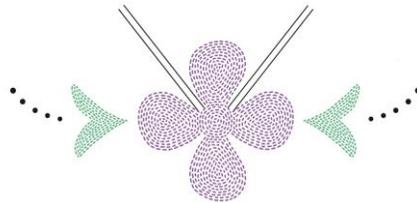


National Inquiry into
Missing and Murdered
Indigenous Women and Girls



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

Sunday April 8, 2018

**Public Volume 113:
Shelley Oppenheim Lacerte, Victor Lacerte, Ashley Stump
Vicki Lacerte & Kelli Lacerte, In relation to Cherish Oppenheim**

Heard by Chief Commissioner Marion Buller

Commission Counsel: Shelby Thomas

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Assembly of First Nations	Non-Appearence
Government of British Columbia	Sara Pye (Representative)
Government of Canada	Donna Keats (Legal Counsel)
Heiltsuk First Nation	Non-Appearence
Northwest Indigenous Council Society	Non-Appearence
Our Place - Ray Cam Co-operative Centre	Non-Appearence
Pauktuutit Inuit Women of Canada	Non-Appearence
Vancouver Sex Workers' Rights Collective	Non-Appearence
Les Femmes Michif Otipemisiwak / Women of the Métis Nation	Non-Appearence

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Commission Counsel: Shelby Thomas	
Grandmothers, Elders and Knowledge-keepers: Kathy Louis	
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PUBLIC

1 **Shelley Oppenheim Lacerte, Victor
Lacerte, Ashley Stump, Vicki Lacerte
and Kelli Lacerte
In relation to Cherish Oppenheim**

1 Metro Vancouver, British Columbia

2 --- Upon commencing on Sunday April 8, 2018 at 12:17

3 --- **OPENING PRAYER**

4 **MS. SHELBY THOMAS:** Good afternoon, Chief
5 Commissioner. Today we'll be hearing from Kelli Lacerte,
6 Shelley Oppenheim Lacerte, Victor Lacerte, and Vicki
7 Lacerte. They'll be sharing the story of their daughter
8 and sister, Cherish Oppenheim.

9 They would all like to affirm on an eagle
10 feather.

11 **CHIEF COMMISSIONER BULLER:** Good afternoon.
12 Do you solemnly affirm to tell the whole truth and nothing
13 but the truth?

14 **MS. KELLI LACERTE:** I do.

15 **CHIEF COMMISSIONER BULLER:** Thank you.
16 Do you solemnly affirm to tell the truth and
17 nothing but the truth?

18 **MS. SHELLEY OPPENHEIM LACERTE:** I do.

19 **CHIEF COMMISSIONER BULLER.** Thank you.
20 Do you solemnly affirm to tell the truth and
21 nothing but the truth?

22 **MR. VICTOR LACERTE:** I do.

23 **CHIEF COMMISSIONER BULLER:** Thank you.
24 Finally, thank you.

1 Do you solemnly to tell the truth and
2 nothing but the truth?

3 **MS. VICKI LACERTE:** I do.

4 **CHIEF COMMISSIONER BULLER:** Thank you very
5 much. Thank you all.

6 **MS. SHELBY THOMAS:** If we could just start
7 today by having you guys introduce yourselves and tell us a
8 little bit where you're from.

9 **MS. KELLI LACERTE:** Hi. I am Kelli Lacerte.
10 I am from the Nlaka'pamux Nation from Coldwater Band. I am
11 the youngest sibling of Cherish Oppenheim.

12 **MS. SHELLEY OPPENHEIM LACERTE:** Hello. I'm
13 Shelley Oppenheim the Third and I'm Nlaka'pamux from the
14 Coldwater Band. And Cherish Oppenheim was my daughter.
15 And thank you for having us here today.

16 **MR. VICTOR LACERTE:** Hi. My name is Victor
17 Lacerte. I am Fort St. James, Carrier First Nations. I
18 have transferred to the Coldwater Band so I reside on
19 Coldwater Reserve.

20 **MS. VICKI LACERTE:** Hi. I am Vicki Lacerte.
21 I am from Merritt, from Coldwater Reserve. And Cherish is
22 my older sister.

23 **MS. SHELLEY OPPENHEIM LACERTE:** I just
24 wanted to expand a little bit on our oldest daughter Ashley

1 that was going to join us today. But she is really
2 struggling and she is present here in the hotel and we
3 really wanted her to be here, you know, as part of the
4 family.

5 But you know, we also are sensitive to where
6 she's at. I know a couple of -- about a week ago I talked
7 to Ashley, and Cherish and Ashley were really close in age
8 and really close.

9 And she told me, "Mom, this is really
10 overwhelming. I don't know if I can do it."

11 And I said, "Well, it's important that we're
12 doing this for Cherish and we come together as a family and
13 be strong together."

14 But we understand where Ashley is at this
15 time and yeah, she can't be here. But we did encourage her
16 if she felt that she wanted to join us that we do have this
17 chair available if she decides that.

18 **MS. SHELBY THOMAS:** To start, can you guys
19 just share about who Cherish was?

20 **MS. SHELLEY OPPENHEIM LACERTE:** Okay.
21 Cherish Nicole Billy Oppenheim was 16 years old and has
22 three sisters who we just introduced. And Cherish attended
23 Merritt Secondary School where she was actively involved in
24 rugby and other sports. She talked about becoming a PE

1 teacher one day.

2 And one of the things that we wanted to
3 mention, just for you to get an idea who she was, is that
4 when she was a little girl -- I think she was only like,
5 four or five years old -- we had a Oppenheim family
6 reunion. And she always liked to sing and have fun. And
7 so she performed and sang with my dad, her Poppa, at the
8 family reunion. And our family was just so proud of her at
9 that young age, stepping up and going on stage and being
10 able to do that. So that's a big part of our memory of
11 her.

12 And she always talked about how she loved
13 pizza. That was one of her favourite things. She loved
14 pizza.

15 And she was outgoing, really joyful, happy,
16 and kind. And many people loved her. She was just a
17 really kind spirit. She's not only beautiful on the
18 outside but she had a very beautiful, calm spirit.

19 And so we look at Cherish and she was our
20 daughter and a sister, a granddaughter, cousin, niece,
21 friend, and would have been an auntie one day, and I'm sure
22 a mother.

23 And so we think about Cherish and we look at
24 -- it doesn't seem that -- sometimes, it's just so hard to

1 believe that she's not here with us. And as you can see,
2 we have a picture of her here at the centre and we have a
3 lot to say about Cherish, but -- and we'll continue on
4 through our presentation of who Cherish was.

5 Okay. And we have pictures.

6 **MS. SHELBY THOMAS:** Yeah. If the
7 technicians can just put up the photo.

8 **MS. SHELLEY OPPENHEIM LACERTE:** So we have a
9 few pictures that we're providing and we'll briefly speak
10 on some of the memories and talk about who -- to give you
11 an idea of who Cherish was.

12 And first of all, if you look at the top
13 left-hand corner there and you see Cherish and her older
14 sister Ashley. And my husband here will just talk a little
15 bit about that.

16 **MR. VICTOR LACERTE:** Yeah. This one
17 particular day I was getting home from work and I seen
18 Cherish running behind Ashley and her friend. They were
19 riding their bikes and I pulled Cherish aside. I said,
20 "What's going on? Why are you not riding your bike? Why
21 are you running behind your friends?"

22 She said, "Well, you know, I've loaned my
23 bike to my friend because she doesn't have one, so yeah, so
24 I'm with them."

1 So she's, you know, she's running around
2 behind them.

3 I said, "That's really something for you to
4 do that, Cherish," you know. "It's good."

5 So and that's the kind of person she was.
6 She was giving and sharing and you know, she was a kind-
7 hearted little girl.

8 So with Cherish, Shelley and I were in the
9 living room talking and Cherish, you know, she comes
10 walking into the room and she's playing with her hands, eh?
11 She's waiting for us to finish talking. And I'm looking
12 down at her and she's looking up at me with these big brown
13 eyes.

14 And I asked her, I says, "Cherish, could you
15 put your hands out for me?"

16 She had tiny little hands, eh, as you see in
17 that one picture there.

18 I said, "Can you put your hands out for me?"

19 And she looks up at me, puts her hands
20 behind her back and she said, "You're not looking at my
21 hands," because she kind of thought I was kind of bugging
22 her a little bit about her small little hands, eh?

