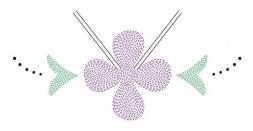
National Inquiry into Missing and Murdered Indigenous Women and Girls



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 1 Public Hearings Hotel North Two, Conference Room

Happy Valley-Goose Bay, Newfoundland-and-Labrador



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Thursday March 8, 2018

Public Volume 56: Sylvia Murphy

Heard by Commissioner Qajaq Robinson

Commission Counsel: Meredith Porter

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Assembly of First Nations	Non-appearance
Eastern Door Indigenous Women's Association	Non-appearance
Government of Canada	Donna Keats (Legal counsel)
Government of Newfoundland and Labrador	Brian Harvey (Representative)
Inuit Tapiriit Kanatami	Elizabeth Zarpa (Legal counsel)
Naskapi Nation of Kawawachi- kamach	Non-appearance
Newfoundland Aboriginal Women's Network	Odelle Pike (Representative)
Newfoundland Native Women's Association	Non-appearance
Nunatsiavut Government	Kaila de Boer, Michelle Kinney, Tracey Evans Rice (Representatives)
Pauktuutit Inuit Women of Canada & AnânauKatiget Tumingit Regional Inuit Women's Association (ATRIWA)	Non-appearance

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1 Happy Valley-Goose Bay, Newfoundland and Labrador --- Upon commencing on Thursday, March 8, 2018 at 11:42 2 3 a.m. MS. MEREDITH PORTER: Good morning, 4 Commissioner Robinson. We're here today to hear the 5 evidence of Sylvia Murphy. And I'm going to pass the mic 6 to each of her support people and ask them to introduce 7 themselves to you. 8 MS. TANYA FORMLOCK (PH): Good morning, my 9 name's Tanya Formlock, I'm Sylvia's cousin. 10 11 MS. JADE HARPER: Good morning, and my name is Jade Harper, Anishinabe-que, and I'm here to sit with 12 13 Sylvia as one of my relatives. MS. SYLVIA MURPHY: Good morning, I'm 14 Sylvia. I come from a long line of Mi'kmaw, the -- the 15 Duheart (ph), the Breg (ph), the Duvals (ph), the Benoits 16 from the west coast of Newfoundland, and I'm here to tell 17 18 about me. 19 MS. MEREDITH PORTER: Thank you. And prior 20 to hearing from the witness, I'm going to ask at this time that she be promised in. 21 22 MR. REGISTRAR: Hi, Sylvia. MS. SYLVIA MURPHY: Hello. 23 SYLVIA MURPHY, Affirmed: 24 25 MR. REGISTRAR: Okay. Thank you.

MS. MEREDITH PORTER: Thank you. And so 1 with that, Sylvia, I'll ask you to begin at your beginning. 2 MS. SYLVIA MURPHY: Okay. My beginning. 3 I've been here since yesterday listening to a lot of the 4 interviews and -- pertaining to the systems of child 5 welfare, right on through -- through the justice systems. 6 I -- at the age of six I became half 7 orphaned from my father that burned to death in a house 8 fire because of family violence between my mother and 9 father. My father was an alcoholic, and on the 28th of 10 June, 1963 he left my mother a widow with eight children. 11 I know I was only six or seven years of age, 12 13 but the welfare didn't do too much for us. The house that we lived in was taken from us. The -- we were put in a 14 slum with no toilet in the house, no bathtub. It did have 15 running water, and that was for eight of us plus my mother. 16 The furniture that we were living in was 17 furniture taken from the house from the house fire, you 18 know, so that smell of smoke always comes back to you, it 19 20 scares you, it's something to live with -- that you live with all your life, you know. 21 22 The -- we lived there for a while and then my mother had another child and another baby died. And we 23 went and moved from that house to a -- an apartment 24 adjoined to a beer tavern on Conway Road in Curling. 25

At the time there was still seven babies and I guess mom being so young, you know, like, she wanted her nightlife too, I guess, and we were left alone an awful lot, and we had drunks coming in through the backdoor and through the front door, you know. But that's where the society, the welfare society let us live.

And I know in grade 2 I went to school. 7 My mother was very handy at turning coats and everything and 8 -- cause everything was handed down. So you'd look at your 9 sister and say, Don't beat that up because I got to wear it 10 next year, you know. But to go with no boots on, it's like 11 no one really cared about us. You had a winter coat and 12 13 leggings at the time, but no winter boots, you know. You know, wait for a jumbo sale, try to get a pair of boots. I 14 can remember hearing mom saying, you know, like, time's 15 really hard. You only get 425 for the younger children and 16 625 for the older children. So when you have seven that 17 you've got to clothe and everything, there was just very 18 little, you know. 19

20 She used to lock the groceries away in the 21 cupboards, you know. My brother was really funny, though, 22 cause he'd take the hinges off, so you didn't have to worry 23 about the lock, he still got in and stole the food.

But after that my mother had another child,
and then that was from '63 to '67 then she put us -- five

1 of us in an orphanage on the east coast of Newfoundland. And I have all the records from the Social Services from 2 here in this province, of the correspondence of everything 3 that went through. You know, my mother wrote, "I have 4 eight savages that I cannot take care of", you know, so 5 five go to St. John's and three stay in Corner Brook. And, 6 of course, leaves and goes to Ontario, and then she had 7 another baby and that's the way that went. 8

You know, the -- 1969 the orphanage shut
down, cause at the time the government figured we don't
need all these children in institutions, so they decided to
put us out in foster homes, and I went through 13 of them.
The third foster home we went to we were there for three
and a half years, and my younger sister was raped every day
by the oldest boy, the oldest man.

We went through -- 2002 she came to me and we said we -- she said, We have to do something about this. So we went to the police and we went in separate rooms under cameras and we gave our statements, you know, like, what can you tell us about his body, you know.

21 She was 11 and I was 13, you know, sneaking 22 in the bedrooms in the nighttime putting their hands -- two 23 brothers, two oldest brothers, putting their hands in 24 underneath the blankets and hand over your mouth, don't 25 squeal, you know, and all this stuff. Hard to live with,

1 hey?

