

Statutory Declaration

I, Coonishish Alfred, , Mistissini
I, Coonishish Hattie, , Mistissini

I do solemnly declare that,

Q1: So it's about justice, do you know the year of the event?

Hattie: Yes, 2012, November 17th.

Q2: The place of the event?

Hattie: Here, in Mistissini. It was on November 17, 2012, that our grandson was murdered, beaten to death. We didn't know until in the evening, when an investigator came and told us to go to the police station. He only spoke to me, he had him in the other room with my sister. He asked me all kinds of questions.

Q3: The police officer?

Hattie: No, it was the investigator, from Chicoutimi I think.

Q4: And he asked him to go out into another place?

Alfred: He didn't ask me to come in with her.

Hattie: And then he asked me everything, how he dressed and all that, and then I asked him how come he didn't get any information and report from the police, and he said there was no report from the police station.

Q5: From Mistissini?

Hattie: From Mistissini, yes. I had to give him all the information, what he wore that evening... It took me about half an hour to explain everything and then the police from Mistissini came, and I asked what

Declarer signature _____

Declared before me, _____

at _____ on _____

La présente déclaration statutaire a été présentée par : téléphone
 courriel , courrier , en personne à monsieur/madame
Alfred et Hattie Coonishish qui nous confirme
que son contenu correspond bel et bien à ce qu'il/qu'elle nous a
rapporté(e) en date du 12 juin _____ 2018
Signature du déclarant : _____
Date : 2018-11-07

was going on. He said that my grandson had been beaten up, that he was dead. I said: "Did they get the guy that did it?", and he said yes. Then after a couple of months, they started the hearing, the investigation on it.

Q6: In collaboration with the investigator from Chicoutimi?

Hattie: Yes. And then we went to court, he was in prison for four years, all the time of the hearing, he was there.

Q7: In court?

Hattie: They held him in court, in jail somewhere.

Q8: He was in a federal jail?

Hattie: I don't know.

Q9: Four years?

Hattie: Four years, and then after four years he was given only two years after.

Alfred: After the court, the sentencing was only two years.

Hattie: Now he is here on the reserve, but I thought that...the chief handed him a letter saying that he should be off the reserve for ten years after he comes out of jail.

Q10: You mean the chief sent him a letter letting him know that he should go out of the reserve, of the community, for ten years?

Hattie: For ten years.

Alfred: Yes.

Q11: He sent the letter when?

Hattie: He gave it at the court. WE had the court session in Val-d'Or, that's when he handed in the letter.

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Enquêteur

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Déclarant

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Hattie: Yes, only the police came to pick us up from here. They told us they wanted to see us at the police station.

Q20: That was the investigator from the SQ?

Hattie: Yes.

Q21: And the same day, the police of Mistissini came to see you, after that?

Hattie: No.

Q22: Was it the next day?

Hattie: No, they never came after.

A22: As a parent, you were in shock, I understand that. They asked you a lot of questions, how did you feel when they asked you a lot of questions when you had just learned that your grandson was dead?

Hattie: In a way I was wondering why they were asking all kind of questions. He always came home, even when he was out there, he used to come home right away, but that morning he never came, and I became worried. I started asking people if they had seen him. We went down that day for grocery shopping, and when we came back he wasn't home yet. I asked my granddaughter: "Did he come home?", and she said: "No". I started phoning around, asking people if they had seen him, and they told me that had seen him with that guy at seven o'clock in the morning. I called the police and I asked if he was in jail, and they didn't give me an answer. That is when I got suspicious that something was happening. They knew already that morning, and some people from here, but they never said anything. Maybe after two days, a friend of mine told me that she knew that morning, but she was afraid. I guess they were told not to say anything.

Q23: The police in Chicoutimi told you what happened? Who told you what happened?

Hattie: Nobody told us what happened. The investigator asked me at what time he had left the night before, and I told him that he left with his friend that evening, but the next day he never came home. He started asking me what kind of clothing he wore.