23 So anyway, those are a couple of my memories
24 with Cherish.

1 **MS. SHELLEY OPPENHEIM LACERTE:** And again,
2 looking at the picture, when I finished my schooling in the
3 NITEP program, we had moved home to Fort St. James and we
4 went to Tache Inlet. That's where I began my teaching
5 career. And so we have a picture of Cherish when she was
6 in Grade 4 and so that was one of her school pictures.

7 And on the left bottom there we have her
8 Auntie Charlene and her son Charles, and then myself and
9 Cherish there. And they were very close in age. Cherish
10 was born in May and Charles was born in June.

11 And so coming together and just showing how
12 important, you know, our immediate and extended family are
13 and how close we were. And so she had her little cousin
14 there that started their lives together.

15 And moving on to the next slide there, and
16 this shows when she was in Grade 2 in Tache. That's
17 another picture of her on the left and then Ashley and
18 Cherish on the right, a picture of them being together and
19 they were, again, just expressing how close they were in
20 age and how close they were as sisters.

21 And moving on to the next slide, we have a
22 picture on the right there of -- on the top, of her cousin
23 Charles and then there's Kelli second, then her cousin
24 Stanley, then Ashley at the end and Cherish, and all the

1 different -- as you see, that was a picture at Christmas
2 time.

3 And we look at the different holidays and
4 celebrations and we still feel that today, you know, of not
5 having Cherish with us and the importance of all of her
6 cousins, like, her cousins that love her so much. We say
7 they're cousins but they're like brothers and sisters, you
8 know, in how we all come together. And so such a huge loss
9 for all of us.

10 And you see the school pictures below of
11 again, giving you an example of who Cherish was. And on
12 the left, we have the girls on the top there. There's
13 Cherish and Ashley and then Vicki and Kelli. And so we
14 have the four girls all dolled up and dressed up. That was
15 at our wedding and so we have the four girls together
16 there.

17 Yes, and looking at the next slide, family
18 is everything and as we expressed, we wanted to show these
19 family pictures and different memories that we have and
20 things that we've done together as a family. And so on the
21 right you see our family, my husband and I and the four
22 girls. And so those are such precious and important
23 memories that we hold dear.

24 And on the left again, we have Charles and

1 Cherish again and how close they were as cousins. And on
2 top we have Cherish.

3 So different examples of who Cherish was.
4 Of course, there's so much more than we can share. We can
5 go on and on with all the things about Cherish, the great
6 memories of who she was.

7 And this picture we just love because this
8 is what Cherish created herself. And she says, "I would
9 like to ride my bike in the sky when it is a bright, shiny
10 day."

11 And so Cherish created that picture. And of
12 course, you can see the teacher took a picture her and then
13 she drew around that. And so that was what she had
14 created.

15 Yes, Kelli.

16 **MS. KELLI LACERTE:** I'd like to share a
17 memory of my older sister that I had that I remembered.
18 When I was just a little girl-- I was probably only four
19 years old and my other older sister is just a year older
20 than me -- she was probably five -- you know, like, kids
21 like to ride the handlebars. We would always see our older
22 cousins riding on the handlebars and we wanted to do the
23 same.

24 And Ashley and Cherish had a great idea how

1 me and -- like, the younger siblings, me and Vicki would go
2 on the handlebars. And we were chubby little kids so
3 Ashley and Vicki, they were getting ready, getting on the
4 handlebars. And yeah, I was pretty chubby when I was
5 smaller and Cherish, I was going to go on her handlebars.

6 And she was skinny and in my mind at four
7 years old, she was too skinny to hold me up. So yeah. And
8 yeah, I kind of delayed it, and I was like, "No, I'll just
9 wait," and then waited for Ashley and Vicki to try it out.

10 And of course, Vicki hurt herself and fell
11 over the handlebars on the bike, so yeah, at least I was a
12 little smarter.

13 So I just wanted to share that with Cherish
14 and us riding the handlebars. Well, I didn't.

15 **MS. SHELLEY OPPENHEIM LACERTE:** Yes. And so
16 we're going to move on. I just wanted to point out, we
17 have kind of looked back. It's been after all these years
18 since 2001 and we thought going back and bringing back
19 these memories and looking at how we could organize
20 ourselves, and in my mind, I broke it down into like, four
21 parts that we will be going through in this session.

22 And the first part was when Cherish went
23 missing and the search. So we're kind of laying out the
24 groundwork like that. And then looking at when we found

1 Cherish, and then the funeral. And then we're going to
2 speak on the courts, and then our healing journey. And so
3 we're kind of breaking it down into those areas.

4 And so we're going to start going into the
5 search, and so when the search begins. And first, before
6 we get started, Vicki has a few words to start us off.

7 **MS. VICKI LACERTE:** So the night that my
8 sister went missing I was about eight years old.

9 But I recall my room; you could see the
10 front entrance door and I randomly just woke up middle of
11 the night and I just seen her briefly. And I just assumed
12 that she went to her room.

13 Then early in the morning I woke up hearing
14 things downstairs and my parents were all down there
15 wondering where Cherish was. So I assumed that she was in
16 her room; like, I kept bringing up that she's in her room,
17 she's in her room. So I went upstairs and checked and I
18 just felt completely shocked that she wasn't in there. And
19 just right then I just felt really heavy and I knew
20 something was wrong right then, and so it happened that
21 evening.

22 **MS. SHELLEY OPPENHEIM LACERTE:** Yes, I just
23 learned about that. It was something last week and Vicki
24 telling me this story, and I didn't know that Vicki had

1 seen Cherish at the door.

2 And so Cherish, I'll get into a little bit
3 describing what had happened that evening.

4 So it was October 13th that Cherish was last
5 seen and it was a Friday night after school. She wanted to
6 visit her friend so I brought her uptown to visit and said,
7 "Make sure you come home because we have to get rested up."
8 And Kelli had started hockey and I wanted Vicki to -- or
9 Cherish to help with her skates and help get her ready the
10 next morning. It was early.

11 And so she goes, "Yes, I'll make sure I'm
12 home and I'll be there to help."

13 And so that evening, it was getting later
14 and later and it was not like Cherish not to listen or you
15 know, do -- you know, we always had that communication.
16 And so through the night, I kept -- I waited in the living
17 room and then I fell asleep. And it was about three
18 o'clock in the morning and when I woke up. It was really -
19 - I always think about the connection that a mother and
20 daughter have. And so I woke up and I literally went, "Ah,
21 Cherish." And I got up and got up from the couch and I
22 went looked in her room.

23 Then I went and I jumped in my vehicle and I
24 drove around Merritt looking for her because I knew

1 different areas at Tache, and Cherish, you know, tended to
2 go and visit. And I went out and I was driving all over
3 Merritt.

4 And then I didn't know where else to go but
5 I remember looking up at the full moon and thinking, you
6 know -- I said a prayer and I was -- I knew with my
7 instincts that something was wrong. And so I just went
8 home. My husband, I believe he was going hunting or he was
9 getting ready for work so he wasn't with me that evening.

10 And so the next morning, I couldn't believe
11 that Cherish still wasn't home. And so what I did is I got
12 a hold of Ashley and I says, "Where's your sister?"

13 And she says, "I don't know where she is."

14 And I says, "Well, look everywhere. Contact
15 whoever you can."

16 She says, "I have."

17 And I said, "Keep looking."

18 And we started looking for her and by that
19 afternoon, I contacted the RCMP right away. I contacted
20 them and reported that Cherish was gone. And so right then
21 we knew that, you know, this was out of the ordinary for
22 her to be away from our family that long.

23 And so we waited through Saturday and then
24 families started arriving at the house and expressing that,

1 you know, we were worried about Cherish. And so that was
2 the beginning.

3 My mother came to the house and all I could
4 do was pace the house. I didn't know what to do with
5 myself, with my body, myself. We had a pretty large house
6 at that time where I just walked and walked on the bottom
7 level of that home.

8 And then everybody is like, it just started
9 to intensify from there and just really knowing that there
10 was something wrong.

11 And I'll go into the steps that we took
12 after that. But when we start pulling together as a
13 family, one of the main people, key people that supported
14 our family was my cousin Robert Moses. And he really took
15 a lead on some of the work he did, which my husband will
16 speak on.

17 **MR. VICTOR LACERTE:** Yeah. So we put Robert
18 Moses in charge of the search. We had a map out. We asked
19 him to designate individuals to different areas. I said
20 we'd check the town first and then we would start looking
21 towards the Lower Nicola. He said okay.

