

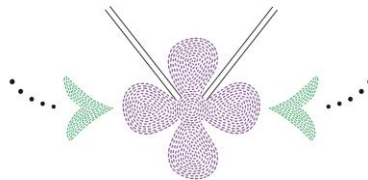
National Inquiry into
Missing and Murdered
Indigenous Women and Girls



Enquête nationale
sur les femmes et les filles
autochtones disparues et assassinées

**National Inquiry into Missing and Murdered
Indigenous Women and Girls
Truth-gathering process – Part I Public Hearings
Sheraton Vancouver Airport Hotel
Elmbridge Room**

Metro Vancouver, British Columbia



Public

Saturday April 7, 2018

Public Volume 108:

Linda Leforte & Seth Leforte, In relation to Melissa Nicholson

Heard by Chief Commissioner Marion Buller

Commission Counsel: Meredith Porter

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APPEARANCES

Assembly of First Nations	No appearance
Government of British Columbia	Leah Greathead (Legal counsel)
Government of Canada	Anne McConville (Legal counsel)
Heiltsuk First Nation	No Appearance
Northwest Indigenous Council Society	No Appearance
Our Place - Ray Cam Co-operative Centre	No Appearance
Pauktuutit Inuit Women of Canada	No Appearance
Vancouver Sex Workers' Rights Collective	No Appearance
Les Femmes Michif Otipemisiwak / Women of the Métis Nation	No Appearance

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Clerk: Bryana Bouchir	
Registrar: Bryan Zandberg	

PUBLIC

1 **Seth Leforte & Linda Leforte**
In relation to Melissa Nicholson

1 Metro Vancouver, British Columbia

2 --- Upon commencing on Saturday, April 7, 2018 at 17:48

3 **MS. MEREDITH PORTER:** Good afternoon, Chief
4 Commission Buller. I'm sitting here with Seth Leforte and
5 Linda Leforte and they've come here today to speak about
6 Melissa Nicholson. Melissa was Seth's sister and she was
7 murdered when she was 17 years old.

8 Prior to their giving their -- telling their
9 story here today, I'm going to request that they be
10 promised in.

11 **CHIEF COMMISSIONER BULLER:** Would you like
12 an eagle feather for your promise or not?

13 **MR. SETH LEFORTE:** I -- I guess so or we can
14 exchange tobacco.

15 **CHIEF COMMISSIONER MARION BULLER:** Okay.
16 Seth, do you promise to tell your truth in a good way this
17 afternoon?

18 **MR. SETH LEFORTE:** Yes.

19 **CHIEF COMMISSIONER MARION BULLER:** Thank
20 you. Ms. Leforte, do you promise to tell your truth in a
21 good way this afternoon?

22 **MS. LINDA LEFORTE:** Yes, I do.

23 **CHIEF COMMISSIONER MARION BULLER:** Thank
24 you. Go ahead.

25 **MS. MEREDITH PORTER:** Thank you. Okay, Seth.

1 Well, I'm going to ask, then, if you could start by telling
2 us a little bit about Melissa.

3 **MR. SETH LEFORTE:** Okay. I can't tell you
4 that much because I was -- I was really small when I -- the
5 last time I seen her. My sister was born about four years
6 before me. She was born in 19 -- was she born in 1974?

7 **MS. LINDA LEFORTE:** Three.

8 **MR. SETH LEFORTE:** 1973.

9 **MS. MEREDITH PORTER:** I could tell you,
10 Seth.

11 **MR. SETH LEFORTE:** My mom can tell. It's
12 more than I can.

13 **MS. LINDA LEFORTE:** Melissa -- I met Melissa
14 when she was 3 years old, shortly after meeting her dad.
15 She -- they had separated, her mother and father, and
16 Melissa became -- like visiting regularly with us. She was
17 just a sweet -- like sunshine. She had -- her mother had
18 like very dark black hair, but she had hair more the colour
19 of her dad's. It was like -- you know, I always used to
20 say it was like honey. I would braid her hair and the
21 different colours of blonde and brown and just sweet. And
22 she had a big smile. Like she had large teeth, but when
23 she smiled all of -- and her teeth showed and it was like
24 her whole face would light up. She was just a sweet,
25 adorable little girl.

1 She -- well, I would say there was some
2 problematic things going on all the time between her mother
3 and her dad, who was living with me. There had been
4 custody issues and a variety of things, but we reached a
5 kind of an understanding where she would spend time with us
6 and then spend time with her -- with her mother.

7 The last time I would have seen her, we were
8 living in Nelson, BC and she would come every Christmas
9 because her birthday was, I believe, the 19th of December.
10 She used to come and spend the whole Christmas time with us
11 and visit and I believe that was the last time I saw her
12 because the following January, we decided to move to --
13 back to Ontario and it wasn't long after that that her
14 father and I split up, so he was in Toronto and I was back
15 on territory where my family's from in Tyendinaga.

16 My memories of her, obviously, are from a
17 long time ago, just lots of really sweet memories.

18 Shortly after her father and I separated, I
19 had moved. We had been in London, Ontario and I moved
20 home, where my mother lived, and was on unemployment with
21 Seth and his younger sister and I got a call from the
22 Social Services Department in Victoria. They had Melissa
23 in their office and they expressed that she was having lots
24 of difficulties staying in school and staying at home. She
25 was running away. And she had wondered if she could come

1 and live with me and, regrettably, I said no because I
2 wasn't working; that I was just getting re-established and
3 I had two little kids of my own. And I spoke to her and
4 she said she was going to try to stay home and go back to
5 school and do what she was supposed to do. But anyways,
6 that was my last conversation with her and I can't even
7 tell you exactly when that was.

8 But the day that I received the call that
9 she had been murdered, it was actually my birthday in June
10 1991 and within the same day or so after, I also received a
11 call that my grandfather had died in Timmins, so I kind of
12 -- everything was just kind of on hold. I flew to my
13 grandfather's funeral. I wasn't able to participate in
14 anything that was happening with Melissa and it's like I
15 shut that piece down until about eight years ago.

16 There was a group walking from BC to Ottawa
17 and they stopped -- the Walkers for Justice, they stopped
18 in Tyendinaga. And I'm a counsellor there in social work
19 and they came and met in one our buildings and I remember
20 it was as if I had just got the news again. I was angry.
21 I was really probably quite obnoxious to people, but I got
22 a chance to talk and I got the chance to talk about my
23 feelings and the loss of her and I learned a little bit
24 more about what had really happened with her.

25 And then I joined a group; Sisters in Spirit

1 is an awesome group of women and men that get together
2 regularly, plan events to remind everyone about the
3 murdered and missing women and I found that was really
4 helpful for me. Like the first few times, it was very hard
5 for me to talk about it; particularly, my feeling of guilt,
6 of what could have been if I would have said yes.

7 And then eventually, you know, I began to
8 think about how could things have been different and it
9 just gets me thinking about so much of how our people, in
10 general, fall through the cracks of services. Like, in my
11 mind, knowing that she was involved with a social services
12 program in Victoria made it okay for me to say, "No, this
13 isn't a good time. I'm not working". But, you know, that
14 was a false belief that maybe there was supports for her.
15 Maybe there wasn't the right kind of supports for her.

16 So I guess I'm left with -- you know, it's
17 been 27 years; I'm left with thinking about how can we
18 prevent this. We're not going to bring Melissa back, but
19 how can we prevent these things from happening to other
20 kids, to other women, to other men for that matter?

21 Like it seems to me like we have a lot of
22 social programs and I'm involved with social work things
23 all the time. I'm the manager of a shelter in our
24 community for women, but we're not -- to me, we're not
25 doing enough. The systems that exist aren't really meeting

1 the need and I don't know that I really have an answer as
2 to how to make it better other than letting us develop our
3 own ways of doing things, right. And taking kids away and
4 placing them in other homes is not the answer. Helping to
5 support families that maybe could do a better job if they
6 had money, just so many things like that that I think about
7 socially.

8 Anyways, it doesn't -- it doesn't take away
9 the loss talking about it, but it's comforting to know that
10 somebody's paying attention maybe. I don't know. To be
11 honest with you, I'm not really hopeful. I'm not really --
12 I shouldn't say hopeful, but I will believe when the time
13 comes. If something changes, that will be awesome. But I
14 guess for me, it's like I really hope that this inquiry
15 really does end up with some recommendations that are
16 doable and that they are acted upon.

17 And, you know, I felt somewhat like well,
18 Melissa's gone; let her go. We do a ceremony to let people
19 leave. You know, you do the feast and send them on their
20 way. But there's all the other people, like her mother and
21 father both died, you know, broken hearted that their
22 daughter was murdered with no answers, right, no reasons
23 behind it all. So I guess there has to be something that
24 we're can do differently to ensure that other people don't
25 suffer through things for 27 years and don't know what's

1 really gone on. I guess that's my ultimate thought about
2 it.

3 And the services that exist, what are we
4 doing to change them, including police services? What are
5 we doing to change that lack of -- I don't know, missing
6 the pieces, right?