2 And it got to the point when my sister turned 13, we went to the social worker and she took the 3 statement. I have a copy of the statement at home where 4 she sat down at a manual typewriter and typed all this up, 5 which we took to the police. And the police did the 6 investigation and he came back and he said, the gentleman 7 is guilty. Both gentleman are guilty, but the foster 8 father figured that we were really good maids to have, you 9 10 know.

11 To walk -- I used to walk -- talk about Johnny Cash and Walk the Line. I walked every line for 12 13 three and half years frightened to death in the nighttime getting off the bus. No one came to pick me up on the bus 14 stop, and I had to walk and then go home then and she had 15 six other foster children and used to have to bathe them 16 and feed them and put them to bed, and then do my homework 17 -- well, do the dishes before that. But we were just 18 19 little slaves there.

Anyway, when we were -- we got -- they brought us back to the foster home to get our clothes and they put us in an emergency foster home for about a week. So from there they wanted you to go find your own foster homes, so I used to wonder, what jobs -- what kind of job is a social worker that can't even look for a home for you?

Meanwhile, I had a mother that didn't want to be a mother, so it didn't really make much difference, you know. Like, here's a total stranger who's just doing a job, and if she didn't want to care for me, and my mother didn't want to care for me, so who really cared?

Anyway, so you found a place to live, but 6 7 between the jigs and the reels, when I turned 17, I graduated grade 11 at the time. I had to get out of the 8 system. I couldn't stay on welfare anymore, and I didn't 9 10 have foster care. No one told me where to go, how I was 11 supposed to live. I found a boarding house for \$25 a week, and I registered at the College of Trades and Technology, 12 13 and they paid me \$25 a week to go, and that's how I lived.

And only for -- they liked me and they -they used to give me food, but in October I was awarded --I can't say I won -- they awarded me with \$1,000 scholarship. There was five of us. Three were from the orphanage and the other two had gone through the welfare system, so I felt really privileged, you know, I got \$1,000 scholarship.

But only for that I would never have survived that year, but then -- well, getting back to where we went to the police about the rape and molesting and everything else, they came back to us and said they couldn't charge the man. They know that he's guilty, they

know that his brother's guilty, and, like, Allen Ruby and
Gerald Ruby are still living there and we do not want
nothing from these people, you know, they are rich people,
they own a lot of agriculture land down the Ruby Line and
the Goulds.

6 We do not want nothing from them, we just 7 want our justice. We want to be able to say that we were 8 not Clarence Lock's (ph) little savages, you know, but 9 that'll never be done. Never. No one really wants to say, 10 Well, maybe there should be some justice for Sylvia and her 11 sister, you know. So -- but then the policeman's not going 12 to go and sue the government, their boss, are they?

13 So from there we just move on and we try to live, you know. I landed a government job. Pretty lucky 14 by fluke, you know. And then I landed a government job 15 with -- well, it's a city job with the City of St. John's. 16 Then I went away for about eight months and I came back, I 17 landed a job with the Federal Government, and I declared 18 being Mi'kmaw. That's what it said, Mi'kmaw. So I ticked 19 20 it, I'm Mi'kmaw, not Mi'kmaq or anything like that, I'm Mi'kmaw. 21

And it's funny because all my life I knew, you know, it wasn't just a dirty neck I had there, cause mother could never get the dirt off our necks. No one wanted to play with us cause we were little savages, you

1 know, run wild, but I got the good job with the government 2 and I used to see different things going on and I -- and 3 after declaring that I was a Mi'kmaw, Mi'kmaq, never given 4 any difference.

Like, it's almost like you're always last on 5 the list, except only recently, you know, like, you can't 6 7 apply for that, you don't have the qualifications, you're not smart enough. I don't know what they wanted from us, 8 to see how smart we wanted to be. Doesn't matter today if 9 10 you're a lawyer or doctor, if you're Mi'kmaw, if you're 11 Indigenous, whatever -- Indian, whatever title you want to take. I don't -- you know, like, to me, I came in here to 12 this world with nothing, you know, like, the way you dress, 13 does it make you a nice person? Does it make you who you 14 are? I don't think so, you know. Do you have jewelry? 15 What difference do it make? If you've got children that 16 are drug addicts, they're going to steal it all on you 17 anyway, so -- you know, like the value of everything really 18 19 doesn't have a value, you know.

You rent, you rent. If you live -- you're lucky enough to find someone that's going to marry you and not bring it up to you all the time, look at your background. You come from a dysfunctional family, that's the way you are. Our marriage is never going to work, you know.

Public

1 And then you go through life -- all the time you go through life and people say, Well, who are you? 2 What difference do it make who I am? I mean, I'm -- I am 3 I like to know the truth about things. I ask the 4 me. truth. I ask questions and the questions have gotten me in 5 so much trouble, you know, no one wants to give you an 6 answer, to tell you the truth, you know. Why can't you be 7 truthful to me and say, No, I don't want you to be a part 8 of this, you're too outspoken. This is the way we do it. 9 10 You don't need to know why we do it that way. You know, in 11 life, I mean, who is to say to you that you can't answer, you can't ask that question. The thing is, if you ask a 12 13 question, you expect and deserve an answer. If that answer don't come, you know that the person's going to lie anyway, 14 because if people hesitate, Mi'kmaw, they say you have two 15 ears, one mouth, so you're better off listening, but always 16 have that time to reflect and find an answer that is true. 17 And the truth come from your heart, you know. 18

When I went and -- and found the social worker who typed up that report on the manual typewriter, she said -- I said, Why didn't you do anything when we reported the rapes? No, I took it to my supervisor and he told me to forget about it. So that's a super -- a social worker who makes an oath the day that they become a social worker.

Almost a lot of the professional jobs, they all take oaths, you know, that they will, to the best of their ability be true and fair and honest, and have at least a little bit of a doubt when a small child is telling you what's happening to them, you know.

So in life today, we're still trying to find 6 -- find out -- there's no justice for none of my siblings. 7 My two youngest brothers are passed away now, one at 28, 8 one at 49. My younger sister's got cancer. The two oldest 9 10 sisters, I didn't really know them because of the big 11 separation, all those years. You know, visit once every two, three years, you don't really know anyone, you know. 12 13 You don't feel close to them. I have sisters and brothers in the Mi'kmaw community that I feel more close to, that I 14 can hug, and not expect anything from them, but I think as 15 a -- for a sister or brother at least you expect a little 16 bit of love. They might respect you, but a little of love 17 goes a long way too, hey. But then there's more expected 18 of you as being a sister or a brother. You should be this 19 20 way, you should be that way, you know, but then that's the white man's way of life, you know. 21

22 But there's been no justice for us all this 23 time. 2002 when that investigator came back and said to 24 me, We cannot charge him, my whole world fell. I felt like 25 my whole -- like I had been raped of everything, you know.