22 So he said, "Okay. We'll look around the
23 Lower Nicola area and we'll get some ATVs out.

24 And we had people come in, Search and Rescue

1 come in from Kamloops, Kelowna, Chilliwack. The RCMP had
2 their helicopter near. They were searching areas. We
3 asked Robert how the search was going. There was a lot of
4 volunteers first couple, three days. There was a lot of
5 volunteers out there looking.

6 For some reason, we'd asked Robert, "Did you
7 get a chance to go up on the Coldwater Road? Did you go up
8 that way?"

9 And he said, "For some reason," he said,
10 "the RCMP are steering us away from that area."

11 And I said, "Well, what's going on? I don't
12 understand it." I said, "We have to look everywhere," I
13 said. "We can't leave any stone unturned."

14 And he said, "Well, they said for some
15 reason they've got a tip that somebody may have seen her
16 down in the Lower Nicola area."

17 So I said, "Well, you know, we have to go
18 back to the Coldwater Road, you know. Somehow, you know,
19 we cannot leave that area alone."

20 So he said, "Okay. Well, they want us to go
21 back to Lower Nicola and around those areas."

22 So we had the Upper Nicola First Nations
23 cowboys. They got on their horses and they said, "Okay.
24 We're going to help out on the search and we're going to

1 start, you know, doing a lot more search in the woods,
2 wooded areas on the outskirts of Merritt."

3 So yeah, so you know, Robert was
4 instrumental to the search and rescue and he pretty well
5 coordinated his efforts with the RCMP. So they kind of
6 worked hand in hand with that.

7 **MS. SHELLEY OPPENHEIM LACERTE:** Yes. And so
8 once on Sunday -- so that was Friday when she went missing
9 and reported on Saturday, and Sunday, we had not received
10 any response from the RCMP. We hadn't heard anything back.

11 And so we just moved forward as a family.
12 We started creating a poster and we went and met with a
13 friend to help us quickly create a poster and then we went
14 to Robert's wife Verna to help us print off the posters.

15 And we brought them -- and I'm not sure if
16 it was on that slide but we had our poster here that was
17 created. And we brought it back to the house and of
18 course, more and more family members and people were
19 pouring into the house. And we just started distributing
20 this.

21 And as my husband had mentioned, that's when
22 Robert was there helping us organize, you know, where
23 people are going. And we'd had people going to the
24 Okanagan and down through the canyon and we were just

1 distributing posters everywhere we could.

2 And for some reason, I don't know why, I
3 guess we just needed to take action, so my husband and I
4 drove up to the toll booth on the Coquihalla. That's when
5 it existed there. And when we were going up there, it was
6 quite late and I remember going -- when you go up the
7 Coquihalla towards the toll booth, Coldwater Road, it runs
8 parallel to the Coquihalla.

9 But I was so scared and I was -- to me,
10 then, I was imagining, you know, what if Cherish is down
11 below there, down the hill? And it felt like she was
12 trying to get up, come up to the highway or come up towards
13 us. Then at that time, I remember that but I thought, you
14 know, like, you desperately want to find her and so I
15 thought that that was something that, you know, I could be
16 imagining.

17 However, as time went by and I think back,
18 and again, looking at the night when I was searching for
19 her, looking at the moon and praying for her and knowing
20 then and also looking -- creating the posters and knowing
21 that we had to move forward, and then going up the
22 Coquihalla and thinking about Cherish trying to come up
23 that mountainside to us, to me, it makes me wonder, you
24 know, how things work in connection with a daughter and a

1 mother. And when I went back to that, I still think about
2 that. Like, I knew.

3 And with Robert, I went to him and I said --
4 asked him where the search was happening. And he pointed
5 out.

6 And I says, "Why aren't we going over here?"

7 And he goes, "I don't know why we keep
8 getting steered away from that."

9 But again, I was -- we were in the right
10 area. Like, if, where we figured that Cherish would have
11 been. Like, we just didn't know but that's what kept
12 coming up.

13 And through this part, through all of the
14 work that we did, coming through with -- together as a
15 family, I just really wanted to express everything that we
16 did, as Ko'waintco had demonstrated with our prayers and
17 the brushing off, we came together strong as a family.

18 We have a large family. And we're so
19 fortunate to have strong leaders and family members within
20 our family. And we always started off with -- we had
21 smudges available. We did the prayers. We wanted
22 everybody to be connected and safe and grounded.

23 And so we practised that through and we had
24 drumming and singing and it was so important part of our

1 day-to-day function to keep us going and to make sure that
2 we were operating in a smart way to keep ourselves safe and
3 keep ourselves connected and having that communication
4 clear.

5 There was so much networking throughout B.C.
6 Like, we have relatives down the island and in Vancouver,
7 Chilliwack, way up north to Terrace, Burns Lake, Fort St.
8 James, and Edmonton. And so we started that networking too
9 because we have -- they were family and we really needed to
10 make those connections and sending the posters out to them
11 and communicating.

12 When we were at the house too, the phone
13 calls started coming in and it was so overwhelming trying
14 to fill people in about what was going on and because it
15 was building fast. Everything was building really quick.

16 And I have another cousin that worked in the
17 school. I phoned her and I said, "I need help." I said,
18 "This is overwhelming."

19 She dropped everything from her work and she
20 came and we really set up a -- like, a command centre, a
21 centre where we were really well organized, again, the
22 strength of different people and their family, you know,
23 manning the phones, having the mapping, having Ko'waintco
24 and Sister Esther and different people come and leading us

1 and guiding us with the culture and the spiritual ways
2 that, you know, to take care of ourselves.

3 And when we had people coming from different
4 areas, they were really astonished at how well organized we
5 were at the house and how powerful it was that we, you
6 know, with our cultural practices and that.

7 And so that was, I think, what I remember
8 and what I feel. I really believe in my heart that's what
9 kept us moving, kept us going through that traumatic time,
10 is our culture, how strong it was when we came together.

11 The search was approximately nine days and
12 the RCMP finally pulled into our yard Monday morning. And
13 so they started taking action after they saw the work that
14 we had started up. And they started moving on things and
15 you know, and in my mind, I thought there was some kind of
16 policy or whatever, you have to wait. I don't know if
17 that's just on TV shows or whatever, you have to wait a
18 certain amount of time before they move on things. But we
19 weren't going to wait for that. We needed to move now.
20 And we knew that.

21 And so again, the family pulling together.
22 And we had involved a couple of medicine men to come and
23 join our family and help us as well. And so it really
24 became a focal point for the search team and pulling

1 together.

2 And through this process, it felt like we
3 really shook up the town of Merritt. Like, we had --
4 people had posters on their vehicles driving through. We
5 were just searching everywhere, in buildings, everywhere we
6 could think of. We just covered every area.

7 And it was kind of scary at times too
8 because it felt -- like, we heard too that there could be a
9 possible connect with the drug and sex trade. They feared
10 that she may have been taken, you know, and drugged. And
11 that was devastating to hear, you know, from people.

12 And so also we ended up searching homes that
13 were abandoned, kind of like breaking into places to
14 search, you know, and just out of desperation, searching
15 everywhere.

16 And the media at first weren't -- we weren't
17 hearing much so we set up a contact through, I believe it
18 was Facebook, like, contact somebody, get it out to whoever
19 you can and just send that message out.

20 And when the media did finally take it
21 seriously and come on board they were constantly at the
22 door. They were there. And it became a place where we
23 were just so overwhelmed.

24 And our family kind of protected us from the

1 media and we assigned Ko'waintco to help speak for us and
2 another couple of other family members to connect with the
3 media and help us through that because it was just too much
4 for us to take on. And so that was another part of the
5 organizing.

6 And as I had mentioned, the strengths of the
7 search was having a lot of volunteers. We have six bands
8 in our area, five in the Merritt area and one in Spences
9 Bridge. Everybody came together. We had leadership, we
10 had friends that I went to school with, and connections
11 throughout all the bands, and people came to our place and
12 helped, you know, helped with our search and also donating
13 food and money.

14 And so it was a really busy, busy household
15 where I remember people were finding a place to sleep. We
16 filled up our bedrooms and I think we had a five-bedroom
17 house. And people were literally finding place on the
18 floor to sleep, finding a spot, you know, to rest. And so
19 that was really powerful with how the community and our
20 people pulled together to help us.

21 And a big part of going through this day
22 after day after day is just having that hope, you know, and
23 people would get tips. We'd get tips; the RCMP would get
24 tips, and we heard that she was in the Cache Creek area.