7 I think -- and the other thing was -- one of
8 the most disturbing things that I never read until about
9 eight years ago was a newspaper clipping about Melissa's
10 murder and it -- she was described as a 17-year-old
11 prostitute that was found. And I'm thinking, "Why in the
12 world does the media do that? How is it they're allowed to
13 do that?" She was a beautiful, young woman. Whatever she
14 was or wasn't doing, to me, is irrelevant. She's a human
15 being and I'm not quite certain what the reasoning behind
16 that is, but I guess that's another typical thing that, you
17 know, I've read in lots of other reports of women that have
18 been found is that there's another stigma attached to that.
19 It's not just that they're a woman, but there's something
20 else to it that, perhaps, feeds into them not being
21 worthwhile. I don't really know, but it has a --
22 definitely has a negative connotation.

23 I don't really know that I have anything
24 else that I wanted to share. It certainly would be awesome
25 to have closure, to know what really did happen to Melissa

1 and to really come to some kind of conclusion as to whether
2 or not something will be further done or are we just
3 looking at some kind of social changes, which I think are
4 the most important, truly, at this point in time. Anyways,
5 I think that's about all I have to share.

6 **MR. SETH LEFORTE:** I was all just ready to
7 just go here 10 minutes ago. Then, all of a sudden, I'm
8 like, "Ah, I don't know what to say". I think I want to
9 put a little bit of the context as to how we got here
10 because it's a little bit funny. Well, not funny in a
11 humorous way, more like odd.

12 But maybe six months ago, I got contacted by
13 a woman who was my -- partner of my father when I was a
14 kid. After my mom and dad split up, my dad -- he got
15 together with this other woman and I hadn't seen her in a
16 long time; probably some 20 years. And she contacted me
17 and asked me if I had any interest in speaking with the
18 RCMP regarding my sister Melissa's murder and I said,
19 "Yes".

20 And so, very quickly, it got organized and I
21 think we had a meeting or two and then they flew the
22 officers from Victoria to Toronto and my younger sister,
23 who chose not to come this week -- weekend, we went and met
24 with the RCMP and we had some very specific questions for
25 them regarding our sister's murder.

1 So I'd like to create a little bit of
2 context. When my sister was murdered, I was like about 14
3 years old. She was 17. She was murdered in 1991 in June -
4 - June 9th; at least that's when we got the call. And prior
5 to that, we all lived together here in British Columbia; my
6 mom and dad and my younger sister and myself and my older
7 sister and Melissa and two older brothers, all -- for a
8 whole series of reasons, our family ended up kind of
9 getting dispersed all in different directions.

10 It really started with my father. So my
11 father and his little siblings were left in a hotel room
12 when he was like five years old, seven years old; I believe
13 somewhere in British Columbia. And after a couple of days
14 of stealing food and bringing it back to feed his siblings
15 -- younger siblings, the social services, at the time, --
16 you know, somebody must of called and so they gather these
17 little kids up and they all got separated and they were all
18 adopted out to other families and so my father was adopted
19 out to a family in Seattle. And so I believe that my
20 sister's murder is associated because it's a systemic
21 problem in the system.

22 So my dad never -- he never really
23 understood how to be a part of a family. You know, there
24 was something that was broken there and he didn't know who
25 he -- he didn't know who his parents were. He didn't know

1 who his -- he had some recollections of his mom, but he --
2 there wasn't enough memories there and, you know, his name
3 got changed and all those sorts of things. And so he knew
4 that he had been born and was -- lived in British Columbia,
5 so he returned searching for her and that was what ended up
6 with him, you know, having a child with Melissa's mom and
7 ended up meeting my mom here and so on and so forth. It's
8 a legacy of that -- of the system taking kids and
9 separating them and not having a connection to family and
10 not having the community supports and the like integrity to
11 maintain social connections perpetuated. It began much
12 before Melissa came along, so ---

13 **MS. LINDA LEFORTE:** Genevieve was the same
14 by the way.

15 **MR. SETH LEFORTE:** Genevieve was the same,
16 yeah, ---

17 **MS. LINDA LEFORTE:** Melissa's mother.

18 **MR. SETH LEFORTE:** --- Melissa's mom. She
19 was Cree and she was taken from her family and adopted out
20 and then -- and so they had -- these two find each other,
21 right, and they had my sister and then they struggled with
22 taking care of her. And then my mom came along and now
23 there was three of them having -- struggling to take care
24 of and then the rest of us and so on.

25 And so, for me, as a little person, I -- you

1 know, I've got a handful of memories. We left British
2 Columbia when I was, I think, like six or seven years old.
3 And I have -- you know, I have memories of Christmas and I
4 have memories of, you know, playing with toys and I have a
5 tea set and, you know, that sort of stuff; the silly
6 things, and I had a bedroom downstairs in the house.

7 And I remember our -- her and I's last
8 conversation together and it must have been -- we were
9 getting ready -- she must have been ready to go back to her
10 mother's maybe; I'm not sure. But I knew that we were --
11 we knew that we were parting ways because I asked her if
12 even though we were moving or what; I'm not sure, that --
13 or if she would still be my big sister and if she'd still
14 love me.

15 I mean I'm nearly 40 years old and I'm still
16 hurting because I miss my sister. So I can just imagine
17 the pain that my mom and my dad and Genevieve and my
18 brothers all experienced in this loss and perpetual losses.

19 So we ended up moving back to Ontario. And
20 then Melissa and I have an older brother and Melissa and
21 Shawn are closer in age and Shawn moved back to British
22 Columbia to be near here and so those two were here by
23 themselves. And my brother got him -- my brother got
24 himself in trouble too, somehow, and he ended up in jail at
25 the time when my sister was murdered.

1 And so on the day that my sister was
2 murdered, we got the news. It was my mother's birthday and
3 I found out when we met with the RCMP, my brother had
4 called a whole bunch of times that day. It was still
5 really bothering him, right. He was hoping that we were
6 going to know what was happening. He had -- he knew that
7 we were having this meeting to meet with the RCMP and that
8 I promised him that we would come out to British Columbia
9 and we'd come and put a headstone out for her.

10 So he was like determined to do something
11 and he signed himself up to go to rehab and so he was all
12 ready to go to rehab and he had cleaned himself up for a
13 month. And the day that I spoke with the RCMP, I guess
14 back in February, the next morning he was getting on a bus
15 to go to the treatment centre and he called 60 times that
16 day; literally, between my phone and my sister's phone, and
17 he wanted to know all the details. He wanted to know about
18 what they knew, what the RCMP had, you know, to share with
19 us.

20 And we were supposed to be meeting and find
21 out from the coroner's report and get all that information
22 because when my sister got murdered, we weren't told
23 anything. There was very little information that was
24 actually shared with our family about her murder. They
25 said it was an open case -- open investigation and they

1 couldn't share anything.

2 Well, my sister's case is still an open
3 investigation 27 years later and they still haven't shared
4 with us any details about her murder. The only information
5 that we have is that which was printed in the newspaper
6 reports, which -- I mean that's silly to think that
7 newspapers actually give you any information, right. It's
8 just tabloids -- just tabloids. It's not evidence. It's
9 not knowledge. And the other little bits of information is
10 the little tidbits of stuff that we knew as family members
11 and as -- right.

12 So we know that she called home that night
13 and said, you know, "Don't lock the door. I'll be home and
14 I'm going out. I'll see you tomorrow and I love you" and -
15 - to her mother and then the next day or the day after,
16 they found her dead on the side of the road naked.

17 And we don't actually know how she died and
18 one of the newspaper reports says her body was bruised. So
19 my dad always assumed that she was beaten, but we don't
20 know that actually. And I asked the RCMP and they wouldn't
21 tell me.

22 So anyways, back to the meeting. All this
23 is important because it'll give you some context. So when
24 we had the meeting with the RCMP, I -- we asked lots of
25 questions. We asked how she died. We asked if she had

1 about them; that's not the issue. The issue is that our
2 family hasn't been given any knowledge. And I -- so at one
3 point, I said to my sister, I said, "Why don't we just ask
4 them to close the case then, so that at least we can know,
5 right?" I mean it's been 27 years".

6 And the -- that Colton boy had -- that case
7 had just happened a week earlier. There had been an
8 announcement with the court and, you know, that rancher
9 shot that kid in the head and the courts let him out -- let
10 him free, you know. And -- and then Trudeau, the prime
11 minister, interferes in the court case because, of course,
12 he knows that it's totally a disaster and he just made it
13 worse, but that had just happened.

14 So I -- I said to that police officer -- I'm
15 like, "We'd like to know if you can close the case because
16 we would like this information. And you're saying the
17 reason you can't tell us is because it's an open case and
18 it might -- we might share information that could spoil the
19 evidence or spoil the, you know, catching the person who
20 did it, so why don't we close it and then we can know?"