Q24: So he asked all those questions before telling you what happened?

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Enquêteur

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Déclarant

Hattie: Yes. After, when he finished the report, then the police came from here and I asked her: "What's going on?" She told me.

Alfred: We had to go over there to identify the body. He had tattoos, that's how we knew it was him; his face was all bloody.

Q25: I guess you were very anxious about the police from another place coming to see you and asking questions and you don't know what is going on?

Hattie: Yes,

Q26: If we go back, what kind of approach would you have liked from the police?

Hattie: Usually when this happens, they usually send people down to Chibougamau to the hospital, but that morning they took his body down to Chibougamau without even telling us, without telling anybody, only the ones that were there.

Q27: So as a parent, you would've liked to know right away what is going on, before the SQ asks you more questions, and that you participate for every steps that they made, is that what I understand.

Hattie: They should inform the families of what is happening, what happened. Then they tell you and you are shocked.

Alfred: The place where it happened was cleaned up right away, I think the fingerprints were all washed away.

Q28: By the police?

Hattie: Not by the police, by somebody else. They also renovated the whole house right away because they said it was a mess inside.

Alfred: But what we are concerned about is that he only got two years for murder, that's it...and house arrest, he has, for the rest of the sentence.

Q29: It's the other part I wanted to see with you about the justice. [REDACTED] got arrested by the SQ, he went to jail and was accused, so he went to court and had his trial. Where was the trial?

Hattie: Here, in Mistassini.

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Enquêteur

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Déclarant

Q30: So he was detained all that time, during the trial. You talked about four years; how long was the trial?

Alfred: It wasn't long, the waiting period was long.

Q31: And after that his sentence was two years?

Hattie: Two years, now he is out.

Q32: Did he make his two years or he left after one year and a half?

Hattie: I don't know.

Alfred: I think he made his two years, but then he had a house arrest.

Q33: So what I understand is that he came back, but before that the Chief asked him to get out of the community for ten years?

Hattie: No, when we went in the court in Val-d'Or that was initially the first session in Val-d'Or.

Q34: That happened in Val-d'Or?

Hattie: Yes, the Chief was there and he had the letter.

Q35: But the sentence was here in Mistissini?

Hattie: All the time.

Q36: So that's when the Chief gave him the letter, he knew about it. You, as parents, you had the lawyer of the Crown who defended your grandson's situation?

Hattie: The Crown that we had first, he was really good, but he had to leave to take another case in Montreal. Then there was another replacement to the Crown.

Q37: You said he was really good, what do you mean by that?

Hattie: He told us that he might be in jail for twenty-five years the first time. But after, everything changed.

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Enquêteur

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Q38: So you had some...

Alfred: High expectations.

Q39: So he left, did he explain to you why?

Hattie: He had another case in Montreal.

Alfred: He was transferred.

Q40: Do you know his name?

Hattie: He was in Amos.

Q41: The second one that you had...

Hattie: The second one was already here with other cases. I think he was lighter than the first one we had. I wasn't too happy with him.

Q42: Why?

Hattie: Because what he did was he started bringing up cases that he'd worked on before. I don't want to know anything about anybody else's case.

Q43: And it was the same lawyer until the end?

Alfred: The second one, yes.

Q44: Did he take time with you and make sure you understood the court, because sometimes it's difficult to understand, did he take the time to explain it to you?

Hattie: He only came when the time was to go to court.

Q45: Did you ask him questions?

Hattie: Yes, we asked him questions.

Alfred: We were just surprised that the guy only got two years.

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Enquêteur

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Déclarant

Hattie: Two years, that's the main...

Q46: I understand that's very upsetting, sometimes justice is not always fair. Justice is not always justice.

Alfred: They are lenient in court with the Indians but not with white people. Some Indians would take advantage of it and others don't know about it.

Q47: It's for the protection of others?

Alfred: Yes. Many Indians have problems with alcohol or drugs

Q48: You were expecting [REDACTED] to have more time in prison?