You figure you go, you tell your truth and no one really
 believes you.

Oh, sorry, I'm just getting carried away. 3 Yeah. I don't know, in my life I've heard -- even lately, 4 these stories, you know, like the bullying. I know so many 5 people that bully, you know, and it's funny because I had 6 said to my grandson there two years ago, I said, Do you 7 mind if Nanny borrows your bullying shirt for tonight? 8 He said, Nan? I said, Yeah, well, it'll fit me. I said, 9 You're 11, and I said, You wear a size medium, I said, 10 It'll fit Nan, you know. 11

12 So I wore it to a -- down to a drumming 13 circle where I had felt I was being bullied, and I didn't 14 have to say a word. All the people that were there when we 15 got in the circle, they knew, Jesus, Sylvia, can you ever 16 make a statement. I said, I didn't have to say anything. 17 You wear the t-shirt, you know. Make no wonder I collect 18 t-shirts all the time, but I was making a statement.

How many times do I have to say to someone, Could you please not bully me, you know. Do they have to zone in on you because you're asking a question or zone out on you and -- and omit that you're not even there, you know.

Like, I -- the last five years I've been -I was involved with the Native centre in St. John's, and to

1 me a Native friendship centre should be a place to be able to go and drop in, have a cup of tea, sit down, have a 2 chat, play a game of cards, you know, have a game of bingo, 3 do whatever you want to do, but it's so regimented, the 4 nine to five. Being Native is not nine to five, or not, 5 you know, like -- we shouldn't have to say, Well, if I 6 don't get there for the two o'clock teaching of making the 7 sealskin mittens -- first you got to get your name on the 8 list, and then they tell you there's no list, you know. 9 10 Like, what is it that they've got to make 11 life so complicated for you? You know, whichever suits them. So I gave up going to that Native centre because you 12 13 have to, you know, you walk in and -- I went there to -for a Christmas party with my two grandchildren were there, 14 and I stood and I never felt so lonely. I said, What am I 15 doing here? This place is not for me. 16

When a year before that, oh, my heart used 17 to be doing summersaults to go down there, and I'd bake 18 something or always made sure I brought in something to eat 19 20 so we could have our tea, you know. And then go down in the last year and they couldn't even provide a can of 21 22 Carnation milk for you. You know, all you want is be able to sit down, have a cup of tea, have a chat, you know, 23 without someone bossing you and ordering you what to do. 24 It's supposed to be friendship, you know. 25

1 Anyone that's working nine to five know you've got to work, especially if you have strict bosses. 2 Someone that's -- you've got to be under the gun all the 3 time. So when you can go to a friendship centre and enjoy 4 yourself and give a hug, a friendship hug, you know, and no 5 talking about people, no putting down, adding on, leaving 6 off, cause this is what's happening, you know. You're 7 friendly to one of the -- one of your brothers, and oh, my 8 God, Oh, she's having something to do with him, guaranteed, 9 10 you know. You can't have a friendship, you know.

11 But society is like that, if -- if you're a single parent, which I was, you know, the husband goes out 12 13 to get the turkey and leaves Christmas eve, you know, kind of thing, and that's the truth, but then you're looked at 14 in -- in your neighbourhood, in society by your co-workers. 15 You shouldn't do that, you're a single mother, but it's 16 okay to do it if you're still with your husband. What a 17 double standard life is, you know. You can't do this, you 18 19 can't do that. You should do this, you should do that.

You know, why don't you just -- if someone doesn't put bread and butter on your table who gives them the right how to live your life, you know, really. Who -who says that you can't do this, you know? How come your children don't have -- why have you got no child support coming in? They have -- my children were learnt -- were

told they have to wait. You wait and see, but they got to realize that when mom says wait and see we're going to get it, so -- might take a month to save it up and get it for them, but they got it, you know.

And this thing about rearing your children 5 up and saying, Well, I want them to have more than what I 6 had. Well, I had nothing, so -- nothing came easy, you 7 know. When you start off on -- in life at 18, after 8 getting one year of college with one little suitcase of 9 10 clothes, that's it to your name all your life. One 11 suitcase of clothes. Would have been maybe another bag full, but foster -- other foster parents took the stuff and 12 13 wouldn't give it back to us, you know.

14 So -- but as far as -- I wanted to talk 15 because I feel that there's so much money being poured into 16 all the different organizations. God knows there's enough 17 organizations. You know, you've got this -- this one is --18 if you -- oh, yeah, if you get to Plan A you go to this 19 organization, but if you don't qualify for A go to B. Now, 20 they're the ones that'll look after that for you.

Like, there's -- why is the government putting so much money out in all these different programs and nothing actually being accomplished. Who's happy? The Natives aren't happy, I know that, you know. You lose your friendship with your Native friends because they're not

going to the Native centre anymore, you know, so what -what do they have to offer us? Not what we want, we want
to be able to go and enjoy. You're going to do some -some beading. Sit down for an hour or two beading, but if
you -- if you're -- it's regimented that you got to go from
one to three, you can't go one to three if you're working.
Nothing happens on Saturday or Sunday, you know.

8 So your children are in school all week, 9 they -- they don't have the opportunity to go Saturday and 10 Sunday, so you'd bring it upon yourself to try to teach 11 your grandchildren or children the culture, you know. And 12 then there's so many things that go on that you're not even 13 invited to it because you're not important enough to be 14 included.

Gee, that was a lot of talking, wasn't it. 15 Another thing that wanted -- that I wanted to talk about 16 and why I wanted to speak was after Susan Aqlukark spoke 17 last week. I went to see her on the 15th of February. 18 What an amazing program. The show was -- but, you know, 19 20 it's funny, I could tell she was hurting, so my friend and I went down after the concert and actually spoke with her 21 22 and hugged her and kissed her, and we laughed, you know. And then three or four days later I see her on APTN live. 23 And when I heard what she was saying. I said, You know, if 24 she can do that I can do that too. She can stand up for 25

her rights, I will stand up for my rights. I will try, not only for myself, for everyone else that's out there that needs some comfort in knowing that someone's going to look at some of this.