21 And the officer was -- he was kind of upset
22 with me. He said, "We've never had anybody ask that
23 before." And -- and well, we said, "Well" -- I said to him
24 -- he was a little bit mad at me. I said, "Well, it's not
25 like if you catch him you're going to do anything about it

1 anyways. You're going to take him to court and they'll let
2 him go, right. That's what you guys do unless it's an
3 Indian who did it and then you'll lock him up forever,
4 ever, ever." But that's what I believe. I -- I've seen
5 that over and over in this country and that's what happens.

6 So of course he said that wasn't a
7 possibility. In fact, they told us that the only way they
8 close the case is if they find the person who did it. If
9 not, then the case stays open forever, which means that our
10 family is never given any information. Our community is
11 never given any information. My mother -- it's very likely
12 that my mom is going to go without knowing what happened to
13 my sister, along with my dad and Genevieve, Melissa's mom,
14 and that's wrong.

15 So I'm nearly 40 years old. I'm twice as
16 old as my sister was when she died, right. I'm twice her
17 age. And my -- I've got an 18-year-old-daughter. She came
18 with us today. She jumped on the plane and came all the
19 way here and it was too upsetting for her to come and sit
20 here, right. So that's her aunty we're talking about and
21 so she couldn't come down from the room and come and sit
22 because she was going to cry too hard, she said. You know,
23 I don't think she wanted her tears on TV maybe. I don't
24 know.

25 But I guess my point in saying that is that

1 I recognize that emotionally this is still affecting our
2 family and not having that closure is continuing to
3 perpetuate that pain and suffering. So it's not just the
4 pain and suffering of someone who killed my sister, but the
5 system is set up and designed to suit itself and not
6 provide supports and protections for the family. And so
7 whether it's the justice system or the policing system or
8 even the family -- the family supports or the CAS, you
9 know, we'll look all the way back, historically, to my
10 father or to my sister, you know, it's the same sorts of
11 problems.

12 And I've got a daughter that's almost the
13 same age that my sister was murdered, you know, and a
14 couple of months difference and I asked her to come with me
15 because I wanted her to understand. I guess I hoped that
16 if she came she could have some healing and have some
17 understanding about why her dad is the way he is; why I
18 don't trust the police, why I don't believe that CAS is our
19 friend or here to help us or going to protect families you
20 know. I earnestly don't believe that. My mom works in the
21 field and I -- her and I've had lots of discussions about
22 that, as well, because I don't see that as actually helping
23 us.

24 So when I called my brother that night -- I
25 came back from a meeting with the RCMP and I told him that

1 they didn't tell us anything new that we didn't already
2 know -- he was kind of like -- I could tell he sounded
3 disappointed and he said, "Well, I guess, you know, that's
4 how it is, yeah". And he said, "Well, I'm off to rehab
5 tomorrow."

6 I heard from his son about a week ago. My
7 brother's back in prison. And the thing I didn't know
8 about that night was that my brother was -- had been -- he
9 -- he's close to -- so he would have been like 19-20 years
10 old when my sister got murdered. He had just kind of got
11 thrown in jail himself. He got himself in trouble.

12 Well, my sister was murdered on my mom's
13 birthday and then they brought my brother from prison to my
14 sister's funeral on his birthday and so my brother never,
15 ever celebrated a birthday again.

16 And to me, I believe that there's some parts
17 about the system that have zero sensitivity. It doesn't
18 even have the capacity to pay attention to not allow those
19 things to happen; to be like, let's put -- we'll put this
20 funeral off a day, right. Let's not bury this child on her
21 sibling's birthday. You know, like there has to be some
22 compassion. There has to be a different way to do this.

23 So my -- it was interesting when we had this
24 meeting with the RCMP because my younger sister was with us
25 and my younger sister and I share the same father and we

1 share the same mom and so Melissa was her sister too and
2 she never remembered her, right. She was too small. She
3 was too young when Melissa died and no memories.

4 And she said to the RCMP, she said, "My
5 sister's death and all of the fallout, the way my father
6 was treated -- they told my -- the RCMP told my father that
7 there wasn't -- there was -- they're going to do their hard
8 -- hardest to find who did it, but he needed to be
9 understanding that these sorts of things happen to girls in
10 that -- and that women in that line of work."

11 That's the attitude of the cops in this area
12 -- in this place, right, at that time. That it was like,
13 she was a prostitute so, you know, they get killed. I'm
14 sorry. I don't care what you exchange your services for,
15 that doesn't give someone else the right to kill you. And
16 there wasn't even any evidence or proof that was what she
17 was doing that day. It was just an excuse to not pursue
18 it, I believe. And so I think that's part of the reason
19 why we got the big, long song and dance about how many
20 hours of time they spent and how many millions of dollars
21 would have had to have been spent.

22 And they kept reopening the case. My
23 sister's case was opened in June, of course, of 1991 and
24 they had manhunts and whatever and combing the area from
25 then until November of that year or October, so like six

1 months, and then they closed it. And the police made it a
2 big deal to us that they investigated that long. I mean
3 acted like it was a big deal. So the fact that he acted
4 like that was a big deal, it means that all these other
5 families who the police, you know, looked for two weeks,
6 this is -- that's a problem. Six months is not a big deal.
7 I've lost wallets for longer periods of time than that you
8 know. "Oh, there it is. See, it's in the truck, right."
9 That's the truth.

10 So they reopened the case in 1995 and didn't
11 contact any family members to tell them they reopened the
12 case. And then they reopened the case again in 2003 and
13 then they reopened the case again in 2006 or 2008 and if
14 they found new evidence and they still didn't contact any
15 of us. And then in 2014, they started trying to reach out
16 to the only -- Genevieve's boy -- what was his name? She
17 had been consistent with the same one.

18 **MS. LINDA LEFORTE:** Yeah, it jumps out of my
19 mind now.

20 **MR. SETH LEFORTE:** I can't remember his
21 name. Anyways, her partner. They weren't married, but
22 they had been together all that time. And they tried to
23 reach out to him.

24 **MS. LINDA LEFORTE:** His name was Guy.

25 **MR. SETH LEFORTE:** Yeah, Guy.

1 MS. LINDA LEFORTE: Guy.

2 MR. SETH LEFORTE: Guy, yeah. And it was
3 related to the case, but not really.

4 I asked the police officer, "So how many
5 suspects have you got?" He says -- I said, "How did you
6 figure that -- how did you, you know, what -- what's the
7 story? What's the plan? What's the?" "Well, I can't
8 really tell you anything." They -- we couldn't even get a
9 what's your theory, right. We didn't even know what their
10 theory was. All he said was, "At one point, we thought we
11 might have been dealing with a serial killer, but that got
12 ended." And they thought that some of the -- that her
13 death was -- may have been related to -- connected to some
14 other deaths of other women, but they found those women's
15 remains at the Pickton farm or related to that guy, but
16 that my sister was separate, different.

17 So they got no theory. They got no -- they
18 -- not that they would share anyways. And I said, "Well,
19 how did you" -- they said they were -- had it narrowed down
20 to six people. And I said, "Well, how did you do that?"
21 They said, "Well, we started with 360 people that we
22 thought were the most likely to have done it in the
23 province and then we narrowed that down to 193 and then we
24 selected the most likely 12 out of that and of that 12,
25 we've -- 6 of them, we've taken off the list, so there's 6

1 left on the list." I said, "What if it's not one of those
2 6?" They said, "Well, we go back to the 360. We start
3 over again." It's foolish. This -- this is a waste of
4 resources and foolishness.

5 So they block out the community that knew
6 her, block out the family that knew her, block out putting
7 out knowledge so that people could -- can work with it;
8 they have effectively protected whoever it was that killed
9 her because no one has any details to look. It's the exact
10 opposite of finding somebody, right.

11 So my objective isn't to point fingers at
12 the police officer and I was quite -- he cried when we were
13 done talking. And I think it's important and -- and I --
14 and this piece that I want to say is part of the reason why
15 I'm here because it sounded really good when we were in
16 front of the -- it must have been the passion I had with
17 it. I don't feel like it's as strong now. But I said to
18 him, I said -- "Well," I said, "You know the difference is
19 that we've got two very different cultural practices and
20 beliefs about justice and about policing." And I said,
21 "You are operating under the pretense that because you're
22 the police officer and you're the justice; you know, the
23 whole system, that it's the appropriate way to do it." I
24 said, "But I'm actually coming from a group of people who
25 have persisted and consistently maintained and have, you

1 know, I mean we -- of course, we've went through a
2 genocide, so there's been lots of things disrupted us, but
3 we kept it alive, our laws. We kept our system of
4 governments going and we still have lots of our traditional
5 governance and justice practices in practice or in living
6 knowledge. It may not necessarily be (unintelligible) --
7 be used in practice, but perpetuated in a living knowledge
8 by making sure that the next generations know, I guess,
9 partly in hopes that we will eventually rise out of this
10 genocide and be able to function again as a independent,
11 separate people."