1 We had people go and search that area or the RCMP would
2 follow up and then it would come to a dead end.

3 And so that was constant, everybody totally
4 on their toes trying to find these tips and have another
5 high hope and then getting let down after that would fall
6 through.

7 And what I remember too is that it came to a
8 point where it was reported to us that the man that took
9 Cherish was Robert Dezwaan and he was from Merritt. And
10 the police had told us, I don't know how many days into the
11 search, that the night that Cherish went missing, they had
12 stopped Dezwaan in front of the Coldwater Hotel and when
13 the RCMP stopped him, they saw -- I believe it was tape and
14 a knife in this van. And they gave him a 24-hour
15 suspension.

16 **MR. VICTOR LACERTE:** Yes, so they gave him a
17 24-hour suspension. It wasn't let out til probably about
18 three or four days later, after he was pulled in or picked
19 up.

20 Apparently when he was picked up, one of his
21 friends came forward, the person that he was working with,
22 and he said that Dezwaan was looking at the poster when he
23 was in Westbank. He said it was kind of odd, you know,
24 that he would be standing there in front of this --

1 Cherish's poster and, you know, just staring at it with a
2 blank look on his face.

3 So this came out in court and I said, "Well,
4 you know, I mean, he knew that the law was coming and you
5 know, there was -- so it was kind of, what do you do, you
6 know? I mean, it was kind of a scenario where we were
7 coming and he was going to get caught and that was all
8 there was to it.

9 So anyway, want to say something?

10 **MS. VICKI LACERTE:** In high school, I was
11 randomly looking through the internet about Cherish and I
12 came across this video with the investigators and Dezwaan.
13 I was shocked. I was surprised because I never seen this
14 video. And I ended up calling my dad to check it out and
15 it was showing the investigators and Dezwaan pointing to
16 the area that Cherish's body was. And that was just the
17 full clip of that.

18 And then I ended up trying to go back to it
19 and I just can't find it any more. But I was just shocked
20 that that was on the internet, like, about a good 10 years
21 later.

22 **MS. SHELLEY OPPENHEIM LACERTE:** And that was
23 something that I wasn't aware of until recently either.
24 Like, we just -- things that we experienced, we continued

1 with our lives and things that come up, and so that was
2 another shocking thing that I heard, recently learned.

3 And the day that they found Cherish they had
4 brought us, my husband and I, to Kelowna and the RCMP and
5 they said that they have apprehended Dezwaan. They're
6 trying to question him because of the incident with him
7 being stopped. The RCMP finally stepped up and said, you
8 know, this had happened. And so he was under surveillance,
9 I guess, for a couple of days before they approached him.

10 And they tried to question him but he wasn't
11 speaking, so they brought us to Kelowna and put us in this
12 room. They said that, "If he doesn't speak, we're going to
13 need you to go in and talk to him, you know, just really
14 probe him and plead with him to let -- tell us where
15 Cherish was."

16 But it didn't come to that. He ended up
17 telling the RCMP where she was.

18 And so they brought us back to the house and
19 they said that we're not to tell anybody what happened,
20 where we were, or what's going on. They are going to go
21 check the site to see if that's where Cherish was and we'd
22 have to wait for them to come.

23 And it felt like my body was just vibrating.
24 All the people that we were connected to, trusted, confided

1 in, and we had to keep it to ourselves. We couldn't say
2 where we went, what had happened. Now we're waiting for
3 them to come back. And so they did go up to the site and
4 we had to wait for all that to happen.

5 And then they came to the house and let us
6 all know that it was Cherish and that she was gone. And so
7 that was again, a house full of people just devastated.

8 And I remember that my biggest concern was
9 my children, you know, and Ashley, that she was okay and
10 that, you know, how she was going to handle this because
11 through this time she was -- Ashley was connected to her
12 friends and it felt like she was disappearing all the time.

13 And a counsellor told me later -- or, yeah,
14 later, that that's how some of the youth deal with things.
15 They need to be connected with their friends and that's her
16 process.

17 And so -- but as a mother and a family, that
18 was really hard and it still is hard because Ashley is
19 still really struggling and to see her suffer, and there's
20 a lot of healing that still has to happen after all of
21 these years.

22 And another part that had happened was the
23 next day there was a media release, I guess, and Ko'waintco
24 and a couple of other family members went to the city hall

1 and things again happened really fast where my other two
2 relatives were a part of talking to the media. And so
3 Ko'waintco was trying to keep up to what was going on.

4 Next thing, they were all going up to the
5 site and so they jumped in RCMP cars and they travelled up
6 there. But of course, being up there they had to be
7 careful of the evidence and the site and that, so
8 Ko'waintco had mentioned that they had to stay back.

9 And so again, they created a circle and
10 started doing prayers so that Cherish would be taken care
11 of in the spiritual world and in the right way and in a
12 good way. And so we weren't a part of going up there at
13 that time but of course, people find out fast and it was
14 quite a gathering up there.

15 And when Cherish was found, another part
16 that I remember but I wasn't a part of was when my husband
17 had to go over and identify Cherish and decide whether it
18 was an open or closed casket. And so that's another part
19 that kind of haunts me because I can't bring myself to
20 think of what she looked like or what she went through.

21 But maybe you can talk about having to go
22 over there.

23 **MR. VICTOR LACENTE:** Yeah, went over.

24 Robert Moses, myself, Ko'waintco, I think was there with me

1 and to identify her remains. So I looked at her and I
2 said, "No, I mean, out of respect for Cherish," I said,
3 "this does not look like Cherish," and because you know, we
4 were going to determine whether or not we were going to
5 have an open casket. So I said, "Out of respect to
6 Cherish, I think we'll just have to keep the casket
7 closed."

8 So I guess when the RCMP showed up to where
9 Cherish's remains were at, there was a fawn laying down
10 beside where she was at. So he thought -- he said, "You
11 know, as First Nations people," he said, "you know, the
12 totem of an animal being close to her, keeping her company
13 until someone came along to recover her body."

14 So he thought that it would be great to let
15 us know that this fawn was laying down beside where she was
16 at. And I said, "That's just amazing."

17 So on her -- on the B.C. quilt of missing
18 and murdered women we had a fawn put onto that quilt with
19 Cherish's name underneath it, so that was one of the
20 significant factors.

21 **MS. SHELLEY OPPENHEIM LACERTE:** So going
22 through that process of identifying Cherish and seeing her,
23 how she had passed away, that was -- that's one of the
24 biggest nightmares that I faced as a mother, is thinking

1 about the violence and thinking about what she experienced
2 and the fear and what she experienced.

3 Like, I remember driving up Coldwater Road
4 and it felt like I could feel what she was feeling when she
5 was brought up Coldwater Road, and in my mind, over the
6 years, I have constantly pushed it away.

7 And it seems like the last couple of years
8 I've become stronger and stronger to be able to think about
9 things and process things more, because my focus and our
10 focus is what can we do, how can we do the best we can as a
11 family to do something for Cherish and all the families
12 that have experienced their losses for the missing and
13 murdered Indigenous women and girls?

14 How can we contribute? How can we support
15 in memory of Cherish, the work of -- and so thinking about
16 the violence, of course, I think that things that we
17 experience and think about will never go away.

18 It will never go away but we have to find a
19 way to make it through and find ways to deal with things
20 and cope with things. And a big part of that is Ko'waintco
21 and the work that she does with us and being involved in
22 ceremonies, being involved in the work that you've
23 witnessed Ko'waintco doing as she's been supporting us
24 through everything, right from the beginning and all these

1 years, and a few of our other family members, have stuck by
2 us with that.

3 And so it's amazing today that we can even
4 do what we're doing today after all these years. Like,
5 before, we would never even be able to speak, you know?
6 And so we need to speak. We need to bring this forward for
7 the sake of Cherish and all the people that have gone
8 missing. And so that's why we're here.

9 And I had just provided an outline for this
10 session and I had listed some media or newspaper articles.
11 And I couldn't believe how much there was there. And I
12 know that there's much, much more out there that we -- I
13 could have gathered.

14 But there is also television. Like, on the
15 news, there was television clips and things that were
16 happening. And what was amazing to me is that when you're
17 going through this pain too and watching this happen on the
18 news, it's something that how sensitive you are -- I was,
19 in watching the person that was reporting, how their
20 expression was.

21 And this one reporter, I think there was a
22 slight smile that really devastated me. And I was thinking
23 about these reporters that, you know, overall, they care
24 and they're working hard, but they didn't realize how that

1 affects us as well.

