age, for about 7 months. When my parents separated, my father was not in a position to take care of me and my brother. I'm the oldest of the family and we are 5 children. Because my father was not able to take care of us, we had to stay with other family members and I ended up staying at [REDACTED] place at one point. I started to be sexually molested by one of the boys at the house. It went on for a long time. Even when my mom came back, it didn't stop. It stopped only when I was 10 or 11. Whenever I was strong enough to fight him off. At times I was getting a knife to keep him away from me because he would try to force himself on me. Everything he did to me was painful and excruciating, it was not pleasant. I kept that with me for many years. I didn't say anything to anybody.

One day, I was approximately 17, it was probably 10 years later, I don't know what made me come out but I just came out with my mom. I told her what happened and she started crying. She told me that we were going to press charges and that this person should be charged for what he did. We went to the police station in Waswanipi and we asked to make a statement about me being sexually abused. The police said at that time, they have nobody qualified to take my statement and that we will have to go see the SQ, in Chibougamau or Quévillon. We went to Quévillon and we went to see the SQ.

We went with the sergeant to make it, I don't remember who. He had told us that he couldn't take our statement because the statement had to be taken from the city or town where the crime had happened. So, if the crime happened in Val-d'Or, it would have to be given in Val-d'Or, and if it happened in Waswanipi, it had to be taken in Waswanipi. Waswanipi, we just had come from there, they were our first solution, our first option, and we went to the SQ and basically, they just had shut the door on us. They told us they couldn't help us.

Q1: At Lebel?

A1: No, at Chibougamau. I remember my mother being really frustrated and I was scared how all my family is going to treat me after. I dealt with that.

Q2: So, there was no possibility for you to go ahead with a complaint or a declaration regarding the things that you have been victim of?

A2: No. Because I was 17, my mother felt that she was the one able to make the complaint so she tried. She didn't give up there. She went to Mistissini and they had shut the door on her too. Afterwards, I turned 18 and I started to have trouble with the police. Because of what they did to me, because of them not helping me or taking my declaration, I had a sense of anger toward them,

Declarer signature \_\_\_\_\_

Declared before me, Marie-Andrée Roy \_\_\_\_\_

At Amos \_\_\_\_\_ on February 22, 2018 \_\_\_\_\_

disappointment. For that reason, I didn't like them after, they didn't want to help me. You know, when somebody calls the cops on me, they are glad to help right away.

Q3: When was the first time you have been arrested as an adult?

A3: I was arrested when juvenile. When I was a teenager, I have been arrested stealing my mom's car. No incident really happens with me then, because a lot of people were watching me. It wasn't big issues with the police when I was under 18 but I already had disappointment in them. I thought they were there to protect me, to protect and help people. Clearly, it was not the case.

Once I got arrested, I was approximately 18 or 19, I was driving a vehicle. It was parked in a driveway and they had a warrant out for my arrest. I don't recall what it was for. They opened the door and the cop told me to step out of the car. I was already wearing my seatbelt, he told me to step out of the car, so I reached with my left hand and tried to unbuckle my seatbelt. The cop, I don't know, thought I was trying to reach for something or hide something and he put his right elbow on my neck. Now this is a car, and this is a big guy, this guy is two hundred pounds plus and he's 6 foot something.

He's facing down and he's putting all this pressure with his right elbow in my neck and I can't breathe. This is happening in the presence of two young children, a 2 year old and a 4 year old, in the back seat of the car. Me, I'm not trying to do anything, I'm just trying to come out to see what he wants. The only thing I did, since he asked me to step out of the car, was trying to step out of the car by removing my seatbelt but he reacted immediately. He put his right elbow on my neck and started to reach for the keys in the ignition, but the car I was driving, the key was broken inside the ignition. So I was only left with a quarter of a key, so every time I started the car I would put the quarter of the key and started the car, and put the rest of the key in a cup holder. When the cop was trying to reach for the ignition, he couldn't find the keys and the car was on. I pressed the gas to warn the cop that I'm about to move the car and I started to see black dots. I thought I'm going to black out. I wanted to release myself from him putting all his weight on my neck, he was putting pressure. My brothers were screaming and crying in the back seat.

I had put the car on drive. I just wanted to move 2 or 3 feet just for him to get off of my neck and I was going to put the car on park and get off but he hangs on to the car and I ended up... I never saw the passenger door open and I never saw the cop with the spray in his hand so, I moved forward a little bit but we went far. I thought the cop was going to let me go and let go of the car, there was nowhere for me to escape. There was a snow bank, a shed and there were all fence things. There was nowhere for me to go, I was not trying to escape. They could not say that I was trying to escape, I was just trying to get myself released.

The cop kept wrestling with me and the car moved. He grabbed the steering wheel and the car turned because he fell down, because the car went so fast he fell down, and he pulled the steering wheel as he fell. Him doing that causes the car to turn left and we crashed under a balcony. The police officer gets squelched in-between my car and the door. I see him that he was in pain. I see him that he couldn't breathe. He can't even say anything because of the pressure. In my mind, I want to release the cop so, I put the car on reverse but his legs are under the car, so I can't back up too far, maybe 5 or 6 inches, just to release him but the cop on the other side that was holding the pepper spray ran back to the car, opened the driver's seat, sprayed all inside the car. Sprayed me, sprayed in the back and the only thing I thought about was, for now, the kids, forget the cops. It went far. This is excessive force for no reason. None of this has had to happen. They could have just given me the time to come out.