It's like today is what, the 8th? The 31st 5 of March I'm no longer Mi'kmaw, I'm no longer status that 6 7 I've fought since -- 1988 I started. 2000 I got -- 1980 I got the job with Federal Fisheries. I declared I was 8 Mi'kmaw. 1988 I started calling the past president, told 9 10 him who I was, not enough Mi'kmaw in you. So I'd call 11 again every -- once a month, you know. No, we're not accepting no one. 12

13 Then it gradually came upon with this new band that we're going to be First Nations. I did it all, 14 you know, I did -- I kept staples and running for about a 15 week in photocopies, cost me a fortune, you know, and I 16 declared -- I ticked all those boxes right. I proved 17 everything, I had birth certificates and death 18 19 certificates, pictures of the headstones, you know, and I 20 got accepted in the second bout or -- or the second lot of people that got approved. 21

22 So I went and got my status card. Now, I 23 only use it as identification because I like the reaction 24 on the security people's faces when they look at this First 25 Nations card. Quite cool, the birds and buffalo and

everything all over it, but they look at it. What is that? It says First Nations. Oh, you don't have a driver's licence? I said, No, that one'll do, you know. So it's funny when you -- when you look at how -- I don't know if the word is regimented, but you got to go with the norm. Don't -- don't show me that First Nations card.

7 Anyway, I'm going to put that in an envelop and send it right back to Indigenous & Northern Affairs, 8 cause it's no good for me anymore. I can't use it. I've 9 10 never used it to get that big \$6,000 discount, tax break. 11 I haven't used it for anything. Oh, that's a lie. Last year I went to Conne River and I got a little bit of money 12 13 off my cigarettes, you know. So that wasn't too bad. But that's all I ever used it for. 14

Didn't get no education for my girls. 15 Little bit of medicine, which thanks for the goodness that 16 my youngest daughter has no medical insurance at all, and 17 her two children, but from the 31st of March they're not 18 going to have it now anyway, so. But I have a grandson 19 20 that fell and broke four teeth out, his permanent teeth, and it's going to cost us \$8,000, but they have to wait 21 22 till he grows a bit to get a plate put in, cause they were his permanent teeth and now they're gone. 23

24 So to have that card would be a little bit 25 of help for him, but that all goes down the drain now.

1 Throw the card away. I don't need the card, I've worked 2 with the government all my life, you know. I'm insured, I 3 can -- I can afford to pay the 20 percent, but for anyone 4 that doesn't have an insurance card, 100 percent's a lot 5 different, you know.

I have an oldest -- my oldest grandson, he 6 7 was a pound and a half when he was born. He lived -- we were given seven days after he was born, actually it was my 8 birthday, 44th birthday, and they wanted to know if -- if 9 10 my daughter and I wanted to pull the plug on him, and we 11 said no, we're going to see. And he survived. He's 240 pounds now, about five foot four, because he was given some 12 13 Lupron shots when he was younger because with children with CP, they -- they go through a premature puberty, so at 14 seven he was like a grown man, you know. But -- and ended 15 up being blind, totally blind. So I think, like, his First 16 Nations card would help a bit, you know. 17

But my daughter is married to an excellent man, a beautiful man who has taken my grandson on. They went out and they purchased an \$80,000 vehicle and had it all equipped, and they did not use their First Nations card to get the \$6,000 discount or \$8,000 discount.

23 So to me this is true Mi'kmaw. This is not 24 the ones that have a card so they can use it, so they get 25 their children through -- through university or college, or

1 get their discounts on their cars, the big ticket items. You know, I didn't look -- to me it's a -- it was a gift 2 that my grandparents finally recognized. My grandmother, 3 4 you know. She was your typical barefoot pregnant in the kitchen. God lover her. She's with me every day, you 5 know, and I -- when I first got the letter saying I was 6 approved, I cried and I laughed, you know, to think that, 7 hey, mom, you know, geez, to finally recognize us for who 8 we are. And then you get the letter a year or two later 9 10 saying, You're denied, sorry, made a mistake. You're not 11 Mi'kmaw anymore. At the end of the month, send back those 12 cards.

13 When you've got maybe two-thirds of the people, yeah, they have some Native ancestry, but not -- my 14 grandmother was born in 1911. This is 1918, a little over 15 100 years ago, and in that 100 years, it was my dad, 16 myself, I was born in '56, dad was born in '31, my daughter 17 was born in '83, and my grandson was born in 2000. So 18 that's four generations in 100 years, and I don't -- I 19 20 don't think it's right for them to take that from me, but they can have it back. I don't need -- I don't need a 21 22 card. I only use it for identification to strike up conversation at the airport, you know. 23

24 But I have to say the ones that do have 25 their status cards that had to go back to the 17th century,

the turn of the 18th century maybe, and they're going back six, seven, eight generations. Is it right for them to keep a card to say that they are Mi'kmaw when I'm -grandmother's 1910 and she's Mi'kmaw but hid it away, you know. Don't say you're Mi'kmaw. You can't say that, they'll treat you bad.

7 And they're still doing the same thing. This is 2018, and to me that's making you feel bad because 8 they take that card from you, your status. I got a letter, 9 10 I got it framed up on my wall that I received the 30th of 11 March, 2012 that states: Sylvia Louise Murphy, you are a Canadian Indian. I'm Indian, woo, you know, I got it up on 12 13 the wall. I said, they can't take that -- I'll keep that there, I'm not sending that one back. They're not getting 14 that letter, cause who is anyone to look at me and say 15 you're not Mi'kmaw. 16

I'm not Mi'kmaw, can you imagine? I've --17 I've been nothing all my life. Nothing all my life. I 18 19 came in here with nothing, I finally get something that's 20 me, that's my mom, my dad, my grandmother, my cousin who sits here, she's not Mi'kmaw either, so what are we? You 21 22 know, I don't know what I am anymore. I'm not good enough to go here, I'm not good enough to go there. I'm not 23 allowed to ask a question, don't ask a question, for God's 24 sake cause you're the worst in the world to ask a goddam 25

1 question, you know.