2 And so that's another memory that triggers
3 me talking about this, the media. But they were continuous
4 and our family, again, continued to protect us so that we
5 weren't out in front and centre. We planned and we
6 discussed how things would work.

7 And going into the lessons learned from the
8 search, upon reflecting back, the members see that the RCMP
9 could have worked more closely with Robert Moses and the
10 family. And so Robert was really important and at the
11 centre of the work that we were doing; however, we don't
12 know the policies and the processes.

13 But the connection, we found, wasn't as
14 clear or truthful as we would have liked to. Like, you
15 know, here we are expressing and sharing all of our details
16 and it wasn't going both ways all the time. We felt that
17 there could have been more of a connection. We don't know
18 if, with the coordinating and how they were handling the
19 search. And we looked at that there was no Aboriginal or
20 First Nations constable connected with that process as
21 well, which we feel that could have made the difference in
22 communication.

23 Like, the people that were involved with --
24 I don't want to downplay some of the work that had

1 happened; we had become really close with some of them -- a
2 couple of the RCMP members and investigators that really
3 did fantastic work for us. And my husband was more
4 connected to them so maybe you can speak on that.

5 **MR. VICTOR LACERTE:** Yeah, well, with
6 working with Robert and the constables that were working
7 with us, the detectives, they kind of gave us an insight of
8 basically where they were at and what their perspective was
9 and their jobs. We tried to work hand in hand with them as
10 much as we could. They weren't giving us all the
11 information on what they had picked up. We were giving
12 them everything that we had.

13 I questioned one of the detectives on the
14 idea that we should maybe go up towards the Kingsville area
15 and work around that area. I said, "That's a little bit
16 more isolated."

17 And he said, "Oh, no, no. We've had a
18 search team out there." Apparently, Merritt Search and
19 Rescue was up in that area.

20 So we, you know, I mean, you can't really
21 question what they're doing and they're not going to give
22 you all the details on what they have found out or what
23 they've discovered.

24 So I don't know, with Robert, like, he was

1 really getting frustrated with it all. He said, "You know,
2 like, we're giving the RCMP all the information that we've
3 collected and you know, it seems like it's only a one-way
4 street here. We're not having information in return."

5 So I sympathized with him. And he was
6 really taking a lot of it to heart. So you know, pretty
7 tough.

8 **MS. SHELLEY OPPENHEIM LACERTE:** Yeah. So we
9 talked to Robert before we came up and we could really just
10 see all of the thoughts and the feelings coming back and
11 the memories of what he experienced, because he was putting
12 all his heart and putting his best foot forward and doing
13 the best work that he could. And so really, we can never
14 forget how committed he was in the work that he was doing.

15 And through this process at that time, we
16 found that there was such a lack of counselling, quality
17 counselling. And with the Victim Impact Services Support,
18 they had brought forward this nice lady that said that, you
19 know, they're here to help the family, you know, that this
20 is their position. And so this lady came to us; however,
21 it seemed like again, she wasn't First Nations and it felt
22 like there was such a disconnect of who we are as a people
23 and our culture.

24 And again, she was a very nice person, but

1 there was -- it just seemed like people in the Merritt --
2 in our area didn't have the background, training, or
3 experience in trauma. And so this person just came and
4 pretty well just sat there and was present. And so we
5 recall that.

6 And as far as the counselling, I know that
7 over the years there has been a lot of work and training
8 that has happened and that's building up across Canada,
9 because sadly, look what is happening to so many of our
10 families. And so again, having the cultural background, we
11 feel is really helpful or would be helpful, and the
12 training in trauma and to really understanding that. And
13 so looking at also where we are today, we look at what's
14 happening across Canada.

15 And myself, I'm an Aboriginal principal of a
16 school district and so I think about the youth. I think
17 about prevention and education and what can be provided in
18 our school system and in society itself. You know, are
19 people aware? It seems like -- are things out front or is
20 some things being swept under the carpet?

21 How can we provide information or education,
22 you know, around this so that -- because it's so powerful
23 in that I was just really blown away by going up to Prince
24 George to the conference for the Missing and Murdered

1 Indigenous Women and Girls. And I was shocked to see how
2 many families were there. That's just in BC. And looking
3 at imagining across Canada all the families that are
4 gathering and that.

5 And so we have families in isolation. It
6 seems that some families are in isolation and if they don't
7 have the strength of leadership, you know, within their
8 families or the cultural background or expertise to come
9 forward, how are they managing? You know, are they by
10 themselves?

11 And so I think about how family members --
12 how fortunate we are that we have such strong family
13 members that have strengths in so many different areas to
14 help us through. Like, to me, they saved our lives, you
15 know, because it felt -- something I didn't mention earlier
16 is that I had so much memory I lost. Like, it was just
17 huge and it took me years and years and I did sleep for a
18 long time at the beginning, probably about a year, just
19 slept and couldn't get myself up and going.

20 And so these things with -- and having our
21 family, immediate family and extended family a part of our
22 lives and supporting and helping us, I think is really
23 huge. And my heart goes out to other families that are
24 struggling through this.

1 And so the volunteers and support of the
2 family and the volunteers with a trained crisis
3 intervention team would have been very helpful in
4 addressing the trauma and the crisis on finding Cherish.
5 And so we think about that. If we had these types of
6 supports through that process, we believe that would have
7 been helpful because we did the best that we could with who
8 we had and what we knew, but over the years and
9 developments in trauma and processes, we believe that would
10 have been really helpful.

11 And the debriefing time -- so many people
12 were impacted and are still impacted after all these years
13 who have been talking to different relatives.

14 Ko'waintco talked to her sister and she is
15 so upset. She is so still upset and still hurt. She's
16 carrying a lot. And we've never had a debriefing after the
17 search, you know?

18 And I think about Robert and then talking to
19 him about this and seeing the hurt in his eyes and hearing
20 the message from Ko'waintco's sister Esther and different
21 family members. I think, look at all these years and
22 they're still carrying a lot of those memories and that
23 pain. And so maybe we should still do a debriefing on
24 that.

1 And looking at moving on to Cherish's
2 funeral, she had a huge funeral where there was -- we had
3 it up at Coldwater School in the gym and there was like,
4 500 people. And what was amazing is we had so many youth
5 that came. Like, she was in her rugby and different sports
6 and they stepped forward, relatives from all over the place
7 and they attended the funeral.

8 And the youth that were from MSS and her
9 different sports, they came and they really stepped forward
10 and were present and visible and wanted to be involved.

11 And when we carried Cherish from the school
12 to the gravesite, it was about a mile away, and they wanted
13 to take part in carrying her. And so they would trade off
14 and be a part of it and were drumming and singing and just
15 -- and again, there was just lots of people there.

16 And yes, and so we'll never forget the love
17 that they demonstrated throughout that process. And again,
18 we go back to the youth and helping them to feel strong and
19 confident enough to step forward and to do things like
20 this, again, going back to the education system of how can
21 we empower our youth, educate them?

22 And so that's a big part of looking at what
23 they experienced and looking at what kind of support was
24 provided or not provided for them.

1 And for the rugby team, when they went into
2 the gym, Cherish had a jersey with the number 13 and so
3 they hooked it onto this stick and they walked into the
4 gym. You know, again, this is them expressing what they
5 wanted to do for Cherish. And so I can imagine them with
6 that rugby jersey and them all coming in together for the
7 funeral services.

8 And so we really -- I don't think we ever
9 really got to express the importance of that and how they
10 really connected to our hearts. And so that's a huge
11 important piece.

12 Can you hold this?

13 For the funeral, we made a pamphlet as we do
14 for our loved ones, and we created this pamphlet and we had
15 a lot of large family involvement and people wanting to be
16 a part of this whole process. And we had a youth do the
17 eulogy and we had pictures of the family in here. And so
18 again, that's a lot of family members and supports coming
19 together to help us through this. And so again, I put up
20 there that, "We still cannot believe you are gone,
21 Cherish."

22 And you think about the number of years.
23 People may think, well, look at how many years ago it was.
24 To us, it doesn't feel that way in our heart because it's

1 just still fresh in our minds. And my husband had
2 mentioned that there's -- we have four daughters, and in
3 our hearts, we know that Cherish is the missing link. And
4 so we constantly feel that.

5 And so yeah, so the funeral, it was a huge
6 community support that came in.

7 And moving on to the trial, many of our
8 family and friends attended the trial that spread over
9 several days in Kamloops. The family and friends really
10 wanted to show Dezwaan how many lives he had impacted,
11 which was many. And it was not easy for the family to sit
12 and listen to the court evidence presented on how Cherish's
13 life was taken.