12 Many people who've experience genocide and
13 experienced assimilation in Canada, as Indigenous people,
14 many of us are seeking to find a way to have a place at the
15 table or a part -- to be a part. But many of us, who
16 haven't subscribed to the assimilation plan, don't want a
17 seat at the table and we don't want to be a part, and we're
18 not looking for a few bread crumbs at the bakery because we
19 own the bakery, right, and we want it back. And so that
20 there's a very big difference and in terms of putting new
21 letterhead on a courthouse and then putting a courthouse on
22 the reserve, but if you're operating all the systems of the
23 courthouse and all the rules that are the same that's in
24 the -- of the province and the feds, it's the same
25 courthouse, right.

1 And so what I said to that man -- that RCMP
2 officer was -- I said, "You come from a culture of people
3 who believe that the best way to deal with these sort of
4 situations is to punish people." I said, "So much so that
5 in your culture -- it's so old in your culture that we go
6 look in your homeland -- where you're from, there's still
7 castles standing where they have torture rooms, where you -
8 - your people would take your criminals and you would drive
9 metal stakes into their hands or tie up their ankles and
10 their legs and stretch them until they're parts came off or
11 cut off their heads or put them in dolls with nails in them
12 and tighten them closed and kill them. This is the things
13 that your -- the culture you come from, right. This is
14 what informs your way of thinking to know and it's
15 informing your reasoning to tell me why it's inappropriate
16 to share with us the information and also inappropriate for
17 you to close the case because you need to punish this guy."
18 And I said, "We're not coming from a culture like that. We
19 come from a culture of preventive action and restorative
20 action."

21 So we're sort of -- you know, in our
22 culture, in our traditions as Iroquoian people, as Mohawks,
23 (inaudible) people -- Of course, my sister's mother was
24 Cree and her stepmom was a Mohawk and, you know, we don't
25 know what her dad was, at all, right. He didn't know. But

1 the tradition and laws of the land are Indigenous. So
2 whether we're here in Richmond, British Columbia, there's
3 people here that have a rich cultural practice and way of
4 doing things. And the provincial rules and the federal
5 rules, that's not the law of this land; it's the occupation
6 of this land, right. It's -- it's being forced on.

7 And so I said to that man, I said, "The
8 problem that we have and the reason why this murder and
9 this kind of thing continues to happen is because the
10 system that's been applied here was brought here and its
11 purpose is to do that, right. It's a colonial-structure
12 system that was developed by the Romans and the Romans --
13 when they dissipated, the British arose and then those
14 British went all over the world with that same sort of
15 systematic mentality of colonization and so the policing,
16 the governance, the justice; it's all designed for the same
17 purpose. You bring it into -- it's class designed, right.
18 It's class designed for the accommodation of money and race
19 so that they apply it into a region so they can take over
20 the region, take control of the region, control all the
21 assets of the region, and destroy whoever was the owner."

22 So if we go and look in Australia, there's a
23 high population of murdered or missing women. Guess what?
24 They're not red people. They're brown -- they're black
25 people, right. They're the Indigenous people of Australia.

1 If you go -- if we go and we look in New
2 Zealand, not too far away, we find another population of --
3 high population of murdered and missing women; men too, and
4 who are they? The Māori. And if we go and look in -- and
5 what's very interesting with this -- with this system that
6 we're dealing with is that once it destroys the Indigenous
7 population, it will move on and place the next like least
8 important people as the next at the bottom.

9 So we'll look at a place like Jamaica, they
10 impose the same sort of system there and what happened?
11 The Taíno got completely destroyed, then they became the
12 slaves who became -- take that same place. And who are the
13 murdered and missing disproportionately in Jamaica? Those
14 people. And so it's the system. It's not the Indigenous -
15 - it's not that because the brown people in Canada are
16 messed up or broken and it's our own fault. No, no, no,
17 it's the system that was imposed on our lands that's
18 designed to do this to us.

19 And so I said to that officer, I said, "I
20 would like you to do me a favour." I said, "You didn't
21 provide me with anything really of value or substance, but
22 I did appreciate the opportunity because it gave me a
23 chance to begin the process of healing, to cry about that
24 and to talk about it with my sister and to make me think
25 about it to find a way to articulate my concern about what

1 has been going on, right."

2 So I've got five daughters. I've got five
3 daughters, beautiful daughters, and I'm terrified every
4 time they get on a train or go somewhere because I know
5 what country we live in. I know that they're the most
6 likely to go missing or be killed, right. I do not believe
7 that Canada is a safe place for my children. So I live in
8 a perpetual state of fear and I live in my homeland. I
9 live in my traditional territory, right. My children are
10 not safe to explore the beauty of our own land on their
11 own. And I'm not unique. Every Indigenous family in this
12 country is suffering in the same way. We talk about post
13 traumatic stress disorder; well, you should look at how
14 that kind of thing impacts somebody's psyche.

15 And so I think that my thoughts about my
16 sister's murder -- and we've been talking about this lots
17 and my mom's like, "I don't want the case closed because I
18 don't want her forgotten, but I don't want her to be
19 dismissed". And I agree and I don't want her either. I
20 mean we're going to where -- our hope is tomorrow that
21 we're going to go to the place where they found her because
22 we've never been there and we're going to go to where she
23 was buried tomorrow, you know, so she's not at all
24 forgotten.

25 And I don't believe for a minute that me

1 saying to the RCMP officer in some office somewhere in
2 Toronto that holds the case is going to make a difference
3 anyways, but I asked him to write a report. I said, "Write
4 a report to your -- the one above you and tell them what
5 you heard here and all our family, how you treated us --
6 your system, right."

7 And I was a little bit disappointed that
8 RCMP officer, he was not aware that the RCMP were developed
9 and made for the purpose of clearing the West, right. I
10 said, "In the United States, they had a occupation called
11 cowboy and they cleared the West with the cowboys. They
12 killed the Indians and they got paid per scalps and they
13 claimed ownership of territory by the use of cattle, right.
14 It was too expensive to put fences across it, so they used
15 cattle instead. I think it proved that they moved their
16 cattle across and grazed on it, then they owned the land.
17 And that was the part of their process of colonization and
18 to remove the Indians from the land. In Canada, they used
19 the RCMP, surveyors, and a train, right. It was the same
20 thing." I was disappointed that that officer didn't know
21 that.

22 Anyways, I -- I'm a little bit lost in my
23 thoughts, but I think that we need to -- there needs to be
24 a serious change in the system such that the Indigenous
25 people of whatever region in this country, Canada, are the

1 leaders in investigations of crimes against our people.
2 And when I say leaders, I mean we need to be the ones who
3 are assigned to the positions of head investigator, of --
4 of the top policing officer on the case; these sorts of
5 things.

6 We also, I believe, need to be utilizing
7 traditional, Indigenous governance, justice, and policing
8 practices within traditional territory; so not just on the
9 reserve, but off the reserve, and it needs to be applied to
10 all of the immigrants on the land including the Indigenous
11 people, but the immigrants too.

12 There's been this practice in Canada where
13 there tried to allow us to make room for us, but it means
14 that our little -- our little bit of rules, our little bit
15 of laws that get to be for us are only for us on our own
16 land. So you can practice your traditional fishing for
17 you, but we're going to continue to practice commercial
18 fishing for us on your fishing ground.

19 No, no, no, that -- that's the problem.
20 That is the issue with this thing with murdered and missing
21 women is that the predator is looking around to find its
22 prey and he's going to attack the one that's the least
23 dangerous to him and if you -- if he is able to attack the
24 one who no one is going to hunt him back for and even if he
25 gets in trouble -- even if he gets caught, the worst that's

1 going to happen is he's going to get to go to jail, get
2 free food, a place to sleep, and then he'll be out soon.
3 There's not even a threat as a predator. If you apply
4 Indigenous law to this very same sort of thing, those
5 predators will choose different people, right.

6 In my peoples' law, one of our practices is
7 that if you like kill somebody, it's up to the people of
8 course. This (inaudible) unique in the circumstance and
9 each circumstance is dealt with on its own accord. Every
10 single case has its own -- it's taken on its own; there's
11 not a prerequisite set of rules applied. There are certain
12 things, but you have to listen to all what -- just the
13 uniqueness of that particular circumstance.

14 But one of our practices is that if you kill
15 somebody, then you get given to the family to replace the
16 person you killed for them to decide what they're going to
17 do with you. They might keep you. They might make you a -
18 - you know, force you to take a following role or they
19 might decide to take your life. That's our law on this
20 land.

21 We were talking about it earlier -- my
22 mother and I and some others -- and, you know, that
23 sometimes people think that's harsh. But that's the thing
24 is that that's the judgment of another peoples' culture and
25 another peoples' laws and say, "Oh, well, we don't like

1 that. That's harsh. Oh, we don't like that, you know."
2 Or maybe it's a -- maybe it's another cultural practice
3 like you see over in Asia and people are eating centipedes
4 and they're eating chicken feet and whatever and somebody
5 might be like, "Oh, that's gross. I don't like that,
6 right". It's the same sort of thing.