My heart is broken, really broken over it 2 all, you know, and who's anyone to look at me and say, 3 4 goddam, girl, you're not Mi'kmaw, you know, or you're not Mi'kmaq, you know. Oh, God, and then they wonder why you 5 stay in your house, why you don't want to talk to no one. 6 7 Half the things that I say and do is because I am a nervous person, I take my antidepressants. I have suicidal 8 thoughts. I've had suicidal thoughts since -- since the 9 10 end of January when I got my card -- my letter that states 11 to me, You are denied. You are not allowed to be Mi'kmaw, you know. 12

13 I don't give a gosh darn about anyone. I've gotten to the point -- this is the first time in my life 14 that I've spoken up for me. Little Sylvia, you know, I'm 15 not looking for pitty. I don't care for pitty. A bit of 16 love? But all I want is a bit of respect. My respect, I'm 17 -- I'm not a person who gets off on the big head because 18 you're this and you get invited to that, and, oh, my God, 19 20 the Minister's coming to St. John's. My dear, you can't go because, sure, they wrote down and they said this is who 21 22 they wanted to go, but it's on my ceremony, you're not a part of that. You can't be invited to that. Your name 23 24 wasn't included. Imagine.

25

Now, I know Carolyn Bennett wants to know

1 who's actually going to be at that ceremony, and she made sure that she put down who the people had to be. I don't 2 think so. I met the woman. I gave her a baseball hat with 3 Top Chief on it, and she told me she's worn it. I'm so 4 proud of that. My sister wasn't because she gave it to me. 5 And it's the truth. But it's funny, isn't it? You know, 6 she looks at me and she says, My God, I got to wear that? 7 You know, and then we were doing feathers, I said, Well, 8 you better put a feather in that hat, my darlin', you know. 9 10 But, no, I mean, who are -- who is anyone to 11 tell me you can't apply for that. Your name is not on the list. Now, they had a list, what happened to the list? 12 13 The list got gone, you know, but I don't know, I just want fairness. I don't mind staying home. 14 Last year -- two years ago in July they had 15 the garden party at the lieutenant governor's house, at 16 that big castle, that's what I call it. And first -- I 17 went there and I said, Gees, I'm going to mark that off my 18 bucket list. So and that was fine, and I said, if I go 19 20 here next year I'm going to wear my regalia. So I did and it was amazing how these two people, representatives of the 21 22 queen, Mi'kmaw representatives, you know, from the queen. Our treaties state that it was -- we serve for the queen. 23 She is over -- now, they stole the land, but that's okay, 24 we'll get that back some day. 25

1 So anyway, we went there myself and my Inuit friend, Stan, and Stan brought his drum, Inuit drum, and 2 Stan's pink drum, so we kind of -- you know, like, it's 3 probably because everybody notices this pink drum, which 4 would normally be blue, you know. And at the end of the --5 the big performance, the British soldiers, here's little 6 Stan and I, we stand about the same height, I think, and 7 we're marching and Stan's playing the drum and I'm singing, 8 and there's little, the little Natives, hey, one from --9 10 from the woods, and one from up in the snow. And at the 11 end of the ceremony the two -- well, I calls them Frank and Patty, I shouldn't do that, but because they are, you know, 12 13 His Worship and Her Worship.

But -- well, he grew up in Curling just down 14 the street from me, and lived in a basement apartment. So 15 he was the same as me, wasn't he, you know. But the two of 16 them came over and hugged us and thanked us for what we 17 did. And I said, we came as who we are, Natives or 18 Indigenous, whatever you want to call us. And people said, 19 20 well, my God, they had some nerve to do that. Can you imagine, putting on our regalia and going down there and 21 22 making a fool of ourself. But I'm -- I was here first, so it didn't bother me, you know, I looked pretty -- beautiful 23 pictures. 24

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You know, I gave him some sweet grass, and

he said, Sylvia, what do I do with that? I said, Well, you can light it once a day and pray, you know, but I don't know if he ever lit it or not, doesn't matter, but we did -- we did that just to prove that we can do it. We don't need to be invited by the Minister of Indigenous and Northern Affairs, or the Premier of Newfoundland-and-Labrador. It's open to everyone.

So I figured when we got there, because you 8 have to be very careful now when you meet someone who's 9 10 Canadian and you think that they're from -- I don't want to sound racist, but it don't -- I'm not racist, I've never 11 been, but if you're Jamaican or from the West Indies or 12 13 from Japan, like, it's against -- it's racist to say to someone, okay, where are you from? Toronto. No, where are 14 you really from? Tell me, because you're not white, but I 15 know people that -- I met an airline stewardess yesterday 16 morning coming up here, oh, what a doll. She said she's 17 been mistaken for being Lebanese, and actually she's 18 Mi'kmaw from Cape Breton. Every nationality except for 19 20 Mi'kmaw, you know.

So when we look at who's invited and who's not invited, or who we are, what we're entitled to, you know, you're not entitled to too much if you're Indigenous. Although they have come a long way now. They might have 20 seats for a course, but at least -- one time it used to be

only one or two seats, now it's up to about six. If you're
Indigenous you can get in, if you get in one of those six
seats, but 30 years ago if it was just one or two seats,
oh, you were out of luck. But at least they're widening
the chances of getting on, hey.

I -- to me, I think that the system has to 6 7 change to accommodate everyone. Not only the white man, the Canadian Africans, the Canadian Asians, the Canadian --8 you know, like, Canadian Natives, Asian Natives Canadian, 9 10 like, you can't -- you don't know which way to speak to 11 people anymore. I mean, how many times would you look at someone and say, Gee, where are you from, you know? And I 12 13 know my friends who are Inuit, they say, Sylvia, like, they really think that they should be back up here in the north 14 because of the discrimination shown to them, you know. And 15 I said, We should all build our igloos and take some 16 pictures and put up our teepees and take some pictures, and 17 say, you want to come to Newfoundland-Labrador? This is 18 19 our tourism, igloos and teepees, you know.

20 But don't think you're going to find a true 21 Mi'kmaw or true Inuit because they won't be there, you 22 know. They dress up in costumes, hey, you know. I said, 23 Well, by the time the end of the month comes on -- whatever 24 it is on -- on the auction -- not auction site, for sale 25 sites and that, there's going to be some regalia for sale

cause no one will wear them no more, cause they're not
 Mi'kmaw no more, hey. The government tells you, You are
 not Mi'kmaw, you know.