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Enquêteur

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Déclarant

I pressed the gas hard again and now, we are going to reverse. I ran over the cop's legs and I released him. The door ripped off and he got free. As soon as that happened, I put the car on park, I jumped out of the car and I got arrested. That was my second major incident with them.

My first major incident was two weeks prior to that.

Q4: Where did that event happen?

A4: In Waswanipi. On Poplar Street, in a driveway. I went to see my friend at his house, I came back in the car and I buckled up. I was about to back up and the police were behind my car. Before I even knew it, the guy was already opening my driver's door.

Q5: You also mentioned that there were issues with a particular cop in Waswanipi that has been involved in few events where he was in a conflict of interests.

A5: Yes. On this particular event, the name of the cop was [REDACTED] The name of his brother was [REDACTED]

On this particular day, around August or September 2015, I came from Val d'Or. I bought an ATV, a four wheeler. I just dropped it off at my father's house with my brother. I just bought this machine. I drove it for 2 minutes at Wal-Mart in Val d'Or just to see everything works correctly and put it on the trailer to take it to Waswanipi.

As soon as I got to Waswanipi, my brother was there and I told him to bring it to my house. On the way to my house is the "dépanneur". It was about 10:45 when I dropped it off and I went directly to my house. My brother still had to put his shoes on, his helmet on, and get moving. My brother got on the ATV, went towards the store, he was driving on the street, and this street is straight.

The gentleman, [REDACTED] was driving a car, a black Chrysler 300. The gentleman went on that street first, then my brother came and followed behind him, but because the gentleman was driving so slow, my brother drove passing. The guy in the car cuts my brother so my brother hits that car. My brother flew far this way on the right side of the road and my ATV went flying on the left side of the road but flipped multiple times. A kid that was passing by sees what's happening and he continued to go. He saw my brother stand back up and he continued to go. He came passed to my house which is on the street and said to me that my brother had got an accident with a four wheeler.

So, I rushed back to the scene and I saw my brother laying on the side of the road and there was blood on his knees and on a shoulder. The first thing was to check my brother to make sure he was OK. He hugged me and he thanked me for getting him a helmet few weeks back. He had landed right on the cement and his helmet took most of the damage. Then, I went to the four wheeler and I saw it was totally scraped. The whole thing was crumbled up and was not repairable.

The police showed up and gets off the car. Right away, I noticed that the police officer that is working is brother with the guy who cut my brother off. So, I said: "I don't think you should be here. I think you should call somebody else to take care of this matter. That's your brother. This is a conflict of interest for you." He argues with me, my brother argues, everybody argued with each other and he cop decided to tell the guy who cut my brother off: "you can leave".

Basically, he's telling the guy, his brother ... the cop is telling his brother: "you can leave the scene of an accident." No statement was taken. No pictures were taken, no reports. Me, I didn't move the ATV and I said: "nobody move it". The ATV should have stayed there, the car should have stayed there too! This is an accident! Nothing happened. The cop told the driver to go away. My brother got off by ambulance and the cop left. I was left there, standing with an ATV crumbled up like a tin can. I

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Enquêteur

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couldn't believe what was happening. No reports have been made, no police have been called. Who else am I going to call if I cannot call the police?

I was disappointed. The next day, I saw the cop again and I said: "So, are charges are going to be laid? What's happening?" "Your brother was never supposed to be passing a car in a first place," he said to me. That was his response. "And I got you," he said. "That four wheeler is not plated or insured."

I said, "OK. Since I'm in a fault, if you're saying that I'm in a fault, give me a ticket. That's what you're supposed to do. If anything else too, those two guys, even if it is my brother, they should be in trouble too," but he didn't want to do anything. No charges were laid, no pictures were taken, and I bet you no report was even made.

With this particular guy, I had an incident with him just recently. There was a search warrant that was presented to my wife at my address in Waswanipi, between the dates of October 17<sup>th</sup> to the 19<sup>th</sup> of 2016. The other incident happened, with the four wheeler, in 2015, in August or September.

In 2016, this police officer, with a colleague, came to my house where my wife was residing with our 4 children. They were all in their bed sleeping. The police had kicked the door in. What if one of my kids was walking by the door at that time? They didn't knock. They didn't say: "Police, open the door!" They just kicked the door, they broke the whole frame, and they barged into the house. They said they saw my wife hiding drugs in her pants so, a female officer ran to my wife and pulled her pants down in the presence of my 5-year-old son and in the presence of 2 male officers. One of those male officers was [REDACTED]. When they pulled my wife's pants down, they didn't find anything. She wasn't holding any drugs.

To my knowledge, no female officer is supposed to strip search me here or I'm not supposed to be strip searched in the presence of a female officer. So, it should go the same way for a female not to be searched in the presence of a male officer or by a male officer but in this case, they don't care. They just pulled her pants down and not just her pants, her underwear as well. She was there, completely naked from the waist down, in the presence of my son and two male officers. Those cops saw my wife without her pants on! That image is in that guy's head.

What happens few weeks later? My wife receives a message on Facebook from the cop that was participating in raiding my house. The same cop named [REDACTED]. He messaged my wife saying "Hi", and trying to start a conversation. The way he said it to her is "we should chill". My wife didn't respond and she told me right away. I told her not to delete that message because one day we should do something about this. This is not right what they did to her.

To my knowledge, I think she still has this message on her Facebook.

Q6: What were they looking for with this search warrant?

A6: They were looking for drugs and after this warrant was conducted, my wife was held in custody for approximately 6 hours and my children were taken by their grandmother during that time. There was no drug in my house, there was no smoking devices, and there was nothing to do with drugs or alcohol in my house. They arrested her and they released her at 6 in the morning with no charge. She also had 2 cell phones and they took them but never returned them back to her. One of them was brand new.