7 So for a culture of people who deal with
8 things like if you kill somebody, then the family decides
9 what they're going to do with you and they have the option
10 to say your life needs to be put to rest (inaudible). From
11 a Canada -- Canadian perspective, general-libertarian
12 belief system, they might think that's inappropriate or
13 uncalled for, whatever. But if you're looking at it from a
14 preventative perspective, people would be very less
15 inclined to do that; wouldn't they?

16 I was sitting with a lady today and she was
17 telling me a very horrible story about something that
18 happened to her and I'm not going to share the details
19 about that. I think she told me like a horrible story that
20 the person who did it to her is free or might be
21 (unintelligible). That -- that's a -- there's -- there was
22 no healing, no fixing it up, no restorative thing. That's
23 the problem.

24 And so like, in our tradition, the details
25 of the evidence; what's going on, it's before all the

1 people -- the people, all the community, the whole
2 community. Everybody knows what happened. It's all talked
3 about. Here's all of what we know. Now, we're going to
4 work together, all of us; we're going to find what is the
5 solution. We're all together going to figure out who did
6 it or what did it or why did this happen. Now, we're going
7 to come to a solution about how we're going to solve that.
8 And maybe it's that, you know, the person who did it is not
9 okay and maybe we're going to choose to help that person
10 that caused -- did something terrible, but they're broken
11 themselves. And maybe not, maybe it's going to something
12 else, but that's our way of doing it.

13 And I believe that if we want to stop this
14 continuous murder and missing women, -- and we've got a
15 great big pile -- great big, long list of murdered and
16 missing men, as well, and some people are saying there
17 might be larger numbers than the women -- then I think that
18 we need to earnestly look at changing the current system as
19 it plays out in these different communities and different
20 territories throughout Canada. And I don't think that
21 putting native letterhead on the policing or putting a, you
22 know, first nations constable on the badge is the way to do
23 it because it needs the systemic things changed and it
24 means that the people of -- with privilege and power need
25 to be removed. Those systems within -- those pieces within

1 the system that give them privilege and power need to be
2 removed so that that privileged predator doesn't feel safe.
3 It's the only way; otherwise, it will continue. You won't
4 stop it.

5 And there's no way to do, you know -- the
6 system is designed to ruin the people at the bottom. I
7 mean we -- we've got to look at a hotel room anywhere in
8 the world -- in the colonial world and you'll find out
9 who's the bottom people in that community. They're the
10 people cleaning the hotel, right. You go to Florida,
11 they're all Cuban and you go to British Columbia and
12 (unintelligible). I know some -- all certain ethnic group
13 and you go somewhere else, a different ethnic group. So it
14 doesn't mean that people are predisposed of this culture to
15 clean hotels. No, it has to do with where they are in the
16 stratus of the class system, right. And that's the way
17 this thing works. And so it we're going to talk about
18 change and we're talk about reconciliation, then what we
19 need to talk about is the deconstructing of a system that's
20 designed to destroy the Indigenous population. And whether
21 it's the residential school or education system, policing,
22 or justice; that's what their purpose is.

23 Anyways, I think I've said enough. I'm sad
24 that this happened to our family and we're working at our
25 own healing to fix that stuff. And I don't believe that --

1 I don't believe Canada has anything to offer us to help us
2 because every time they offer us something, we hurt more.
3 It needs to be us, as Indigenous people, at the driver's
4 seat and at the decision making about how we move forward,
5 not somebody else at a table listening to us and then
6 making a decision on our behalf. We don't need that
7 anymore. We don't need no more Indian agents, you know.
8 We're good. We're good.

9 So my sister's space is still open and maybe
10 they'll find who did it, yeah. They might even punish him,
11 but it's not going to make any difference to change things
12 for the people in the future or for our family. But if we
13 make changes in the way the policing system works and the
14 way the justice system works, then I think that we got a
15 better chance that my children or my grandchildren won't
16 have to be afraid to move around on their -- in their own
17 land.

18 Do you have more questions?

19 **MS. MEREDITH PORTER:** I have lots of them
20 now. I have a couple, yeah.

21 **MR. SETH LEFORTE:** Okay, ask away then.

22 **MS. MEREDITH PORTER:** Okay.

23 **MR. SETH LEFORTE:** She can answer them.

24 **MS. MEREDITH PORTER:** Seth, you and I have
25 had some long conversation about a whole bunch of issues

1 and today you shared some of what we've talked about and,
2 in particular, you did share some details about your
3 traditional justice in your community.

4 **MR. SETH LEFORTE:** Mm-hmm.

5 **MS. MEREDITH PORTER:** And it's my
6 understanding that the traditional justice in your
7 community was still consequence-based, ---

8 **MR. SETH LEFORTE:** Mm-hmm.

9 **MS. MEREDITH PORTER:** --- but the
10 consequences were based on the unique -- as you mentioned,
11 the entire community would determine the consequences based
12 on the unique circumstances of whatever offence was
13 committed.

14 **MR. SETH LEFORTE:** Yeah. Yeah.

15 **MS. MEREDITH PORTER:** And that the unique
16 circumstances, as determined by the community, my
17 understanding in our conversation is often found in the
18 language that's used to describe what happened ---

19 **MR. SETH LEFORTE:** Mm-hmm.

20 **MS. MEREDITH PORTER:** --- and also in the
21 language that sets out the law of the community. Can you
22 speak a little bit about the importance of language in
23 traditional justice system in your community; the
24 differences -- say the distinctions between the, say,
25 language we would use and the language traditional in your

1 community?

2 **MR. SETH LEFORTE:** Okay, yeah, I can talk
3 about that a little bit. But again, that goes back to the
4 system.

5 **MS. MEREDITH PORTER:** Mm-hmm.

6 **MR. SETH LEFORTE:** So we've got this system
7 that was developed by the English and then we've got a
8 series of languages: English, Spanish, French; all colonial
9 cultures, right. The colonizing cultures went all over the
10 world and did -- and they used almost a cookie-cutter
11 system, which they do -- did it, right. I mean the British
12 and the French like to say that the Spanish were a little
13 worse than everybody else in their treatment of Indigenous
14 people; yet when you look at those countries, there's more
15 Indigenous people alive than in the places where the French
16 and the English were. I think it's a little bit of a pot
17 calling the kettle black. However, all of those languages
18 have the same base -- same structure in which they're
19 organized. They're actual colonial in their system
20 themselves.

21 **MS. MEREDITH PORTER:** Mm-hmm.

22 **MR. SETH LEFORTE:** So when we talk about the
23 structure of a system, we have to look at the language in
24 which that is developed it because our language is like our
25 operating system of our -- right -- to the operations to

1 our mind, right. So we're -- if we want to make something
2 new, then -- if we want to create something new, then
3 choosing the language that we're going to write it in or
4 create it in will impact the way in which it's structured.

5 And so when I was talking about how we
6 describe things in our language like crimes, they have very
7 different meaning than when we say the same thing in
8 English because English is a colonial structure itself.
9 For example, we have a -- we talk about -- there's certain
10 -- like our three most --like highest crimes, right, is
11 like murder and rape and what we call -- the word they use
12 in English is treason, but it's not treason, not in the
13 same sense, not in the -- not what treason means in
14 English, right, because treason basically is a -- to do
15 something against the state or against the sovereign,
16 right? That's treason.

17 **MS. MEREDITH PORTER:** Mm-hmm.

18 **MR. SETH LEFORTE:** In our language, the word
19 that we use for that is -- hold on a second; I will have to
20 think about it. It's been a while. We said -- I said to
21 you the other day, -- and I haven't talked about it in a
22 while -- it's like (speaking in Mohawk language). It's
23 like eating away or cutting away at a root and it's talking
24 about the roots of the peace tree and so what it means is
25 that it's someone who has actively worked at trying to

1 undermine to make our constitution fall apart, like someone
2 who's seeking to destroy the fabric of a society, right.
3 This is someone who's, in our language, caused treason. So
4 like maybe someone who -- it's sort of funny. So because
5 of that, people will accuse each other of -- like people
6 who ran in elected band council -- as undermined the fabric
7 of our culture and our traditional governance structure and
8 they'll say, "Well, he's committing treason," someone who's
9 running for elected band council or become a band
10 councillor. I'm serious. That's the kind of discussion
11 that happens. So that's very different than some corporate
12 -- some spy that is, you know, actively working at
13 overthrowing the king, right. It's a different thing
14 because one is about the sanctuary and peace of the people,
15 interrupting that, as opposed to someone in power, right.

16 **MS. MEREDITH PORTER:** Mm-hmm.

17 **MR. SETH LEFORTE:** So language impacts the
18 way in which we think about governance and the way we think
19 about the structure of justice. Or, for example, we have a
20 word like (speaking in Mohawk language) or (in Mohawk),
21 they're very close and the one word means that he -- it
22 means he put the skin in her and the other word is he put
23 the skin in her for his and her benefit. They're very
24 close, the words, but very, very specific about what's
25 being said. One, they had sex and they both enjoyed it.