Alfred: Yes, maybe ten years or something, I don't know. At least.

Q49: You felt like the justice was not in the favor of your son?

Hattie & Alfred: Yes.

Q50: After the sentence, the lawyer of the Crown, did he explain to you what happened, because probably you had questions or you were upset I guess?

Hattie: I was kind of upset after I heard the hearing, I just went off, not bothering with anybody, and nobody ever came to me.

Alfred: We didn't ask questions, we didn't have comments either after the sentence.

Q51: Nobody tried to reach you after that, or call you like two days after just to take the time with you?

Hattie: No.

Alfred: I just don't understand why he only got two years.

Hattie: Yes, that's the main...you know when somebody is on T.V., went to court and they tell him: "Twenty-five years", and so on, and here, us, two years.

Alfred: And non-Natives get many years.



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Hattie: We're not different from the non-Natives or any other.

Q52: It's a big crime, it's not stealing, or pushing someone.

Alfred: It's an imbalance in sentencing. There was a guy here who killed a dog, and they jailed him for a long time, in prison.

Hattie: Ten years.

Q53: So what am I hearing when you say : "We are not different", did you feel that the fact that you are Native - because you said that non-Natives have more years in prison for murder – the fact that he had two years, you felt like it was discrimination? Do you understand what I mean?

Alfred: Discrimination against the Whites?

Q54: No, against the Natives, because it was only two years? Did you feel that?

Hattie: Right away I felt that it was unfair. Lots of times I talk about it and say it's not fair for non-Natives to be in jail for so long and we have this person.

Alfred: And we carried that for a long time, four years now, asking why, why, why?

Q55: You still have those questions. Did you think to call back the Crown to understand better, or you just don't want to go there anymore?

Alfred: We just don't want to go there anymore.

Hattie: I was hoping that I would see the Crown that we had first, in Montreal, and that I would tell him what had happened. I never got a chance to.

Alfred: If we were close to him, we would communicate with him better.

Q56: Why did you communicate with him better, the first one?

Alfred: Because every step he explained, all the way.

Q57: He was informative and took the time to explain to you?

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Enquêteur

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Déclarant

Hattie: Yes.

Q58: The inquiry, our job is to do a sort of reconciliation between the justice and the first Natives. If I'm talking about your situation, what kind of recommendations would you like to share with us, to improve the relations between the justice, even the police...which way?

Alfred: Well, there is several things I think. First of all, I noticed many time that the police don't make any reports, on any situation. I know one police officer, his language is not too good to maybe that's why he shies away from making reports.

Q59: He doesn't speak English, he doesn't speak Cree, or?

Alfred: He speaks English and Cree, but I guess his writing is not - that's why he shies away from making reports. Even in our case, there is no report.

Q60: There is no report? Did you ask for the report?

Alfred: Yes.

Hattie: I asked.

Q61: But the SQ had the report?

Alfred: They made their own report.

Q62: But what I understand is that they didn't make any report for your grandson, for the case of your son, but they don't do report? They don't take the time?

Hattie: I don't know.

Alfred: They are supposed to make reports but they don't.

Hattie: It's not our son, it's our grandson, but we kept him since he was two years old.

Q63: You said you had many recommendations?

Alfred: That was one, the other is to communicate, tell us what's happening or what's coming. That's another. And the third one could be that the Indians shouldn't be given less time in prison than the

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Whites. When you do that, it makes the Indian think he can make another crime, he will get only two years. That's the other thing; that's number three. I don't know if the investigation was very thorough, as I said, the place was cleaned up and fingerprints were gone. They cleaned it right after the incident, I think right after the murder. There was an autopsy done.

Q64: That's why they brought the body in Chibougamau?

Alfred: Yes.

Hattie: But they had to send it out to Montreal or Quebec City for the autopsy.

Alfred: They sent it to a city and we had to wait.

Q65: How long did you have to wait?

Hattie: Probably a month, or two months. Because you couldn't recognize him.