14 And thank goodness again for the family
15 pulling together each day in prayer and supporting one
16 another emotionally, mentally, and spiritually. It was
17 deeply devastating for all that were there because the
18 emotions were so high with anxiety and grief and stress and
19 anger, and so a family coming together and trying to go
20 through the court process and stay grounded and balanced so
21 that we were going through things in the right way.

22 I could not attend the trial, of course. It
23 was just too big and too much. And so I stayed out in the
24 lobby with some family members while people went in -- our

1 family went into court.

2 And I know that I had to do the victim
3 impact statement, which was something that I can't really
4 remember. And I know that I did do that but I know just
5 reading in the newspaper how that -- how what had happened
6 and that and it was again, part of the memories that I just
7 can't recall exactly.

8 And with Dezwaan, he was sentenced to
9 second-degree murder and the family did not feel it was
10 reflecting what he should have got after such a brutal
11 murder. He should have received a first-degree sentence.

12 And we wanted him to be listed as a
13 dangerous offender; however, through that process, they
14 said that because, I guess, through negotiating, that they
15 lowered that. They didn't put him on as a dangerous
16 offender because a part of it was him telling them where
17 Cherish was.

18 And so that was devastating to us because
19 now when we look at -- I'm not sure how many years he got,
20 if it was 15 years and no chance of parole at a certain
21 amount of years. And we know in our minds that that's
22 getting closer or it's arriving and it's really -- we
23 wonder, you know, what's going to happen? Where is he
24 going to go?

1 And will he be in Merritt or you know, when
2 -- and so that fear, that underlying fear that we keep
3 moving forward, time keeps moving, and when is this going
4 to happen and what if it happens? How are we going to cope
5 or deal with this as a family and as a community?

6 And so is there anything you wanted to say?

7 **MR. VICTOR LACERTE:** Yeah. Like Shelley
8 says, you know, his time is just about up. I really wanted
9 to have the dangerous offender attached to his release so
10 that people could know his whereabouts after being
11 released. For him to plead down from first degree to
12 second degree and get pretty well everything his way;
13 otherwise, he was going to give up the where he'd partially
14 buried Cherish's body. And you know, I mean, the way he
15 had brutally murdered her is another.

16 And for him to say in the courts that it was
17 consensual, you know, I mean, this little girl that's only
18 16 years of age and you know, it just -- and for us to find
19 out the way that he had killed her, you know, it's just
20 unbelievable.

21 So I don't know if there's any way, you know
22 -- I mean, things have already taken its toll as to him not
23 being able to have that dangerous offender attached to his
24 release. I don't know if there's any way that a person can

1 go back and say, "Okay. Well, you know what? If we can
2 reconsider this and have that attached, that would make our
3 lives a lot more -- you know, we'd be able to live with it
4 a little more so as opposed to him not receiving a first-
5 degree sentence without a chance of parole", which in our
6 eyes, you know, we thought that was the way things should
7 have happened.

8 But I don't know. What can you say? I
9 mean, we're just happy to have closure in that sense with
10 getting Cherish back and to be able to lay her to rest.
11 But yeah.

12 **MS. SHELLEY OPPENHEIM LACERTE:** One thing
13 that one of my relatives had mentioned is that during the
14 court hearing they found that the seating arrangements
15 could have been better structured in keeping the family
16 separated from the offender's families and support. The
17 family members said that they weren't -- felt that that was
18 really -- we were already going through a lot and the
19 family to come in and be in close proximity to the other
20 family, it was -- it really made things more difficult. So
21 that was something that was expressed.

22 And again, we talked about the debriefing
23 after the search and how huge that was, but also the
24 debriefing after the trial that had never happened; again,

1 that that's something that I think is really important,
2 that we have that process looked at, you know, so that
3 we're taking care of individuals and taking care of them
4 and closure.

5 You look at the four areas, like, when you
6 talk about a traumatic event, it was like, going through
7 the search, how traumatizing that was. And then realizing
8 that Cherish was gone, going through the funeral, and then
9 right into the courts, like, it was trauma after trauma
10 after trauma, just building. And how can we take care of
11 ourselves and each other through that process? So we
12 believe that's an important part to consider.

13 And moving on to something else that we
14 wanted to share is in April 2011, there was -- Dezwaan's
15 son had ended up killing and raping this young lady. I
16 think she was -- I can't remember how old she was, 18. She
17 was 18 years old. And so this was on the island and his
18 son has killed and raped and murdered this young girl.

19 And so from that happening, the media were
20 right on to us again. They were searching for us in
21 Merritt. And we didn't know how to feel or react with
22 that.

23 And then I heard that they were trying to
24 track down my oldest daughter Ashley. So we came together

1 again as a family. We said, "Okay. We need to approach
2 the media. What is the purpose? What are we going to
3 provide for the media so that they would not keep pursuing
4 us?"

5 And so looking at that, we decided to
6 provide a message to the victims, the family, and provide
7 some sort of supportive message that you know, we wanted to
8 somehow let them know of our love and our care of them and
9 thinking about them. And so that helped with that process,
10 the media approaching us.

11 But again, it opened everything up and it
12 was so hard to realize that -- it just shook our worlds
13 again. And I couldn't believe that it hit me where I went
14 down again. And I remember feeling some of the same
15 feelings of going through Cherish's loss again and I got
16 scared. I thought, oh, no, I'm down again and I don't want
17 this to go on and on like it did before, because I was
18 recognizing those feelings and that experience.

19 And so again, trying to pick myself up again
20 and move forward. So that impact of that happening just
21 shook our whole family again. And so that was something
22 that had happened.

23 And moving on to another incident, that was
24 in April 2017, where Dezwaan had escaped Mission

1 Institution. He was in Mission and he had walked right out
2 of the prison and had escaped. And so all of a sudden,
3 this is all over the news and we're thinking, what's going
4 on? And we were again shook because the RCMP or nobody had
5 come to us and told us that this is happening. And so
6 again, we felt that somebody could have come to us and let
7 us know that this -- and that's not that far from Merritt
8 either, like, from Merritt to Mission. And so you know, is
9 he going to be in Merritt or is he going to be around?

10 And so going through that experience was
11 again, another shakeup for our family, and again, the media
12 tracking us down again and having to connect with them.

13 But we couldn't hide and run away and -- but
14 again, coming together as a family and strategically
15 planning what we needed to do to get through this and move
16 forward. And again, Ko'waintco was a big part of this
17 support and helping us get through that part.

18 And as I mentioned, us not being notified
19 and being contacted of his escape, and through that
20 process, we had learned that there is some forms that you
21 can fill out and learn about where he is or what's
22 happening, because when he was -- and nobody had told us
23 about that or again, with all the things that had happened,
24 maybe we didn't hear it or maybe we -- I don't know.

1 I don't think anybody told us though, but
2 they've contacted Ko'waintco and we have to go through a
3 process, you know, because when he was first sentenced, he
4 was in B.C. and he was being attacked within the system
5 from other inmates and that, so they sent him back east.
6 And so far as we knew that he was back east somewhere. We
7 never knew when he was transferred back to B.C. We didn't
8 know that that happened. We just knew he was far away,
9 gone somewhere else.

10 And so again, that was another shocking
11 detail that we had found out and very disturbing to find
12 out that he was back in B.C. in a halfway house not far
13 away from where we live. And so that's huge in itself.

14 Yeah, so that was a big piece of -- okay.

15 Looking at going into the healing journey,
16 steps the family took to help with the healing journey, a
17 year after Cherish had passed away we had a memorial. And
18 in preparation for that we provided giveaway items and we
19 prepared to thank the people that supported us, which was
20 so many people. So my mother and myself and relatives came
21 together and we canned fish, we canned lots of different
22 berries and anything we could and made different things,
23 bought items to bring everybody together and show our
24 appreciation of the support that was provided.

1 And again, in memory of Cherish and
2 implementing our culture, the drumming and the information,
3 a PowerPoint on Cherish and having people speak and just
4 coming back together to have that was really important for
5 us. And there was so many people that were honoured with
6 the RCMP and investigators and volunteer people,
7 counsellors and professionals who had assisted the family.

8 And so that was again, really an important
9 part of our healing journey is just to organize that and do
10 that.

11 And also, through this healing, I ended up
12 going to Tsow-Tun Le Lum on the island for trauma treatment
13 which was really helpful to me. It felt like I was -- my
14 mind and my body was just frozen and going to the trauma
15 treatment, it helped open up some of those -- open things
16 up so that I could move forward because I could not
17 function, you know. I couldn't even take care of my girls.
18 I couldn't take care of my home and couldn't go to work.
19 And so that helped me take my first step in trying to move
20 forward with our life.