But I'll tell you, they're not taking who I 4 They can have the card. Didn't -- well, it 5 am from me. did cost me cause I had to go and get photographs done, and 6 then I had to go to Commissioner of Oaths and stamp to make 7 sure that who I am -- that person in that picture was me, 8 hey, you know. But they can have the card back. I still 9 10 got the certificate on the wall. I'm starting to sound like my grandmother. 11

When -- when Confederation -- it's funny, 12 13 because she kept her Newfoundland card, hey. I don't know who has it now, but someone in the family must have it, you 14 know. She used to always say she was building this boat 15 down in the basement, and when it was built she was going 16 to bring it up and put them all in the boat and put them 17 all out sailing, and it wasn't a canoe either. It was a 18 boat, she could put a lot in. Get out to sea, you know. 19

20 Anyway, I don't know what else -- what am I 21 after forgetting, darlin'? I'm -- have been saying an 22 awful lot, haven't I?

23 MS. MEREDITH PORTER: Thank you, Sylvia.
24 You had mentioned that you spoke about your experience
25 growing up in the child welfare system as a foster child,

1 and you spoke about some of the abuse that you experienced while in that system. And then you also said that you had 2 left the system at 17 years old, and really were left 3 without very little direction and were, I quess, left, for 4 the lack of a better term, to fend for yourself. Can you 5 give a little bit of background in how you think the system 6 could have supported you better upon -- you know, as you 7 approached that age of 17 and when you did leave the system 8 and -- and -- to -- to support young people? 9

10 MS. SYLVIA MURPHY: Well, there has to be 11 something put in place. I know that -- I knew as of the 20th of August of 1974 I was no longer -- I had to be out 12 13 of that foster home that I was in cause I was going to go to college, but what was I going to do? I was just thrown 14 out to the wolf. I had to go find somewhere to live. I 15 couldn't go look for a foster home, so I found a boarding 16 house, you know. But there wasn't one social worker, 17 nothing, who came -- anyone said to me, Sylvia, these are 18 19 the things that are in place for you, you know.

And I know that's '74, that's a long time ago, hey, but still I don't think that things have changed very much, you know. Like, they need to be able to say, You're going to be all right. We're going to do this for you. We're -- we'll give you a list of boarding houses, cause it's only you that can make a decision if you don't

like there -- like it there or not. Well, they don't give you too much to live off to be -- to have an apartment for yourself, you know, but I've never gone to that degree to have to do that, you know, cause once I got a job, I mean, you know, you move in you only got one suitcase, into an apartment, oh, what do I do now? Just suitcase, clothes.

7 So you work for about two weeks and you're saying, okay. My brother came home to visit me and he gave 8 me a blanket, a blue satin bound blanket, set of sheets and 9 10 a camping set that was two pots and the covers were the 11 plates, and the steel forks and knives and spoons, and two -- two or three cups. So that was my cutlery and my 12 13 cookware, you know, but I don't know if today -- but things have to be written out for people to know that they -- they 14 are not at a dead loss. 15

16 And -- cause it brings in the topic as well, the drug addictions, and, well, the substance abuses 17 and the alcoholism and everything. People feel that they 18 19 cannot stop because where are they going to go? Even if 20 they sign into detox, and they only keep you in detox for seven days, where do you go after that? Out to a flea-21 22 infested boarding house, which the welfare pays for, whichever department they call it now, will pay for, and 23 they don't know where to go to get -- same as the foster 24 children. Where do I go? What do I do? How am I going to 25

1 get food? You know, where am I going to live? What
2 programs are there for me?
3 There has to be something so that someone
4 can say, This is what you do. Here's the manual, you know.

5 Like, no one gives you a manual on how to be a parent or 6 how to be a good daughter, good son, how to be a good mom, 7 or how not to be a Mi'kmaw. There's no manuals, but there 8 should be something in place to let people -- these young 9 children know that this is what you can do, this is where 10 you can go.

11 My youngest daughter is a drug addict, and she's a full year now clean. I think tomorrow might be her 12 anniversary, but the programs that are in place for these 13 young people, she did not know a thing about it until she 14 went and hit rock bottom, but you need someone to be the 15 advocate for you, someone to call and say, This is the 16 phone number, you know. You start off at detox, you go in 17 there, there will be a counsellor there. 18

You know, I think a lot more kids would be a lot happier and off the streets and off a lot of the drugs if they knew they had a choice, that they're going to be able to go somewhere and take a shower, take a bath. Put on some clean underwear, clean socks. There's going to be someone to talk to, you know. Someone's going to be there to hold your hand when you're going through the detox, you

know, like, if it's not put out there you don't know what's
 there, you know.

And how many people know that in St. John's 3 4 that you can go and pick up some Pampers for your child, you know. That there are places you can go and buy -- not 5 buy it, pick up a bag of Pampers. These people that are 6 down and out for whatever reason. The mother's off 7 drinking or doing drugs. The father's off drinking, doing 8 -- for what -- but there's something there for the 9 children, you know. You can go get a meal, you know. 10

It's like -- like the -- the food banks.
There's no food in the banks anymore. They can't realize
-- they don't realize how many people are actually going to
the food banks that are living in \$350,000 homes. Why
would you need to go to a food bank if you're living in a
-- a big house like that?

Christmas hampers. They deliver Christmas 17 hampers to these people, and big gifts all underneath the 18 tree, but they can't afford to go buy their food, so they 19 20 take it away from the people that need the food. Write it out, let people know. Let them know that there's places to 21 22 go. Here's the phone numbers, you know. Here's a person that I know that works there. Give her a call, give him a 23 call, they'll help you, you know. 24

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MS. MEREDITH PORTER: Thank you.