Alfred: We couldn't recognize his face, he was beaten so badly. The court has pictures. The file has pictures. They didn't show us the pictures, did they?

Hattie: They showed them on a screen, but I couldn't watch because I didn't want to see.

Alfred: We didn't want to see it.

Hattie: But our sons were there and they watched it. They watched everything.

Q66: In the court, was somebody there, an assistant or a social worker from the victims' crime assistance?

Hattie: There were some from Justice that were there.

Q67: So you received some assistance? Did you know about that service?

Hattie: No.

Q68: If you knew about those services at that time, I guess you would like to see the social services to understand better about the court and the terms they use because it's not always easy to understand?

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Enquêteur

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Déclarant

Alfred: We didn't want to. We were on our own, because we are Christians, our dependency is on God and prayers, not to see a psychiatrist or the social worker, we go on our own. We talk about it though.

Q69: The services I am talking about is that there are some people in the justice courtroom, and when crimes arrive they just assist them to see if it's okay, if they understand well the process, and they offer other services, but we have that kind of services in the courtroom. Were you aware of somebody like that?

Hattie: Yes.

Q70: But you refused?

Hattie: Yes.

Q71: I understand that the fact that it's a major crime, Natives or non-Natives should be treated the same; for the family it's a good message too.

Hattie: Yes.

Q72: Do you have other things to share to me about that, or about another...?

Alfred: They gave us the opportunity to see the body when it came to identify it, and he was on the floor, flat on the floor on his back. I couldn't recognize him, that's the moment that was really shocking.

Q73: On the floor, not on a table?

Alfred: He was on the floor.

Hattie: Over there, where it happened.

Q74: It must be very shocking. Is it something that you are okay with, or the police should find another way for you to see your grandson? Is it something that for you was important to see?

Hattie: I would've liked to see it there, because they didn't let me in. I would've better liked to see it was him.

Alfred: Make sure it's him.

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Enquêteur

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Hattie: Well the mother lives in Betsiamites, she came to all the hearings, she was there, but the father lives here with his family. We communicate with her really well, we always talk to her, find out how she is doing.

Q82: The parents must be in shock too?

Hattie: Yes.

Q83: When you hear that, you don't trust the courtroom anymore, the justice, the police here, the fact that they don't make reports, you don't trust?

Hattie: No.

Q84: Do you have something else to share to us, questions or another recommendation?

Alfred: I don't think so.

Q85: I have a question though: when the police came in the community, the police from the community or the SQ, when they come to announce something delicate, shocking news, which way would you like for them to announce it to the family, that kind of news?

Alfred: I think I would like to know how it happened.

Hattie: They should gather the family in the police station and tell the family what happened.

Q86: The family means the parents, the grandparents...?

Hattie: The parents, the grandparents, the brothers and sisters, all that, and announce that there has been something happening.

Alfred: They didn't tell us right away. If there is no reports, they are not sure what really happened.

Q87: Did you feel like they made a good investigation?

Hattie: No.

Alfred: I think it was hard for them because they hardly had any evidence, no fingerprints, everything washed down. I don't even know if the police knew it was washed down and cleaned up.

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Déclarant

Q88: Because probably it's not the police who did that??

Alfred: No, somebody else that covered [redacted] or blamed [redacted]

Hattie: Because we heard he kept saying: "It wasn't me that did it". But he knows who it is. In court, the judge asked him: "Do you have anything to say?" he never said anything before the sentencing, and I thought to myself: "How come he doesn't answer that question, when he says he didn't do it?" Right there, he could've answered.

Alfred: He could have said: "I didn't do it".

Hattie: And then the judge asked him if he had anything to say to us, to the family, and he said: "I'm sorry for what happened", he didn't say: "I'm sorry for what I did", he never said that. It's what the judge told him: "How come you didn't say you're sorry for what you did?" I asked myself how come he hadn't answered the judge, if he really did nothing. He never said anything.

Alfred: We didn't have much confidence after that in the court system.



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