21 And through this process too I was very
22 suicidal at times where I remember planning to take my
23 life. I was rationalizing that my husband could take care
24 of Vicki and Kelli, that they would be fine. They would be

1 able to move on. My mother and my dad were okay and my
2 brothers, and thinking about different family members, of
3 how they could move on with their lives so that I could go
4 and join Cherish. And I thought about gathering all the
5 pills that I could and I would check into a motel and do
6 that.

7 But I thought about Ashley wandering with
8 her friends and afraid that she might commit suicide or
9 something could happen to her. And so that -- then I
10 started thinking about it. I cannot be selfish. I am sick
11 and I'm not well. Through this process I knew that I
12 wasn't well, with previous training, you know, and knowing
13 some of the process of grief and loss, and so needing to
14 pick myself up for my children, for my husband.

15 My husband, he was so hurt to hear that at
16 one point I said that maybe I should just -- we shouldn't
17 be together. Maybe I should just go on my own. And he was
18 so hurt with that, and I said because I was self-
19 destructing. You know, everything, my whole life was
20 falling apart, fell apart.

21 And I think that's just a part of the
22 process I went through and I came to a point where I had to
23 say, "Okay. I will live for my husband. I will live for
24 my daughters. I will live for my family. And maybe

1 someday I can live for me too." But I had to pick myself
2 up to do that, to keep going.

3 And through this as well, we had Scw'exmx
4 Family and Child and Family Services that were -- we were
5 so relieved that they had stepped in and they connected
6 with Vicki and Kelli. And they would take them out and do
7 different activities, keep them occupied, do fun things
8 with them and take them swimming and do arts and crafts,
9 because they were just like, seven and eight years old.

10 And Scw'exmx Health had services as well
11 that people came in to support our family during the search
12 and through that; however, again, at that time, they didn't
13 have the background of trauma and that. But they were --
14 the organization wanted to support us.

15 Our band was an important part and the
16 chiefs in the Valley that were stepping up as leadership to
17 support us. And with our finances, that's a huge part in
18 not being able to take care of our own finances, you know?
19 And so the band had stepped in and helped us that one time
20 to clear some of that away so that to ease some of the
21 stress that we were going through.

22 And we had talked about -- earlier, I talked
23 about attending the conference in Prince George and the
24 B.C. -- being a part of putting something on for Cherish on

1 the B.C. quilt. And so that was huge. It was scary to
2 have to decide to go there. And what we found was it
3 wasn't an easy process but I think that just going through
4 the process really, really helped us and really again, has
5 helped me understand how extensive it is in B.C. and across
6 Canada, in looking at that.

7 And the things that we were impacted with as
8 a family that for us is that I think of other families that
9 for dental and taking care of ourselves, like, for our eye
10 checkup and appointments and all that, when you're in the
11 middle of all of this trauma and trying to heal and trying
12 to live our lives and that that's forgotten. And I felt so
13 bad as a mother that years later, here we go to the dentist
14 and my poor girls and myself, we had lots of work that had
15 to be done.

16 And I think about details like that that
17 people may not think about, but families need support and
18 you know, keeping up on stuff like that.

19 And the financial distress when I went on
20 long-term disability, it was really stressful and demeaning
21 to go through that process and that paperwork and the
22 expectations they have of you, where I couldn't even see
23 the paper. I couldn't understand it and they'd read it to
24 me and I'd have to get somebody to sit there and listen to

1 understand it. And then not even being able to sign my own
2 name. It was just a scribble.

3 And then them contacting us to ask questions
4 and whether we qualify or continue to qualify to get
5 funding. Like, we're already going through enough and
6 going through that process, it's like they don't believe
7 us, you know, what we're going through or what we're
8 experiencing. And so that was a terrible memory that I
9 have in trying to get through that because we had to
10 survive, you know, and we needed those dollars to help
11 support our family.

12 And treatment centres, I look at my oldest
13 daughter and how she's suffering, still suffering today,
14 and she had got all ready, prepared, and went to her
15 counselling, went through her whole process, got signed up
16 to go to treatment. She knew she was finally ready. She
17 was finally, at this time, where she was going.

18 And then she says, "Well, I can't do it. I
19 have to pay my rent. I have to pay my bills. I'm not able
20 to go." And she goes, "Maybe we can work together and
21 figure out how we can find a way to go."

22 And so today I think about how these
23 barriers or these things that stop her from getting the
24 help that she needs. And same with my husband. They just

1 need some help.

2 It's just -- no, it's true. You look at all
3 the years that go by and the supports that are needed and
4 some of the barriers or the things that come in the way.

5 And one thing that I felt was really
6 important is easy access to information. There's no -- in
7 my mind and how I felt as an individual is that I
8 desperately wanted to know about grief and loss. I wanted
9 to understand it and know. And like, I learned in past
10 workshops or sessions but I wanted to see it and have that
11 so that I could see where we were or I was in understanding
12 trauma, how the mind and body works.

13 Like, at one time, I thought -- I was
14 talking to a counsellor. It literally felt like I was
15 going to go crazy. Can you go crazy from this? How does
16 the mind work? My body is hurting all over the place.
17 What's causing that or how long will this last? And how do
18 the cells in your -- like, with memory work? And different
19 things like that came to mind.

20 And to me, it was really important. It was
21 important to me to learn and know and understand that. And
22 I was kind of holding back, thinking this might sound crazy
23 to be talking about, but I thought maybe if I talked about
24 it, maybe there's other individuals that would like that or

1 need that. I know there's many different needs and wants
2 from different people. But I wanted to share that, that
3 that was important to me.

4 And Ko'waintco had kind of touched on
5 looking at compensation for women or families that are
6 affected by this. And so that was a point that was brought
7 forward. And myself, as an educator, looking at the work
8 that I am doing, it has really made a difference in looking
9 at myself previously being a teacher and witnessing the
10 pain and the hurt that my daughters have gone through.

11 And I worked in a band school where I asked
12 my girls to come and join us in this school. I said,
13 "You'll like it there. We do drumming, we do different
14 activities. Come into this school."

15 And so they transferred from the school they
16 were in and they came into our school. And I saw them
17 blossom before my eyes, like, with the ceremonies, the
18 drumming, the singing, the stick games, the different
19 things that they were learning. I really believe how that
20 gives us not only identity but the strength to empower
21 themselves and to become more balanced and strong to move
22 forward.

23 And so looking at the cultural piece and
24 what I believe really helped us through this, I ended up

1 becoming a principal at the band school, and then into the
2 school district. And the work that we do is really to grow
3 these programs and to learn who we are as a people, and to
4 learn our history and our local cultures and the history,
5 and teaching that to our students, and the importance of
6 providing information, as I had mentioned earlier, to
7 educate and provide this.

8 I'm pursuing the PhD program next and
9 looking at supports around that, like, trying to provide
10 some insight or education to professionals, experts, to
11 learn and to understand. And same with the youth and
12 looking at, well, here we are today, you know.

13 Is there any supports that exist for
14 something like that? So that's something that I wanted to
15 bring forward as well because at this day and time, that's
16 where we've progressed.

17 Okay. And looking at moving on, in closing,
18 kind of looking at again, how grateful for the support we
19 received and members, family members and people that
20 stepped up and how important that is, and again, express
21 that.

22 We looked at -- I never forget looking back
23 at what we had as a family, like, for instance, my mother
24 coming in. And it seemed like everybody naturally took on

1 these different roles. My mother came in and she did the
2 laundry. She was doing cleaning. My brother and sister-
3 in-law took care of the yard. My cousin came in and helped
4 with the girls. And well, a few of my cousins.

5 And then Ko'waintco with the spiritual and
6 the cultural piece. And people coming in to cook. And
7 that happened for months. It wasn't just a short term. It
8 had happened for over a year.

9 And it's amazing that again, how well, we
10 recognize that and we're thankful. But again, looking what
11 we had as a family, what do other families have and what do
12 other families need, you know, that would help them
13 through? And so I think that that's huge.

14 And I talked about us still going through
15 some of our struggles with post-traumatic stress disorder,
16 the memory loss, and thinking about going through life and
17 still looking at birthdays and holidays and different
18 things that it's so hard to celebrate when we know that
19 Cherish isn't here to celebrate with us, that that's
20 something that we continue to struggle with.