1 Commissioner Robinson, do you have any questions or comments for the witness? 2 MS. QAJAQ ROBINSON: Do you mind if I ask 3 you some questions? 4 MS. SYLVIA MURPHY: Oh, I'm ready for you. 5 MS. QAJAQ ROBINSON: Okay. Can you -- the 6 issues around identity and your status card, we want to 7 talk about that a little bit more, but can you explain to 8 me a little bit how are they taking this away from you? 9 How is that happening? 10 MS. SYLVIA MURPHY: I'm denied. 11 MS. QAJAQ ROBINSON: So -- so what I've 12 13 learned so far is status cards have an expiration date. MS. SYLVIA MURPHY: Yeah, mine is the -- I 14 think it's 24th of February, 2024. 15 MS. QAJAQ ROBINSON: So after a certain 16 period you have to re-apply. 17 MS. SYLVIA MURPHY: No, I quess you get a 18 new card then, but mine -- mine -- mine is not expired. 19 20 MS. QAJAQ ROBINSON: They've revoked it? MS. SYLVIA MURPHY: Yeah. 21 22 MS. QAJAQ ROBINSON: Can you -- have you been explained why? How is that happening? 23 MS. SYLVIA MURPHY: Well, the letter states 24 that you do not meet the qualifications that have been put 25

1 in place. 2 MS. QAJAQ ROBINSON: And this is Indian Act qualifications? 3 MS. SYLVIA MURPHY: Well, I got my letter --4 MS. QAJAQ ROBINSON: Okay. 5 MS. SYLVIA MURPHY: -- saying I'm an Indian, 6 you know. I'm quite proud of that too. 7 MS. OAJAO ROBINSON: M'hm. 8 MS. SYLVIA MURPHY: But there's 100,000 or 9 more -- I know an awful lot of people. My family. 10 11 MS. QAJAQ ROBINSON: Yeah. MS. SYLVIA MURPHY: Ninety-eight of us. Ten 12 13 got on, you know. And the other families are like that, you know. But I -- the letter states that they did nothing 14 -- I didn't do anything wrong. I told them who I was, but 15 they've changed the rules halfway through the game, hey. 16 But this is all in court now. 17 MS. QAJAQ ROBINSON: Okay. 18 MS. SYLVIA MURPHY: There's three court 19 20 cases on the go. But once they take my name off that list that's in place now in Canada, once they take my name off, 21 22 I'm not an Indian no more. MS. QAJAQ ROBINSON: And when you say, 23 "they", it's the Government of Canada? 24 25 MS. SYLVIA MURPHY: Yeah.

MS. QAJAQ ROBINSON: Okay. I just want to 1 2 be clear. MS. SYLVIA MURPHY: Yeah, the -- yeah. 3 MS. QAJAQ ROBINSON: Can you share a little 4 bit with what impact that has. I've heard from other women 5 as well, this idea that your identity is linked to this 6 card and it can be given and then taken. And you've shared 7 a little bit about that. Do you want to share a little bit 8 more about the impact that has had on you? 9 10 MS. SYLVIA MURPHY: Well, it makes you not want to -- well, you question yourself, you know, right? I 11 mean, I -- I've spent months looking at that list. I think 12 13 there's 23,000 or something on the list, maybe 22,000, but they're saying the final number will be 18,044 that will 14 carry a card. Sounds almost like a concentration camp, you 15 know, like -- but, you know, like, there's a difference 16 when they don't -- someone goes back to the 17th century to 17 get that little bit of Aboriginal -- from an ancestor, oh, 18 yeah. My fourth great grandmother, you know, she was 19 20 Indian. MS. QAJAQ ROBINSON: M'hm. 21 22 MS. SYLVIA MURPHY: So I passed all that, so they say. And then they put me on a point system and, 23 like, I've -- I've wrote an email, actually, to the chief, 24 and I explained it all out. And I said, I just want an 25

1 answer to this. If I was given my status on ancestry and I -- I self-identified, I should be given -- well, I don't 2 believe in the point system, but at least I should have 13 3 or more points there, shouldn't I? Right? And -- well, I 4 never got an answer back, but my point is, you know, like, 5 you can get one extra point for this and up to two points 6 for this, you know, if you're active in the community or if 7 you live near the community, you know. Or do you visit the 8 community. Send some proof that you called home. 9

10 You know, you got to go back to 2008 --11 2008, can you imagine? And try -- I have no problem digging up phone bills cause I don't throw nothing out, but 12 13 a lot of people everything is just garbage, hey. But, you know, to prove and pictures that you -- you were at a pow 14 wow or you made it in the newspaper or something, right? 15 You know, to prove that you were -- you visited, you called 16 home, you know, like -- and, I mean, I was rearing a little 17 boy that's blind with cerebral palsy. I couldn't get 18 19 across to Corner Brook as much as I wanted to, you know.

There's no vehicles, no busses that run from St. John's to Corner Brook or to Flat Bay or wherever, to be able to attend the pow wows without having a special bus to take the little boy in, so I didn't get to go there, you know. But that shouldn't have mattered, I should have been there anyway, hey.

Public

Sylvia Murphy

MS. QAJAQ ROBINSON: And what you're 1 2 describing is other people's expectations of what your Indigenous Mi'kmaw Ilnu, yeah? 3 MS. SYLVIA MURPHY: Yeah. 4 MS. QAJAQ ROBINSON: Identity, you having to 5 prove it for them, and it's linked to government policy, 6 whatever, whatever, whatever, but for you, for Sylvia? 7 MS. SYLVIA MURPHY: How does this hurt me? 8 MS. QAJAQ ROBINSON: No, I want to know 9 where that comes from. Like, if government needs to know 10 who's Indigenous and who's not, what should they look for, 11 rather than this maze that they make you jump through? 12 13 MS. SYLVIA MURPHY: I -- well, to me, I mean, I've -- I've got church records, birth certificates, 14 death certificates, copies of the headstones where people 15 are buried, you know. And I -- and I -- I try to educate 16 people what I know about my family, and they realize, Oh, 17 my God. 18 You know, like, I met one gentleman here 19 20 last night, and I said, Did you know that great great Uncle Ben was a murderer? And he said, No, who in the hell is 21 22 great Uncle Ben? You know, but -- no, but the things that have happened, you know, and to share that with a third 23 cousin or -- to me if you're going to prove who you are by 24 true records -- now, people can be awful lazy too, hey, you 25

1 know, if you've got, say 400 in the family and there's only one person or two people doing all the work to get the 2 birth certificates and get everything that you need, and 3 fill out the applications and show that it is approved true 4 lineage, who's the government to say that it's wrong? 5 Ιf these are stamped true copies, you know. These true copies 6 is what's being kept in the government departments. 7 Ι mean, you can't defraud a true copy. 8 9 MS. QAJAQ ROBINSON: M'hm. 10 MS. SYLVIA MURPHY: Can you? Do you think? 11 MS. QAJAQ ROBINSON: I hope -- I hope not. That's not -- and then they just stamp things and all that 12 13 stuff. MS. SYLVIA MURPHY: You know. 14 MS. QAJAQ ROBINSON: Yeah. 15 MS. SYLVIA MURPHY: I mean, if it's a true 16 17 copy, it's a true copy. MS. QAJAQ ROBINSON: M'hm. 18 MS. SYLVIA MURPHY: So who's to say that, 19 20 you know, like -- I mean, if I've got my third great grandmother and this is her name, but we have no record of 21 22 her showing up anywhere, but you know because you have proof that Mary was here, then all of a sudden -- and you 23 know who Mary married because that's your line, all of a 24 sudden Mary's over here and Mary's married to someone 25

1 totally different. Oh, come on.