The Waswanipi police, it's like they do what they want to do. They decide who gets charged or not. Even if you want to press charges they will try to do it their way. Like me, I wanted to press charges

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Enquêteur

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Déclarant

that day because I was the owner of that ATV. I had a right to do something. That was my ATV. Sure, my brother would get in trouble but, sure too, the other guy would also get in trouble for causing the accident. Both his brother and my brother are at fault, but everything just disappeared into thin air.

Q7: You also told me about a situation that happened out of the community when you were at a bar.

A7: Yes. In 2016, on May 23. I was seen driving my truck and the police believed that I was intoxicated, not because I was driving erratically or anything. Usually I don't drive. I had a suspended licence for many years now due to the incident I was talking about when the cop went under the car, I've lost my licence for a long period of time. That scene with the car didn't have to escalate that big, just like the one I'm about to tell you.

I travelled from Waswanipi to Desmaraisville and the cop saw me on the highway. He knew that I had no licence but he didn't bother me. He didn't come after me. He didn't flash his lights. He didn't try to stop me. That right there, shows that they didn't do their jobs. They decide when they want to do their jobs. What did they do? They called the police at Lebel-sur-Quévillon; I was not driving erratically but I might have been speeding. They said they met my truck going at 160 km/h on the highway and that I was going to Desmaraisville. Why didn't turn around and stop me? He was in his jurisdiction. He had the power to do something but he didn't.

Q8: Was he a SQ police officer?

A8: No, it was an EEPF officer that I've met 2 km outside of Waswanipi, on my way to Desmaraisville.

So, I parked my truck in front of the bar at Desmaraisville and I had a few drinks there. Normally, I don't drink. Usually, I drink when there is a special event but that day I was drinking for definitely not a good reason. I was standing at the bar, speaking with the bartender, and my brother opened the front door and said that SQ was here, the cops were here behind my truck. I looked at the bartender and I said: "Well, I want to have another scotch because I'm going to get arrested now." He told me, "are you serious"? I said, "yes, I have no licence, my licence is suspended. I said: 'Well, I'm going to go there and it's going to a simple DUI, there is nothing more than that.'

So, I go out and already, I'm not sure what happened with my brother and the cop before I went out. There was at least a 2 minutes... I'm not sure what kind of discussion they had when I went out. The bar was full of native people, young boys that like to drink and act tough, and I was thinking that it's not going to turn out good if these boys go out.

So, I went out and said I would turn myself in and be out in a couple of hours, my truck is going to get towed and seized, it doesn't have to be more than that. So I come out on the left side of my truck. My truck is ... let's say that my truck is flush with the door, the door of the bar when you come out. The driver's side is the right side and that's where my brother goes. I'm not sure what he did with the officer but me, I came outside the bar and went to the left side of the truck which is the passenger's side. I was just acting like a normal bystander.

He didn't know my face, he didn't know who he's looking for. All he had was a name and a description of the truck. So I came out, I went on the side of my truck and I remember lighting a cigarette, a last cigarette before I'm going to go in the police car. I get to the back of my truck and I smoke my cigarette there for a few seconds and I see my brother now starting to argue. The cop

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started to get very loud and aggressive. I'm not sure what he was trying to do or what they were discussing.

I looked towards the door of the bar and I have seen 10 guys or plus coming out drunk. I was thinking: 'This is not good. This is not going to be good.' I know something bad is going to happen. This cop is by himself and I'm not sure what he's up to or what he is trying to do. I know he's here for me. He's not here for them so I told him: 'I think you should step back. I think you should go away. You should go back from where you came from. If you are here for something serious or trying to do something to somebody, I think you should get your backup'. I'm trying to tell him, these guys there are really drunk and they are about to start an argument. He's there by himself, 90 km plus away from his back up. He was alone! I told him "What are you doing? Go back! I think you should go back. If you don't want to go back, just go back to your police car for now because these boys are going to start to fight you."

Before I can even explain, a new guy came. I just told him "I think you should go back where you came from" and he turned around, looked at me and he asked me who I was. I was about to tell him and he looked back to where the other gentlemen were. He noticed that the crowd just got to one person to over 12 guys plus and somebody had hit him but I don't know who. To this day, I don't think that they identified who hit him. I don't even think that the person that hit him got charged. I have an idea who hit him but nobody was ever mentioned.

The cop got hit and now he pulls out his nightstick and starts getting really aggressive, telling everybody, "step back, step back"! I stepped back. At that point, I am perfectly calm. I'm doing anything wrong. Yes, I did something wrong but I am not running, not hiding, I'm right in front of him, but he doesn't know it's me yet.

Then, after, the situation escalated in a matter of seconds. When he got hit, he got up, he already had his nightstick in his hands. That's why I said that two minutes before, I was inside the bar and I don't know what happened but, later on, I found out that the cop opened my door and my brother had shut the door on him.

Me, when I was hiding beside the truck, I didn't see the nightstick in his hand because the pick-up is high and I don't see what he has in his hands, and I didn't know why my brother was getting mad at him and why they are arguing. I know why he is here, I know he is here for me, for a DUI, that's all it's supposed to be.

Back to when he gets up. He gets hit by somebody, he gets up, and now he points his firearm directly at me and he says to me: "step back"! I stepped back. I'm not doing anything. He points his firearm on my brother: "step back"! Now, my father comes. My father was present. The road that is across the bar leads to our camps. So, when we come out of our bush camps, that's the road we use. We come out right in front of the bar. My father was across the road, across the highway. He came running.