1 They were both -- they were, you know, consentuing (sic).
2 It doesn't say -- use the word consentuing (sic). It means
3 they were both benefitting from it, right. The other one
4 is -- there's no benefit. So in our language, if you have
5 sex and you're both not benefitting from it, it's rape.
6 That's very different than the English perception about
7 what rape is, right. So that -- even that sort of like
8 pressured from marriage sort of sex where one partner's
9 just feels like they are forced to do what the other one is
10 wanting, it's not necessarily considered rape in Western
11 culture. It's not, right, unless it's like, "I'm not
12 consenting," but if you feel like you got to then. But in
13 our language, that -- that's -- that is not (in Mohawk
14 language), right. You and I are both benefitting from
15 that, so it's a very different perception in there for it
16 impacts the way in which we address it and they way we
17 think about it and the way we deal with it. And so ---

18 **MS. MEREDITH PORTER:** It's (inaudible).

19 **MR. SETH LEFORTE:** It's a world -- well,
20 it's world view, but it's ---

21 **MS. MEREDITH PORTER:** It's a world view,
22 yeah.

23 **MR. SETH LEFORTE:** --- but it's -- it's a --
24 it's the way we perceive. And so when we look in all this
25 throughout Canada, when we talk about making change and

1 reconciliation, we have to take it into consideration
2 Indigenous language in that process of developing up new
3 systems because the languages were born from this soil,
4 from this land. They're innate from this land. How --
5 they came from this land in the same way that the trees
6 grew from this land and so they're a part of it. And if
7 you use the language from the -- from a land, it will
8 flourish because there -- it forces the people to be
9 symbiotic with the environment which the language came
10 from. When you impose a language -- operating system of a
11 people from a different land on to that land, they treat
12 the land like they do wherever they came from and it's
13 liking bringing an invasive species by changing the way in
14 which the people think or bringing a different way of
15 thinking to that land.

16 And so my thoughts about (inaudible) or my
17 thoughts about justice and, particularly, about murdered
18 and missing women is that we need to consider the
19 alterations and changes in the system. We have to take
20 into consideration the language of the people of the area
21 and embed that into the process. And I strongly believe
22 that it needs to apply not only to aboriginal community,
23 but the non-aboriginal community, as well, because there --
24 otherwise, there -- it doesn't -- there'd just be --
25 they're just an invasive species in the way in which they

1 act. Like whether it's a plant or an animal or a person,
2 they will -- they'll disrupt the ecosystem. So we've got
3 this disrupted ecosystem and the indigenous plants and
4 Indigenous people are being harmed by the invaders, so my
5 thoughts about the solution is to alter the invaders so
6 that they fit with the environment and the people here and
7 the culture.

8 **MS. MEREDITH PORTER:** Mm-hmm.

9 **MR. SETH LEFORTE:** Yeah.

10 **MS. MEREDITH PORTER:** Okay.

11 **MR. SETH LEFORTE:** That's why I have a real
12 issue with the word "settler," right, because the pioneer
13 and settler are colonial and imperial powers, right, and
14 that's got to come to an end.

15 **MS. MEREDITH PORTER:** Does your mom have
16 anything -- do you have anything to add?

17 **MS. LINDA LEFORTE:** (Inaudible).

18 **MS. MEREDITH PORTER:** (Inaudible).

19 **MR. SETH LEFORTE:** Because I talk too much.

20 **MS. LINDA LEFORTE:** I think my son speaks
21 enough for both of us, but my thought is just -- sorry, but
22 my thought is really -- it's about world view. It's a
23 totally different world view. Like it's about relationship
24 and with our -- with language. All of language is based
25 on, you know, how it relates to me or to my person next to

1 me or the earth and I think the existing justice system
2 separates all relationship. Like if you were doing
3 something where the person has to -- for example, you know,
4 I break the window out of the next door neighbour's shed;
5 if I'm -- if I get charged, then I just have to go on
6 probation and do some community hours, but I don't have to
7 go and deal with the neighbour. Like what am I really
8 learning from that and how does my neighbour feel that
9 they've had any kind of retribution, right? All they know
10 is that I was punished. Whereas, if you're forced to deal
11 directly with the people that you've hurt, it makes it a
12 totally different scenario. I would think there's more
13 opportunity for forgiveness and making amends. You never
14 can take it away; what's done, but you can try to make up
15 for whatever mistakes.

16 I mean, you know, we're talking -- I'm
17 suspecting that these people who have done all these -- the
18 murders, they have severe psychiatric issues, so I don't
19 know how we really can do that kind of restorative thing
20 with them, but I'm sure we could come up with ways of
21 managing with those things even because everybody has a
22 story. Everybody has some trauma back in their life that
23 has gotten to this place where they are, right, and whether
24 or not they were supported or they were able to work with
25 it. So anyway, I think that's about it.

1 It's really about -- for me, it's really
2 about perspective and world view and how you see a crime or
3 how you see an injustice and how to deal with it. And the
4 whole punishment thing, to me, doesn't work, you know. How
5 many offenders go in and come out continually because that
6 system does not work? So I don't know that we're going to
7 -- you know, I don't know whether you're going to come up
8 with some incredible plan to how we're going to make these
9 changes happen. But, you know, I'm hopeful; there's a
10 possibility. So anyways, thanks for listening.

11 **MR. SETH LEFORTE:** I just wanted to point
12 out one thing. Like my mom made a really important point
13 about -- like pointing to a smaller issue of a window being
14 broken, right. And, I mean, we're talking about really
15 heavy and I -- I've been pointing out on really heavy
16 topics like murder and rape and those sorts of things, but
17 in terms of justice and in terms of like another way of
18 doing it and I mean, absolutely, it's all the little
19 things, too, right. It's the neighbour who's having an
20 issue with the other neighbour over his dog that won't stop
21 pooping in his yard, right. It's about addressing and
22 dealing with those sorts of issues.

23 And they're all embedded. They're all
24 entrenched in the system in which we use and where --
25 wherever in the world you are and whatever system's being

1 used, there's a process and so I believe that the issue
2 that's going on with murdered and missing women is about
3 that process and about the system and I believe it's
4 because it was intentional, right. And so if we're at a
5 place to change that, then we got to look at that system
6 and say, "Okay, let's revamp". And of course it's going to
7 be hard.

8 My mom's -- I can tell, she's not too
9 hopeful that there's going to be a major change and I get
10 it because it's unlikely that those in positions of -- I
11 want to use the word "power," but that's not the word,
12 positions of privilege don't want to give that up. And
13 what we're talking about is a change in that privilege,
14 right, and then giving -- assigning privilege and strength
15 to people who have been perceived for 200 hundred years,
16 now, as the least important and the least powerful and the
17 least deserving of privilege, right. We're going to give
18 it to them, right. What? The police wouldn't even let us
19 know the information about my sister's murder because we
20 might be irresponsible with it, right. That's what they
21 said to me, right. I said, "What the hell"? What --
22 that's right. That's the way it is. Sorry, I don't know
23 if I'm allowed to say that, but ---

24 **MS. MEREDITH PORTER:** So now, one of the
25 things -- the comments -- I wrote it down -- that you had

1 made in our conversation was that traditionally offenders
2 were marked and weren't simply hidden away in prison.

3 **MR. SETH LEFORTE:** Oh, yeah. Yeah, that's a
4 bit of a controversial one, but there's lots -- that's one
5 of those things that it doesn't get done anymore, but it
6 gets -- is being kept alive in our oral tradition. I mean
7 certainly there's lots that's happening where people are
8 like trying to keep beliefs and traditions and knowledge
9 alive so that, in the future, I believe there's a hope that
10 we will restore those things that were -- it was made
11 illegal, right, and not allowed for us to do.

12 We currently are not allowed to pursue and
13 deal with our criminals unless we just do it. But,
14 otherwise, we're in conflict with the police state and the
15 Canadian government, right. We're not allowed -- we're
16 currently not allowed, so lots of things we talk about to
17 perpetuate the knowledge, but were actually not in practice
18 and so this is one of those things where I have never, in
19 my lifetime, seen it in practice. I've seen lots of
20 justice stuff in practice, even some -- yeah, lots of
21 things in practice, but certainly this one I haven't and
22 it's about marking.

23 And so, yeah, I remember them older people
24 talking about that; that, you know, someone like a rapist
25 or something, they would mark them if they got banished so

1 that everybody else knew who they were, right. We wouldn't
2 hide their identity, give them -- you know, it wasn't like
3 -- because we don't believe in that while you served your
4 time and now you live your life and, you know, people
5 aren't going to ridicule you. We actually use ridicule and
6 we use certain levels of shame and we use like, yeah,
7 public knowledge to curb the behaviour of individuals and
8 to also keep the people informed.