21 And feeling -- I remember going -- we came
22 to a family gathering and they had a dance, and I felt so
23 guilty for dancing and trying to have fun, you know? And
24 it just didn't seem right to do that. So things like that

1 that again, as a family, we recognize our individuals and
2 finding a way to get through all of that.

3 And the nightmares of imagining the violence
4 that Cherish experienced. That's still there, and trying
5 to get through that, getting triggered of the terrifying
6 memories that Cherish experienced then. And driving by the
7 site and when we come to the coast, we're on Coldwater
8 Reserve. We have to drive through the site and sometimes
9 we just -- we acknowledge and we do our prayers, but
10 sometimes it's just too much, where we have to just block
11 that away until we can deal with that.

12 And the thought of suicide, like, we need to
13 -- that was in -- happened for years, those thoughts. But
14 now, looking at how we need to live on as a family to be
15 strong for our children, our grandchildren, our family, and
16 for the future, so coming to that place where we want to be
17 a strong family and continue walking in a good way in our
18 lives for our future generations.

19 We're fortunate to have three grandchildren
20 and so our time and our love and you know, we embrace our -
21 - a family is so important and we're just so fortunate to
22 spend time with them and make their lives happy and safe
23 and want them to be successful, and that we know that
24 someday we'll join Cherish and we'll all be together again

1 with her and family and other relatives.

2 And looking at how the things that we went
3 through and the things that we needed to do to heal
4 ourselves and where we are today, that this evil man will
5 not have the power to destroy us. And so that's what we
6 look at.

7 There's so much more, I know, in this, but I
8 think that's about it.

9 Is there anything else?

10 **MR. VICTOR LACERTE:** Well, you going to tell
11 them about your degree?

12 **MS. SHELLEY OPPENHEIM LACERTE:** Yeah, I did.

13 **MR. VICTOR LACERTE:** You did?

14 **MS. SHELLEY OPPENHEIM LACERTE:** Yeah.

15 **MS. SHELBY THOMAS:** Chief Commissioner, do
16 you have any questions or comments at this time?

17 **CHIEF COMMISSIONER BULLER:** I have a couple
18 of questions and I might have missed a few points here.

19 You reported on the Saturday to the RCMP
20 that Cherish was missing and you started your family search
21 on Sunday; is that correct?

22 **MS. SHELLEY OPPENHEIM LACERTE:** That's
23 right.

24 **CHIEF COMMISSIONER BULLER:** Yeah. When did

1 the RCMP start their search; do you know?

2 **MS. SHELLEY OPPENHEIM LACERTE:** Monday, they
3 came. They drove into our yard. They came and they
4 listened to us. And then it started from there.

5 **CHIEF COMMISSIONER BULLER:** When the trial
6 was happening and then there was the sentencing and what's
7 called a plea bargain to -- well, I don't know if -- I
8 shouldn't say that that's what happened, but it sounds to
9 me like there was a plea bargain of some sort for the
10 dangerous offender issue. Did Crown counsel ever talk to
11 you about what was going on with respect to sentencing and
12 what was happening and why?

13 **MS. SHELLEY OPPENHEIM LACERTE:** During that
14 time I wasn't really -- like, my memory is really not -- it
15 wasn't a big part of it. I think Ko'waintco was more
16 involved and other people.

17 **MR. VICTOR LACERTE:** The detective came up
18 to me and said, well, you know, because Dezwaan is going to
19 show us where the body is and he wants to plead his
20 sentence down from first degree to second degree, and that
21 he wanted to not have "dangerous offender" attached to it.

22 **CHIEF COMMISSIONER BULLER:** Okay, thank you.
23 Now that makes sense. I misheard that. Okay. Thank you
24 very much.

1 **MS. SHELLEY OPPENHEIM LACERTE:** I was just
2 wondering. Ko'waintco had a few points. Did you still
3 want to speak on anything or was it already covered?

4 **MS. KO'WAINTCO MICHEL:** Just the point about
5 the day before when the RCMP were aware that Dezwaan was
6 breaching his condition and was in the Merritt area and
7 they had told him that he wasn't to be in the vicinity,
8 when they could have picked him up and charged him, but
9 they didn't. You know, they just let him go and that was
10 just the day before. And I think that, you know, if the
11 police had just followed up, then this all wouldn't have
12 happened.

13 And I really think that the police, the RCMP
14 need to be a little more assertive with people who are
15 breaching their conditions. And that was just shared on
16 the news the day before. And you know, I go back to that
17 time and think about that time and it's really upsetting
18 that they just let that slide. And I really feel that
19 needs to be noted through this whole thing.

20 And you know, knowing that it's 2018 now,
21 it's 15 years after, you know, and so it means this year,
22 if they're giving him 15 years, it means he will be out
23 this year. But we don't know as a family if they extended
24 his time when he escaped from the minimum-security prison.

1 We don't know if they gave him additional time. And
2 hopefully they have.

3 And we don't know as a family if we have a
4 say. Would the legal system support us as a family to
5 ensure that he gets additional time? And what is it as we,
6 as a family, can do to make sure that he is looked at as a
7 dangerous offender and not really minimize it, that he's
8 not dangerous? Because if he is to go out there and he's
9 released this year, which is 15 years now, I was looking at
10 the information, adding it -- and if he is, you know, where
11 is he going to live?

12 Is he going to be living in the vicinity of
13 Merritt? Will his family, himself, look at getting revenge
14 on the family for the time he's done? What will the system
15 do to ensure that we're safe as a people and as a family
16 and all the -- you know, anyone in society, how safe are
17 they going to be?

18 And how is it that the system can allow this
19 negotiation to take place without the family? That's
20 things that I think that really needs to be looked at.

21 And I'm sure that's the things that Shelley
22 and Amigo were looking at because we're looking at -- this
23 Inquiry is to look at recommendations of what can be done
24 better and how can we help all our people, anyone, not even

1 just talking about Aboriginal but non-Aboriginal as well,
2 you know, when you have dangerous offenders out there?

3 They shouldn't be able to be labelled and
4 say, "Just don't put me as a dangerous offender," when they
5 are a dangerous offender. That's really huge. I think
6 that needs to be really looked at. That's what I want to
7 add to this all. Thank you.

8 **CHIEF COMMISSIONER BULLER:** Great. Thank
9 you very much.

10 **MR. VICTOR LACERTE:** I was just going to add
11 that during the court process, Dezwaan apparently had seen
12 Cherish walking from school a couple of times and that she
13 had reminded him of an old girlfriend that he was seeing in
14 Westbank or Kelowna. So in that essence, I was kind of
15 looking at it and saying, "Well, you know, was this guy
16 stalking her and just by chance she was walking by the area
17 where he was at that evening?"

18 So who's to say that, you know, the first-
19 degree murder charge should have applied at that? So
20 something like this came up in court and I was just
21 overwhelmed by -- from what I was hearing, so you know?

22 **CHIEF COMMISSIONER BULLER:** Well, thank you
23 all very much. I have to say, I've never given up hope in
24 the strength of families and what families can do for each

1 other. And you've just reconfirmed that belief again in
2 such a great way about how as a family and as a community
3 you've all stayed together and helped each other.

4 What you've said today is really important
5 to our work and is a big help to the work that we have to
6 do ahead of us. So I want to thank you for that. You've
7 made a difference already to the work that we're doing and
8 I'm very thankful.

9 I want to thank you personally because I
10 suppose it would be so easy to give up, to give up hope,
11 and you still haven't done that. And I think that's
12 wonderful. You've really inspired me. So I want to thank
13 you personally for coming and lifting up my spirit too.

14 Because you've given us gifts of your
15 experience, your advice, your recommendations, we have some
16 gifts for you, and I hope you will accept them.

17 The first one is an eagle feather. And I've
18 learned, doing this work now all across Canada, that as
19 Indigenous people, we have similar stories and beliefs
20 about eagle feathers, the truth. And that's that the eagle
21 feathers will hold you up and lift you up when you need it.
22 And they'll help you go even higher when you're ready.

23 Our second gift is some seeds. And I hope
24 you have better luck than I did in my garden. When the

1 public testimony of the family,
2 comprising 11 colour slides

3 --- Upon adjourning at 14:22

4

5 LEGAL DICTA-TYPIST'S CERTIFICATE

6

7 I, Karen Noganosh, Court Transcriber, hereby certify that I
8 have transcribed the foregoing and it is a true and
9 accurate transcript of the digital audio provided in this
10 matter.

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Karen Noganosh TRANSCRIPTIONIST

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