Now, I started talking with the cop: "You should never do that by yourself. You should have back up. Why are you here"? He starts being verbally aggressive with me and I started arguing with him. He raised his firearm directly in my face. "Why are you pointing a firearm at me? I'm not doing anything against you".

While I was arguing with him, I started to notice that I was going deeper into blacking out from drinking. I started to feel the alcohol more. While I was arguing with him, he pointed a gun at my

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father. This situation ended up so much bigger. I can't say every detail of what did happen because I don't remember all the details exactly. I can't remember everything that happened up to that point.

You know, somewhere in there, when he got punched, when he fell down, I picked up his nightstick. He was trying to step back on the ground and get up from a distance. He didn't want to get up right in front of me. I picked up his nightstick and I was going to throw it at him, not to hurt him but to give it back to him, but my dad came in front of me. He took the nightstick away from my dad.

My dad is not drinking for more than 20 years and he points it out directly at my dad's face. That was a trigger for me. I just got upset. "My dad is just trying to help you. I'm even not the one that hit you, I'm not the one who started this fight." Yes, he was here for me but it could have been so simple as well. Instead of that I don't know what kind of argument he had with my brother and that he got hit by somebody else, he directed all his anger towards me after. And me too, I have anger issues and I can admit that.

When I argue with the cops, I have a lot to say. They are not proper in things. They do that too. I tell them, there are situations where I tell the cops they don't do their job properly, or they treat me with disrespect and expect me to treat them with 100% respect. Or I talk to them nicely and they talk to me rudely.

That day, I ended up going down the highway, they chased me, we were out of gas and I was scared. I was scared because, a couple of weeks prior to that there was an incident in Lac Simon where the guy got shot. They said that the guy was under the car and he got shot behind the head. I was thinking: "I got kids. I got a family. I don't need this shit! I don't need none of this"!

When we were on the highway, my friend and I, I started to ask myself what happened. I was asking to my friend: "What's happening? What is going on"?

Q9: How did you go back on the highway?

A9: I got in my truck and I left. The cop left, he backed off. After noticing that he's out of numbered, that people that are there, he turned around. Halfway into the situation he realized that my father wasn't trying to help me, he was trying to help him and he was trying to prevent me from getting shot.

Me, I'm upset because he pointed his gun at me for no reason. "I didn't do anything to you. I wasn't trying to hurt you. You got aggressive at me first, I got mad and it's how it started, but I'm not the one that punched you, I'm not the one who hurt you." Afterwards I did, I admit that.

They chased me down the highway, I ran out of gas. They were too close to me, and I was scared at the moment I would get out they would shoot at me. Both cops had their guns in hands. It was not the same cop that was in Desmaraisville, it was another cop, two of them, a woman and a guy. Right way they aimed their guns at my truck and they started asking to step out of the truck. I had a riffle, I showed it outside and I faced it towards them. A riffle can shoot very far and police guns don't shoot that far that's why they had to come close. I knew that if I pointed a gun at them they would go back because a body armour, the bullets would still penetrate; I knew if I pointed at them they would go back, all I wanted them to do is go back, I didn't want them to shoot me. We are on the highway now, we don't know what could happen, they could shoot us, I kept saying that. They could shoot us and it was scaring me, I kept saying that, we were both scared.

So I pointed a gun at them so they'd back off. They went down the road and started talking. I was talking to my friend, I handed him the gun and said: "This is it, I give up," so I started calling them, waving at them like this. I'm surrendering and they are not coming, so forget it, we started walking

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back. I stepped back like 150 feet away from my truck again in their direction to surrender, inviting them, and they are not going at me, so I started going back to my truck. I had no shoes on, I'm barefoot, and I hear a car and I hear brakes. They hit me with the police car, I landed on the hood and windshield, and they pressed the breaks. When they hit me the car hadn't stopped yet; they hit me, I was still on the car and the car was still moving.

Q10: When they hit you, you were barefoot on the road?

A10: Yes.

Q11: So they "punched" you with the car?

A11: Yes. I fell down on the road, I got up right away and grabbed the gun from my friend. I was angry. My arm is broken, and now the cop opens the door, and the first thing they were going to do was to pull their guns. I kept thinking that I wanted to live, I didn't want to kill anybody but I wanted to live. I was sure he was going to shoot, so I hit the cop until he lost consciousness. I hit him once and he lost consciousness, the other cop and grabbed the gun from me. I pushed it and she fell with it. I left, I told my friend that I wasn't staying there, and I said that they might turn around and shoot us. He said he was staying there, I told him that if he was staying there—I was yelling at him—I told him to get on his knees if he wanted to stay, and that I wasn't staying there. He got on his knees and he stayed there.

I walked seven kilometres, barefoot in the bush, to get back to my reserve. I used a boat to cross the river at the bridge because they were blocking the bridge too, and I got back home. I called my wife and explained what had happened; she just wanted to see me and said the kids wanted to see me, that I should say good-bye to my kids. The cops founded where I was and surrounded the house, SQ came and surrounded the house. I said: "I don't remember what happened last night, I remember parts of what happened in the beginning but there are some dark spots that I don't remember. Whatever happened yesterday, it was crazy. But we don't have to do this today," I said, "we don't need to go far today, we don't need to go anywhere. The only thing I'm asking is if you could give me a few moments to say goodbye to my family. I got two of my kids here right now in the house, and my cousin's eight plus kids, I don't want to do anything here, there are children around the place and it's not the time and place for this, and I'm not in the mood. I have a broken arm, the only thing I'm asking, I'll come out quietly, please wait, nothing has to happen, and I want to see my kids for two minutes".