MS. QAJAQ ROBINSON: Yeah. Yeah. I've 2 heard from other women that talked about how these, you 3 know, status and non-status, these labels create a lot of 4 division, even within a family, within a community. Have 5 you experienced that? Do -- do you want to speak about 6 that at all? 7 MS. SYLVIA MURPHY: Me personally, my 8 family? 9 10 MS. QAJAQ ROBINSON: Or the division you see, do you see this causing division within families and 11

12 communities, this status, non-status, what points you have, 13 what points you don't have?

MS. SYLVIA MURPHY: Well, you're better off
not asking anyone, you know. Like, nothing sounds any
worse than someone saying, I'm a carded member.

MS. OAJAO ROBINSON: M'hm. 17 MS. SYLVIA MURPHY: You know. Carded 18 member? What's a carded member? You know, I can't -- you 19 20 know, like, I'm status, yes, I'm status Indian till the 31st of March, but the point of -- you can't brag about it. 21 22 You can't really talk about it, not unless you want to. You're an individual. You want to be proud and say, I have 23 the status card. You know, I've -- I've got my letter 24 saying I'm Indian, you know. 25

1 MS. QAJAQ ROBINSON: M'hm. MS. SYLVIA MURPHY: I hope the government, 2 by the 31st of March, sends me a letter and says, Take that 3 picture done at that -- certificate off your wall because 4 you're not Indian, hey. To me, I did a lot of writing --5 reading on it and apparently there was one or two cases 6 back in 1984 where they revoked so many First Nations 7 cards, not too many, but you're talking -- well, there's 8 10,512 from what I can gather that are -- maybe 150 off 9 that, that are, as of the end of March, we are no longer, 10 you know. 11 MS. QAJAQ ROBINSON: Counsel, are you aware 12 13 of any of those cases? Okay. We'll dig. I don't think I have any other questions. I 14 really want to thank you for coming and sharing. I had 15 some questions about the impact of -- with the term aging 16 out, and Meredith, you covered those, so thank you. 17 So I don't have any more questions, but if 18 there's anything you want to say before we finish? 19 20 MS. SYLVIA MURPHY: I want to say thank you. I feel an awful lot better. I could just break my heart 21 22 now. I don't want anyone not to like me or, you know, to hate me or -- for being honest. I just want people to 23 realize that we've all got our own journey. Have some 24 respect, don't talk about us, don't put us down. Even our 25

1 own fellow sisters and brothers who have a tendency to do the gossip thing, you know. Stop it. Stop, you know. 2 Ιf you can't do something good for me, don't do nothing. 3 4 Don't come in my space, cause I'm telling you, this is what keeps me going, my stones, and no negativity is coming into 5 my body, you know. And if I'm going to cry, I cry alone 6 because I find -- you know, my kids say, Mom, you're 7 getting cold. I say, No, I'm not getting cold, but it's 8 strange when you say, well, people wonder, what is your 9 10 purpose in life? Wow, my purpose in life now is to show 11 whoever wants to hear from me that I'm Mi'kmaw or Mi'kmaq, you know, right? 12

13 I said to my granddaughter a couple of months ago, I was -- they always -- well, even my own 14 daughter used to -- daughters used to say, Mom, you're like 15 a rap singer. This was years ago, hey, and you know, like, 16 I can't sing, but anyway, I was saying to her a couple 17 months ago, I said, Lauren (ph), I said, you know, like 18 there's red and yellow, black and white. And she said, 19 20 Nan, that's the pictures of the medicine wheel, and I said, yeah, but I said, listen to this one. All are precious in 21 22 his sight, the Creator, hey? And it's true, you know. I learned that song a long time ago, and we 23

24 are all precious, you know.

25

MS. QAJAQ ROBINSON: Absolutely.

1 MS. SYLVIA MURPHY: And I -- I want to thank Tanya and Jade and Meredith, and my friend Margaret, and I 2 want to thank Amelia for the -- I think we got a little bit 3 of a friendship back there. Okay. You know, when you lose 4 a friendship it breaks your heart, you know, and -- cause 5 sometimes you want to be able to help that friendship too 6 by, you know, like, going back to the bullying again. You 7 know, like, the people that think they've got a higher --8 no one's in a hierarchy. 9

10 Like a situation where, Oh, I'm better than 11 you, you do that, you know. Like I say to my kids all the time, I don't want to brag about you, I'm not a bragger, 12 13 you know, like, cause you get those parents that, My Johnny will never do that. My Mary wouldn't go there, you know, 14 but no one knows what your children are going to do. 15 Right? And when the day comes that they do do it, okay, 16 you're a parent you got -- when you become a parent, it's a 17 life sentence. It really is, except for my mother didn't 18 19 take it as a life sentence, but, you know.

20 She's dead and gone now five years. Poor 21 thing died of brain cancer, but, you know -- and I always 22 told her that I would tell my story one of these days. So 23 I think she's looking down and she's pretty proud of me 24 now, and my Nan. Thank you.

25

MS. QAJAQ ROBINSON: I have some gifts for

1	you.
2	MS. SYLVIA MURPHY: Oh, my goodness.
3	MS. MEREDITH PORTER: And with that we will
4	adjourn the hearing.
5	Upon adjourning at 12:58 p.m.

LEGAL DICTA-TYPIST'S CERTIFICATE

I, Elaine Kokoski, 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.

A. Kahadi

Elaine Kokoski March 24, 2018