9 So, for example, a rapist, the whole people
10 would say -- they would cut their nose off so that
11 everywhere they go everyone would know that this is a
12 rapist and they're not welcome. They would banish them out
13 of the community. So, in our language, that's like being
14 dead. So they punish them to death and they're -- they had
15 to leave. It didn't mean they killed them. It meant they
16 had to leave. They're no longer going to be taken care of
17 and they cut off their nose. So wherever they went -- a
18 village they come to, people know what they did and "You're
19 not welcome here. Away you go," right. So they become
20 exiled on their own, right. Their punishment is they can't
21 get along with everybody and they can't stop harming
22 people, then they're going to be by themselves. And so we
23 don't protect their identity, right. We don't protect --
24 the impact -- the evidence is put out in the open and
25 everybody knows it.

1 Or another example I heard about -- people
2 talking about -- I actually seen this -- where there was a
3 -- they'd done something they're not supposed to do and
4 people would tell them over and over and over and they
5 continued to do it and then they have -- they make a --
6 they make two lines, two rows of people, and the people
7 will all gather together -- community or the community of
8 people around that person. It might be their clan or it
9 might be the village or whatever; it might be all the
10 women. If it's a woman that's acting up, all the rest of
11 the women meet together and they're decided how they're
12 going to handle this. So they might decide to do
13 something.

14 And I know of an example of a young man who
15 kept stealing bicycles and stealing in the community and so
16 his peers gathered him up and they invited the people that
17 he had stolen from to come to watch this and they made him
18 swim. There was an island. They made him swim out to the
19 island and back, but he didn't know what was coming. So
20 when he returned to the island, all of his friends had red
21 willow switches and they -- he had to run up this little
22 like a pathway, I guess, and they're all lined up on either
23 side and all of his peers whipped him as he ran -- as he
24 went through there and yelled at him and scolded him for
25 his bad behaviour and that he needs to not be that way no

1 more. And at the very end of that row of line were all the
2 people that they had -- he had stolen from. And when he
3 was all done, they had a feast and now he's not allowed to
4 steal no more, right.

5 That's the -- he was at the tipping point.
6 There was like a series of these things, so you have a
7 little meeting. You have a family. They have a -- the
8 larger community event and so on and then he's -- how do I
9 describe it? Like he's getting shamed, right. But he's
10 also -- he also had a little pain involved in it, but it's
11 not about a punishment; it's about him not doing that no
12 more, right. So it wasn't about physically harming him and
13 it's not really long or that sort of thing. I've seen
14 that. I've seen that happen. So it's still in practice,
15 but it's where -- it's in practice very small numbers of
16 people who still believe in their way, right.

17 As soon as somebody, they don't like that,
18 then they, "Oh, I want the European system. I want that to
19 be what it's going to be," because it's easier, safer,
20 right. It protects you. You can probably get away with it
21 or whatever. Or like -- or if you have a good lawyer and
22 you've got enough money, right. Or maybe it's a child --
23 maybe a child. I've seen this lots and lots and the kids
24 acting up and he's mouthing off and saying rude things to
25 his mother, you know, so then the mother, she calls her

1 mother over and her sisters over and her father over and
2 all the neighbours and one by one, all the people come to
3 visit and have tea or whatever and she tells them what the
4 kid did in front of the kid. "You should have heard the
5 way he was speaking to me this morning, what he said to me.
6 He did all this terrible thing. He's stomping his feet and
7 he broke the window."

8 And then the other person, of course, turns
9 to the kid and "Why did you do that to your mother"? and
10 "Why did you act that way"? and "That's not okay". And so
11 they get scolded like 20 times, right, by every person that
12 -- that's important to them. All the people that love that
13 little kid, right, they all come. And they call them up
14 and say, "Hey, she's acting up. I need you to come over
15 and have tea with me". "Oh, okay." And so they come over
16 and it's -- they're doing it together, right. They're
17 curbing their behaviour by shaming them, but it's not
18 harming them emotionally, right. It's not shame where
19 they're carrying around pain. It's more like they're
20 embarrassed because -- so then what happens is they don't
21 want to ever do that again, right, because -- it's not
22 because they're going to get yelled at or because they're
23 going to get spanked or because they're going to get sent
24 to their room; it's because every single person that loves
25 them is going to know they're acting up, right, and be

1 disappointed in them. And so now the person is the child
2 or older person and even an adult, even me, you know, don't
3 want everybody that you love to be disappointed in you, so
4 it curbs your behaviour.

5 Indigenous people in this land have lots to
6 offer about how to live here and we did it. I mean this
7 wasn't a -- this incredible place with all these resources
8 accidentally because we were like, you know, walking around
9 grunting and eating berries. It was because we were
10 actively making a change in the way in which the
11 environment was -- we were a part of the ecology, right,
12 and so our way of thinking and our way of doing things is a
13 part of that. And so I believe that we need to -- that
14 needs to be risen to the surface and that these newcomers
15 that have come here need to -- they need to immigrate into
16 the land they've come to.

17 If they want to talk about reconciliation,
18 that's what we're talking about. And if we're going to
19 change this murdered and missing women thing, then that's
20 what we're talking about and that means total system
21 changes, not figureheads and new paint and, you know, a
22 different name, you know, Indian name for their
23 organization. If it's a CAS office building and it has
24 Ojibway name on it or a CAS office building and it has
25 English on it, it's still a CAS office building. It's

1 still taking the children, right; it doesn't change. So
2 it's the systems that need to be altered.

3 And so, you know, I don't know if this is
4 true. My dad told me once in passing -- we were talking
5 about my sister Melissa and I asked him, "Tell me about her
6 or something"? And he said, "You know, you're real
7 interested in your culture." I said, "Yeah." He said,
8 "You know your sister was too." I said, "Really?" He
9 said, "She had a jingle dress." And I was surprised that
10 my dad knew about that or said that, right. And so every
11 single time, when I was younger, going to pow wows or
12 whatever and I'd see the jingle dress dancers, every --
13 even now, I'm 40 years old and I see the jingle dress
14 dancers, I imagine that my sister danced like that once,
15 you know. And it's a little bit of a -- I'm sorry. It's a
16 little bit of peace for me.

17 And so I believe that my sister's death is a
18 -- is on account of a system that was designed to break us,
19 right, and I'm refusing to be broken and I'm refusing to
20 raise children who are going to have to be broken too. And
21 so I'm here, halfway across our world and my little girl
22 said, "Where are you going"? I said, "To the edge of the
23 world," right. It's the edge of our world, right. She
24 said, "That's really far." I said, "Yeah." Because I hope
25 that we can make a change.

1 And I said I wasn't going to say this, but
2 I'm going to say it. I know that you're going to be taking
3 an effort to write a report and you're going to gather up
4 what all of us families have had to say and all the hurt
5 and all the things that we have experienced and what we're
6 talking about to talk about solutions for the murdered and
7 missing women and I hope that you -- when you, as
8 commissioners, gather together and you write a report, that
9 you write one that has teeth in it and write one that has
10 some value.

11 We've had a number of these reports, you
12 know, on the commission, on aboriginal people and the
13 Ipperwash Report and that most recent one on Mr. -- Judge
14 Sinclair endorsed and none of them had any teeth you know.
15 There's no such thing as cultural genocide. It's not a
16 crime. Genocide's a crime. Canada could have got in
17 trouble if he would have said genocide, you know. Taking
18 your children from one population to another is genocide.
19 If he'd have said that, we would have had teeth in that
20 document. There would have been legal implications and
21 there would have been a force of change, but they didn't.
22 They chose to put something there that didn't mean
23 anything, so it's safe.

24 I would ask that -- I have to morally and
25 ethically, I have to say it. I have to ask you to write a

1 document that has some teeth and that's not just going to
2 be safe for those in positions of power because then it was
3 -- if not, it was just a waste of time and it was an
4 opportunity for the federal government to spend a little
5 bit of money to allow us to have dinner and a flight, you
6 know, here or there and make themselves say, "Look what we
7 spent to help you out with murdered and missing women". If
8 they just -- if all it is is a -- an opportunity for them
9 to spend a little bit of money and then it was a -- it's a
10 -- it's just a joke.

11 So I liked what you had to say while we were
12 standing talking and I am hopeful that you'll write
13 something with some teeth. If they don't change, well,
14 we'll keep fighting. I don't think I've got any more to
15 say.

16 (APPLAUSE)

17 MS. MEREDITH PORTER: Chief Commissioner
18 Buller, do you have any questions or comments for the --
19 either of the witnesses?

20 CHIEF COMMISSIONER BULLER: Yeah, I do, a
21 lot, but I'll try to be brief. I have kind of a
22 hypothetical scenario for you and I -- I'd like your
23 comments. But by way of background, I'll explain something
24 or describe something.

25 My grandfather told me, a long time ago,

1 that on his reserve -- because they had reserves back --
2 way back then even -- and if he was alive -- I was just
3 doing the math in my head; if he was still alive, he'd be
4 about a hundred and thirty years old. So way back -- and
5 he went to residential school. That might give you an idea
6 of context for time.