Now we have a crowd of maybe two hundred people surrounding the house, police in every direction and people coming with cell phones recording what is happening. They see me on the balcony, I don't have any weapon on me, I don't have anything, I'm just asking nicely to see my kids before I go away for a long time. I saw my kids, I kissed them all good-bye; I talked to my kids and they walked me to the police car. The Native police promised me they would take me to the clinic first because my arm was broken. It was three times its size, it was all purple and black. They took me to the hospital, gave me morphine and shipped me to Senneterre. I was admitted to Senneterre, I went to the police station for a few moments and we continued to Amos.

Amos, I'm in a cell, the cop wakes me up at five or six in the morning and says: "come on, put your hands behind your back". I said that my arm was broken; I had a temporary cast on it and it's taped around my neck. They still grabbed my hands and put it behind my back, I'm screaming, and they put handcuffs on me and said that I was still going like this, they had to cuff me.

Q12: You're at the detention center?

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Enquêteur

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A12: No, at the SQ station, at the police station, just to meet a detective. They had a detective coming from Rouyn and wanted to take my statement. I made no statement. I told them: "I have the right to remain silent so I'm going to exercise my right." I stayed quiet and I didn't talk and the police were rough with me. They knew what I did the day before, they knew what had happened. They kept being rough with my arm, trying to put cuff on it, put it behind my back and I'm not supposed to put it behind my back, it's supposed to be strapped on my stomach, on my chest. Still at that time I hadn't gone to the hospital yet, I just went to the hospital and they put a temporary something on it, and they said I was going to Amos and have an appointment there.

Q13: So the day it happened, you went to the clinic but then after nothing has been done to take care of your broken arm?

A13: Yes, I went to the clinic and nothing was done to take care of my arm until I was in detention. I was in detention here for like 48 hours and finally they said they were taking me to the hospital. I was three-four days without a cast, two-three days in excruciating pain. The doctor here didn't want to give me painkillers, the only thing she was going to give me was Tylenol. I suffered for two days, moving my arm around like that, trying to comfort me like that, with the broken arm. They said my arm was broken in two places right at the elbow. It left me a big mark, six months later I still have a mark here because they didn't do anything right away, and they left it like that for two-three days. Finally, they took me to the hospital, the doctor said it was broken and gave me pills for it, strong painkillers, nothing like they were giving me here; they just offered me Tylenol. Finally, I came to detention and in detention I had a hard time too.

Q14: When we spoke about it, we concluded that mostly the biggest events that happened to you in detention happened here in Amos, and you mentioned one particular event that happened when you were nineteen or twenty years old.

A14: When I was nineteen or twenty years old, I had a problem with a gentleman from Val-d'Or. Because Amos is so close to Val-d'Or, this gentleman had a lot of friends. People that go to jail in Amos are mostly from the Val-d'Or area, or Amos, or La Sarre, around Abitibi. I saw he had a lot of friends, and he was trying to beat me up, and I told the guards that: "I'm in danger, this guy is going to stab me, I can't be here". So I went to another agent; the guy is trying to stab me there too, wants to fight me with socks and batteries, and I told him he was going to fight me. I went to another agent and I said I wasn't safe in this jail, and that everywhere they put me, people were trying to fight me.

They said they would put me with the Inuits, that I would be safe there, that they didn't know me and barely spoke English. I said: "You can't put me with them, we never go in their range. If I go in their range, it's because everybody is trying to fight me; they are going to know, they are not stupid, they are going to fight me." They said they had no other place to take me. I argued and argued and argued with them. They just put me in that sector; I didn't last two minutes in that sector.

They took me in there, and a guy talked to me and said to just go in the cell. I go in the cell, and I looked behind me. A guy hit me with something in a sock, I think it was a tuna can, and I fell on the ground. As I was trying to get up, they started kicking me and knocked me out. I remember being knocked out—that was the weirdest feeling—I remember being knocked but I could feel my body moving left and right because there was so many of them kicking me.

I started to regain consciousness, I started to get up and tried to fight back; it was the guards that I was grabbing and they told me it was okay, it was just them. I remember them dragging me out of the range and I remember seeing a big line of blood as they were pulling me out of the range. I

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Enquêteur

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couldn't feel anything, they beat me so bad that whatever how much pain I was in it was numb. When I got to the hospital, I remember being in the surgery room and I was thinking to myself that it must be something serious because I was in surgery.

Apparently they broke a bone in my face somewhere on my upper jaw. Two plates with six screws were installed in my face, in my cheekbone. I just removed four screws the other day, two of them are stuck in my face right now because the cheek grew over the plate. They said they could still get it out but it's going to be hard. Not just that, my face was never the same after that, now my face is always swollen on one side. If you look directly at me, or if you look at pictures, you will always notice that my face is swollen on one side. I talked to a doctor about it, they said it was probably because of the incident of what happened to my face. They reconstructed my cheekbone I spent 17 days at the hospital; during those 17 days I was never allowed to contact my mother, my father, or my girlfriend, who is now my wife, we've had four children and have been together over ten years. Of course they were all worried. The last call they got from me, there was people trying to fight me, then I go to another range and now these people are trying to fight me. They're worried about me, and they come here finally trying to see me and the jail tells them I'm in the hospital in the emergency. They come to the hospital, and immediately the two guards who were watching me started grabbing my mother and pushing her out. My father grabbed the guard, and told the guard to let go of his wife, not to touch his wife. The other guard wrestled my father down. Me I started to, you know, wanting to see them, "leave them alone, leave them alone!"

I was cuffed by three handcuffs; two on my feet, one on each foot to go on the pole. During those 17 days I never went to the washroom, they never gave me a bath or anything. I had to just lay there, I couldn't go to the washroom. I think I went to the washroom once, or twice in that whole 17 days. There were all tubes everywhere. I had a tube in my penis for the washroom, I had a tube because I couldn't eat, my face was all messed up, I had in IV on my arm, and that arm was cuffed to my bed. The only arm that was free was my left arm.

After I struggled, I begged them to let me see my family but they wouldn't let me. They tried to calm me down, and somehow my IV came out, and the guard said I tried to splash him with my blood, and for that I ended up being charged for assault on a guard, and my hand was cuffed to the bed. The doctors came and sedated me, I directly fell asleep. I woke up here, in the hole. I was in the hole, I was thinking that the doctor didn't want to release me that day. I remember that morning I asked him if I was going to jail now and he said no, they weren't ready to let me go and I couldn't be on my own yet but they brought me here. The only thing they fed me was a liquid milk or boost, an energy drink, that's all that was given to me. The doctor didn't discharge me, they took me out, the guards.

Q15: So the guards took you out from the hospital and back here and they put you in the hole?

A15: They sedated me in the hospital, and the next time I woke up I was in the hole. No bed where I could sit up, there was just a two-inch mattress on the floor. I stayed there for 21 days. I passed in disciplinary measures, they said because of what I did at the hospital, because I acted out at the hospital—I told them all they had to do was to tell my parents I was okay, that they could've called them and notify them and that they didn't do that. All this happened and I ended up getting charged for assaulting the guard or that I caught him, something like that. I have all the papers in my cell.

Q16: Was there any consequences for you?

A16: I got disciplinary measures, I got for one incident seven days in the hole, another incident nine days in the hole, another incident like two-three days in the hole, it mounted up to twenty-one days. I

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spent twenty-one days in the hole after seventeen days in the hospital. All of this could've been avoided if they didn't put me in that place. I told them I wanted to be in protective custody, and they said I didn't qualify. You have to be a pedophile or a woman beater or something. I told them it wasn't safe for me anywhere else. They only put me in protection after I got beat up. Basically they waited for something bad to happen, then I qualified to protective custody.

At that time, my hours got changed. Instead of sleeping at night I was sleeping during the day and waking up at night. I'd ask for my pain killers, and the guard would be so annoyed with me, be frustrated with me. I have a right to eat when I'm hungry; I asked for my food, "You missed your food, you were supposed to wake up today". I can't fight the medication, the medication was making me so sleepy I can't stay up.

Most guards don't like me today. They give me a hard time when I want something, from anything to visits to my pictures, just pictures of my kids, they give me a hard time. They cut my contact visits, and now, one of them is accusing me of assaulting him, as well as other things like death threats or threatening him or something like that.

Q17: That's another event that happened recently?

A17: Yes it just happened recently, on September 15 of 2016. I was going to get a sentence for what happened at the bar in Desmaraisville. They waited for me to get a sentence for what happened in Desmaraisville, so I got a federal sentence but then they hit me with charges, on what happened in September; how come they didn't charge me in September, how come they charged me in December? They waited until I got my federal sentence, so now they are asking for a consecutive sentence, so it's like I get more time.

Q18: Specifically, what happened?

A18: I spent the summer in Montreal. I was having financial difficulties, car-wise amongst other things, I couldn't bring the family out in Montreal. I didn't have much support from my father, at the time he was sick on dialysis and my mom was fighting cancer, it was very difficult. It was very exciting for me to come back to Amos because I'd have visits from my family. As I come back to Amos, I was brought here on Tuesday, and went to court on Wednesday. Wednesday I woke up, Wednesday morning I made reservations that I would visit here with my family on the Thursday night. Thursday morning at five or six in the morning, they came to wake me up and told me they were going to transfer me. I got upset with them and I punched a bag, and the bag landed on the wall.

I went to the guard, I argued with him, explaining to him that I had just gotten there and was having a visit with my kids. I asked why they couldn't transfer somebody else. He argued back with me and I spited on the door frame. They came to see me afterwards, I must've calmed down, I calmed myself down. I went out and got in the van and got transferred. They never told me, they never gave me disciplinary measures in jail, instead they hit me with those charges six months later. To be precise, almost twenty days after my federal sentence was given to me, then I was given one.

I was at the reception at Ste-Anne-des-Plaines in Montreal, and they said I was transferring. I asked where, and they said Amos. I asked why, and they said for court. I told them I had no court and had fixed all my charges. I got here, and they gave me the papers; I looked at it and there were four charges on it. One of them is trying to intimidate a justice participant, something like that. Threats and assault, and it could be assault with a weapon, something like that. I asked what was the weapon—the bag was. How did I assault him, I never had one finger that touched on the guy? He

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said I had spit on him, and I said I had spit on the door frame. “Well, they are going to argue that some of it got on him.” I said okay, that I could agree with that, but now he is saying that I threatened to beat him, right at the door, that I came right to his face and said, “I want to beat you.” I never said those things, why would I say those things, and I’ve already made the decision to make sure that I come out as quick as possible and that I don’t do anything illegitimate that would cause me to stay longer. Why would I threaten a guard when I’m trying to get back to my family as soon as I can? I didn’t threaten him, honestly, but he’s lying.