7 Even still, in his community, his reserve,
8 calling the police was shame -- shameful. It was a last
9 resort or worse than a last resort because it meant that
10 the community failed -- the community, as a whole, failed.

11 So fast forward a little bit, some decades,
12 and we're living in something other than the 1800s or the
13 1900s; you pick your decade, and kids are out playing, as
14 kids do, and property -- somebody's property is damaged.
15 It seems like there's some options. We can take our child
16 to our neighbour and say, "We apologize and we'll fix the
17 window," or the neighbour can call the police or maybe a
18 little combination of the two.

19 You said that we're not allowed to deal with
20 our own crime. Well, actually we are. Nobody says we have
21 to call the police. So what happened? Where did we go
22 sideways? How did we get lost there in not dealing with
23 our problems on our own territories in our own ways? Is
24 that a -- is that reach of the police another reach of
25 colonization that we don't recognize?

1 **MS. LINDA LEFORTE:** I would say absolutely.
2 Like I'm remembering -- I work in our community. I've
3 worked there for a long time and maybe in 19 -- let's say
4 1988 or something like that, I was asked to go with our
5 elected chief to do a presentation at the school about -- I
6 don't know -- services in the community. And I was just --
7 I was so disturbed, but I couldn't say it.

8 **CHIEF COMMISSIONER BULLER:** Mm-hmm.

9 **MS. LINDA LEFORTE:** But he was talking
10 about, you know, "We used to be -- our grandmother used to
11 do canning and we'd have to work hard in the gardens and we
12 would, you know, have things stored up for the winter. All
13 the kids worked in our gardens and stuff like that. Well,
14 you don't have to do that now. You know, if your dad loses
15 his job, we don't have to worry about it because you can
16 apply for welfare," as it was called welfare at the time.

17 And I can remember sitting there thinking,
18 "This is not progress. This is disconnecting us from our
19 families and from each other as community members." And I
20 think that it is evolved in every community. It's like an
21 insidious thing where having all these other systems are
22 better than what we were doing on our own. It's harder to
23 do it on our own than it was -- than it is when you have
24 these new systems, right, that are replications of what
25 goes on outside of our communities in greater society.

1 So I think that is just the reality of it;
2 it's colonization. And for the most part, there's a
3 generation of people; I would say my mother's generation
4 and maybe back another one, where people believed that was
5 better. Then there's some of us who are questioning that.
6 Once you learn about, you know, your own culture and
7 traditions, you start saying, "Well, why aren't we doing it
8 anymore? Like, this is wrong how we're living because it's
9 not working for us, right".

10 I mean I've been around for a long time
11 working in child welfare, for example, and we talk about
12 the Sixties Scoop and how horrendous that was; there's way
13 more kids in care and from our communities than there ever
14 was in the sixties.

15 **UNIDENTIFIED SPEAKER:** Right now?

16 **MS. LINDA LEFORTE:** Yes, right now, way more
17 than there was in the sixties. So it's like; what is going
18 on? Things are not getting any better. Our kids are not
19 taken because they're being abused and battered. It's
20 mostly neglect situations, right. They don't have enough
21 money. They don't have proper housing. Maybe somebody has
22 addictions. All of those things are fixable, but kids are
23 taken and they're taken and they're placed in resources
24 that are not necessarily native resources or people that
25 know about them, right, because in our communities, our

1 families can't pass the tests. They can't pass all those
2 requirements to have a certain kind of house and so many
3 rooms and X amount of money. Like, so it's set up for --
4 to fail for us and I think that's truly what's happened.
5 It's just slid right in there everywhere.

6 So that in our communities -- well, our
7 community, in particular, you have a split of people that
8 are traditionally-minded and you have a people that are
9 more colonized and buy into the system and that's the right
10 way to do it and it's frustrating because it's like we
11 fight each other in our perspectives, right. So I don't
12 know what the answer is to that. How do you decolonize?
13 We talk about it a lot, but like, for me, I think about my
14 children who have had the opportunity to learn more about
15 themselves than I did growing up and the fact that they
16 have grasped on to language, so they now are teachers in
17 our community because they chose to learn the language.
18 And I can see in, like, 25 years the incredible change that
19 has happened in our community, so I'm feeling hopeful of
20 that. There's enough of us now -- and I'm in my sixties
21 now, there's enough of us now who have had an impact on our
22 children coming down, so I can see the change. Sometimes
23 it seems like it's slow, but when you're around long
24 enough, you can look back 25-30 years and say, "Wow, we
25 really did do something right".

1 So I think that's where my hopefulness came
2 because, yes, I think there are some people who are
3 actively choosing to decolonize and I believe that's
4 exactly what it was that, you know, you were talking about.
5 It started slipping in there and people starting accepting
6 it. "Oh, yeah, that's better. We don't have to help our
7 sister next door because there's a social system there
8 that'll do that. We don't have to share our food because
9 they can go down and get some -- something at the food
10 bank."

11 I'm not saying that's wrong; I'm just saying
12 those systems being put in place, in many respects, have
13 allowed us to become or caused us to become disconnected.
14 We don't have to take care of our brothers and sisters or
15 older relatives or anything because there's something else
16 that's put in its place and the problem is that other thing
17 that's put in its place is designed by a system that's not
18 ours, right. It's not ours. If we were doing it
19 ourselves, we might have done it differently. But it's
20 been imposed on us, so we struggle with it.

21 **CHIEF COMMISSIONER BULLER:** Yeah, well ---

22 **MR. SETH LEFORTE:** I'm not even going to say
23 anything.

24 **CHIEF COMMISSIONER BULLER:** I just have one
25 more comment to make. I have to tell you something I've

1 been dying to say all day today.

2 I used to be a judge and I was in family
3 court one day, not too far from here, and it was a First
4 Nation's man who was trying to get his daughter back from
5 the social workers and there was a parenting report done
6 about his ability to parent his child and I read it before
7 we went into court.

8 I walked in and the social workers started
9 talking about how this just simply wasn't a workable
10 solution that the child go back to the dad. And so I
11 looked at the social workers and I looked at the dad, who
12 was a traditional man, a young man, and I said to him, "I
13 have -- I've got some great news for you". And every --
14 you could hear a pin drop. "You fail as a white, urban,
15 male dad and I am so proud of you."

16 So Seth, you fail as a white, urban dad and
17 I'm so proud of you.

18 (LAUGHTER)

19 CHIEF COMMISSIONER BULLER: Thank you.

20 MR. SETH LEFORTE: That's a great
21 compliment. I appreciate that.

22 CHIEF COMMISSIONER BULLER: Yeah.

23 MS. LINDA LEFORTE: (Inaudible).

24 MR. SETH LEFORTE: (Inaudible).

25 CHIEF COMMISSIONER BULLER: Well ---

1 MR. SETH LEFORTE: (Inaudible).

2 CHIEF COMMISSIONER BULLER: Well, it is
3 meant as a compliment. And to make a very long story
4 short, within 20 minutes of saying that in court, I
5 returned the little girl to her dad, but I've never
6 forgotten that.

7 So having said that, I want to thank both of
8 you very much. What you said today is really important to
9 our work and really heartwarming for me because I think
10 we're of the same minds and where we have to go with the
11 report. So I'm very grateful for what you did say in terms
12 of our work.

13 I also want to say personally, I'm very
14 grateful that you're here. I've learned a lot from you and
15 I've learned some Mohawk words and some more Mohawk culture
16 and traditions, so thank you for that as well. It's been a
17 real pleasure to spend time with both of you and I'm
18 personally very grateful for that. And I'm going to
19 remember the invasive species analogy; I think that's bang
20 on. So thank you.

21 You've given us a lot today and in return,
22 if you'll accept them, we have some gifts for you. The
23 first one is an eagle feather. I think I've learned, all
24 across Canada now, we, as Indigenous people, share stories
25 about eagle feathers and significance of eagle feathers and

1 my teachings from the (unintelligible) that, of course,
2 eagle feathers lift you up and hold you up when you need to
3 be lifted up and held up and they'll help you achieve your
4 dreams. So we have eagle feathers for you.

5 Then -- and I hope you have more luck than I
6 did -- we have some seeds for you to plant. I've had no
7 luck with them in my garden.

8 When the commissioners and I started this
9 work, what we wanted to have happen was not only a great
10 report, but also that there would be healing, as a process,
11 in our work we do and that there'd be new growth coming
12 from that healing. And so we decided, as gifts, we wanted
13 to give seeds because seeds are new growth and hopefully
14 healing. So all I can say is good luck with the seeds. I
15 hope you have better luck than I did.

16 So thank you again. It's been a wonderful
17 opportunity. And we're adjourned.

18 Upon adjourning at 19:29

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LEGAL DICTA-TYPIST'S CERTIFICATE

I, Vicki Backman, Court Transcriber, hereby certify that I have transcribed the foregoing and it is a true and accurate transcript of the digital audio provided in this matter.

Vicki Backman

Vicki Backman

April 16, 2018