I have a witness, a native guy who was in my cell, he’s not in jail right now, he’s out, he’s somewhere, and he came to my court and told my lawyer. I asked my lawyer if he thought I was lying. He told me I was a pretty good guy, and that looking at their statements and then looking at mine, and judging by what I was telling him and what Marcus was telling him, my witness, he didn’t think I threatened him. “We can agree that we might’ve spit on him?” I said yes. “We can agree that you got mad that morning?” “Yes”, I told him, “but I didn’t threaten the guy”.

He said he believed me, and didn’t believe this guy, but that the question was who would the judge believe? There were five guards at the court house, three of them wrote a statement. I looked at the guards, and I saw that one of them was the one at the hospital that I had problems with when my mom came to the hospital, and the main guy who is charging me, since I’ve been in jail, I’ve seen him get picked on by a lot of guys, because he grew up with them. They call him something in French, *tapette* or something. They laugh at him and he gets angry. At one point he made me mad and I called him that. Okay, maybe I named—maybe I got on your bad side, but you don’t have to go that far, to lie in court, and to say that I said this to you, and you know in your heart that I didn’t say that.

I don’t know if he realizes this, that I’ve got children, I’m losing a lot of time, precious time that I’m never going to get back. My daughter will never be a baby again, and she doesn’t grow downwards, she grows upwards. I missed out, I missed the last twenty-two months, and they are asking for another twenty-four months; I’m going to miss all that.

Q19: And this is not done yet?

A19: This is not done yet, this is pending right now as we speak. That’s why I’m here in Amos, back in Amos, and I’m not happy to be here. I’ve been here for about two weeks; on February 18<sup>th</sup> and 19<sup>th</sup> I was searched two times in my cell. Isn’t that a little bit excessive? You didn’t walk in my cell and see beer laying around or see a pipe or smell marijuana, you didn’t have any reasons to search me. He just came out, and told everybody to go to their cells, the first time they told everybody to go to their cells and he pointed me out specifically and said: “You come with us,” and I said: “what?” and he took me in the hole. He said: “Take off your clothes, strip search.” I said: “A strip search? What is this about? Is this about why I’m here?” He said, “Oh yeah, you’re here because you spit in the guard’s face”; I said: “That’s all I needed to know.” I didn’t say anything to him. Him telling me that, it’s ... so you’re going to put pressure on me, you’re going to strip search me all the time? And I’m not doing anything and you’re not finding anything on me, you know? So he searches me.

The next day, at dinnertime, it’s not even fifteen-sixteen hours away, searches me again, finds nothing, This time they searched my whole cell, trashed, guards on the floor, everything. Twice!

Q20: They also searched your cell...

A20: ... the night before. When they strip-searched me, they searched my cell too.

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Q21: Both times?

A21: Yes. And then my friend said that I should make a complaint for use of excessive force. I said that when I make complaints, it seems like the only one who gets discipline or consequences for the complaint is the one who made the complaint, which is me. Because I filed a complaint before, on my parole officer in Ste-Anne-des-Plaines.

When you're sentenced to federal, you're supposed to go to a place called "reception" in Ste-Anne-des-Plaines. You're supposed to stay there seventy to ninety days; seventy days if your sentence is less than four years, and ninety days if it's more than four days. My sentence was less than four years, so I was only supposed to be there seventy days. I started to reach for five months, then five and a half months, then five months and three weeks, then I made a complaint against my "p.o." (*parole officer*). I felt like he wasn't helping or trying hard enough to work on my case. Then as soon as the complaint was done I went to meet with him and he said he didn't work with me any more since I had already filed a complaint on him, and he shut the door in my face.

I have every right to file a complaint, isn't it my right to file a complaint? It's reaching the six months mark, which is well passed over seventy days. Now I meet my new "p.o.", and he says I'd been classified maximum, I was going to Donnacona. I said: "Donnacona, that's maximum. Why am I going to Donnacona, what did I do to go to Donnacona? I've been here six months with an outstanding report, no disciplinary measures, nothing!" They said they were using my past in 2009–2010 when I was in detention in Amos and that I had an assault on a guard; they said they were using that so I had been classified max. Are you sure it's not the complaint I filed against my "p.o."? He said he didn't know anything about that.

I went to Donnacona, I met my new 'p.o.s" and I tried to work with them. I did everything I could to get out of there. I saw someone get killed right in front of me at one point, it's a very dangerous place. I got out of there quick. While I was there, I filed a complaint against my 'CX-2'. I made a request for a trailer visit, a family visit so I could bring my kids for a weekend and spend a weekend with them. I never met with the person I was supposed to meet with. Usually they have fourteen days to answer your request; I made several. I even talked with the sergeant and she said she would send a memo. I talked to her two weeks later and said I hadn't received a response; she said she would meet him in person for him to meet with me as soon as possible. Nothing happened, so I filed a complaint after four and a half months. Then suddenly my "p.o." comes to see me and says I am going to Donnacona, and that I had been approved for medium; that's a good thing but why now, I told him. I didn't want to go, I was working on my trailer visit. They said I could do that over there and it would happen much faster.

I went to medium. I stayed there, I've been at medium since January, stayed there a month-a month and a half, worked on my trailer visit for my kids to come and visit me. Just the day I left to come here, two weeks ago, I met with the sergeant of my block, and he said: "I need to discuss something with you." I asked what it was about; that day I got a paper in the mail and it was about the complaint that I filed at Donnacona about my trailer visit. He said: "We have to talk about your trailer visit." I said: "Is it good news? I'm going to get it right, I have good behaviour, I don't have any disciplinary measures," I was excited. He gave me this mean look and said: "I don't think so, I'm not sure. It's about your behaviour in the past." Normally they only exclude you if had a *disciplinary* in the past three months or so; I haven't had any in the last year. My friend told me I should file a complaint, but I don't want to file a complaint now because I'm scared of what the consequences are going to be on me, you know? It seems like every time I file a complaint, somewhere in another department guards

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put pressure on me or a sergeant puts pressure on me, blocks me from having a visit or blocks me from bringing my clothes or changing family pictures, or something like that. That's why I didn't make a complaint when I got searched twice in sixteen hours, and was not even given an explanation.

Q22: Through all those events regarding the correctional services and the police services, do you think things would have been different if you were non-native?

A22: Of course, sure. The circumstances would be way different if I was non-native. I went to detention in Quebec City at one point, and if I was non-native, I wouldn't have a problem with the guard who accused me of speaking French. He told me: "You speak French, don't play that game with me." I told him I didn't understand nor speak French, and he started being more agitated with me and started being mean with me. Seriously, I don't speak French, or at that time I didn't, I don't speak French now but I know a couple of words. Still, if it was a white person that day or a non-native person that day, I don't think he would accuse him of not speaking French.

I'm going to give an example. Between Quévillon and Seneterre, my father and I are travelling. We're in different cars but we're right behind each other. We're talking, we have these walkie-talkies that we travel with. We know we are following a SQ, he's in front of us, and we know what the new police lights look like, so we know it's a cop. We're following it, two vans; one van is a new one and one is older with a little bit of dents. A non-native, usually, when they have a van or a car, they keep their car in good shape. When a non-native person's car breaks, they fix it properly. Us, if we got to fix it, we'll use a snare wire or a tape or whatever, you know what I mean? So one car doesn't look that nice, one car looks brand new. There's another two cars. We're coming down a hill and the cop stops; it's about eleven at night. He turns around, and my dad says: "All right, he's going to stop somebody, for sure. Who do you think he's going to stop?"

I'm the first van and he's the second van. We're the ones with the older-looking car, and my dad's the one in the newer van. He asked who I thought he was going to stop, and I said me, because my car's got duct tape on it. We wait for like ten seconds and he turned around, flashed me right away, pulling us over. I asked why he was pulling us over and he said it was just a random check-up. I said: "It's funny that I never get a random check-up on the 117 when I'm going to Montreal or Ottawa. I never get a random check-up on the other side, going to Lac-St-Jean from Chibougamau. But you always check us between Seneterre and Quévillon, or Quévillon and Waswanipi." They always harass us and pull us over for nothing. I got pulled over the other night for nothing, just a random check-up again, that's what they always use, a random check-up. I had a light protector, it was a bar, it's like a decoration, it protects lights. It was breaking of, kind of, so I used an elastic to keep it there, and the cop tells me: "Fix your tail lights because your car looks like shit." My girlfriend was like: "Oh my God what did you just say?", "Fix your tail lights" he says, and he walks away. The first time he said my car looked like shit. I admit the car did look in bad shape but it was legal to be on the road and you don't have to say it looks like shit.

Q23: And in detention, do you observe things that make you think that native people are treated differently than non-natives?

A23: Yes. People request for things here and get answers a lot faster. Us, they will make us wait a few days. That's why I was talking to you about Waswanipi and Quévillon; I just spoke to my father a few days ago and he said to me it is very difficult now to get past Seneterre and Quévillon because the cops there are really bad; they pulled him over and it was a random check-up. He said: "You know me, I keep my registrations in my medical bag; my medical bag was in my truck and my brother was driving the truck, he was in front, maybe forty kilometres. I didn't have proper

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registrations and the cop gave me a six-hundred-dollar ticket for not having it.” He said it was very difficult now to get by there; you have to make sure you have your licence on hand and your registrations all the time. You have to be ready for what they will say to you, sometimes they are not nice.

Here, I learned that you can't win with them. If you argue with them you can't win, even if you're right. They will always find a way to be right and put you in the wrong. So there is no point, that's why I didn't make a complaint two-three nights ago, there was no point! They would've found a way to justify their search. Now I'm very careful with what I do. Limited conversations between me and the guards. If I ask for something I make sure it's on paper, and I make sure they sign it so they can't say they didn't receive my memo. I have the signature here of the guard and the day it was received. I try to do all my things through requests and try to get it signed. When I talk with them now, I always want to have somebody talk for me, because I don't want the guards to say I said this and I didn't say that. Now that's my new thing. I tell somebody to ask them for me, and he goes and asks them and I just stand beside him. That's how I do things now but I'm very careful now. Here, every day I'm living in fear with them and how they use their power.

I thought police or correctional officers are like police, they took an oath. They are abusing that oath when they are lying, when they are saying things that are not true; they don't realize the impact it's going to have on me, and my children, and my wife, and my father, and my family. Me being incarcerated takes a lot. My wife carries all the bills, takes care of all four children, it's very hard. I'm glad my wife doesn't drink and do drugs, she doesn't smoke, and my kids are all healthy. I don't have to worry about those kinds of things. Rather I have to worry about police and what they are going to do.

Q24: Do you have something else to mention?

A24: I think police should be treating everybody fairly, everybody should be treated the same. Everybody's kids should be treated the same. My son is no different than the SQ's son. My daughter is no different than your daughter. We might not be the same race but we should treat each other fairly. Just because I'm Native I shouldn't be treated less fair, or be discriminated.

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