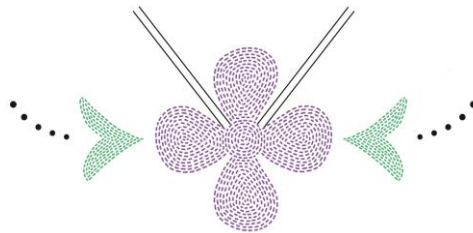


National Inquiry into  
Missing and Murdered  
Indigenous Women and Girls



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  
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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## II

### APPEARANCES

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

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Chief Commissioner: Marion Buller

Commission Counsel: Shelby Thomas

Grandmothers, Elders and Knowledge-keepers: Kathy Louis

Clerk: Bryana Bouchir

Registrar: Bryan Zandberg

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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.

25 Do you solemnly to tell the truth and

1 nothing but the truth?

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

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

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

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

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

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

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

22 **MS. SHELLEY OPPENHEIM LACERTE:** I just  
23 wanted to expand a little bit on our oldest daughter Ashley  
24 that was going to join us today. But she is really  
25 struggling and she is present here in the hotel and we

1 really wanted her to be here, you know, as part of the  
2 family.

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

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

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

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

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

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

24 And one of the things that we wanted to  
25 mention, just for you to get an idea who she was, is that

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

9                           And she always talked about how she loved  
10          pizza. That was one of her favourite things. She loved  
11          pizza.

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

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

20                          And so we think about Cherish and we look at  
21          -- it doesn't seem that -- sometimes, it's just so hard to  
22          believe that she's not here with us. And as you can see,  
23          we have a picture of her here at the centre and we have a  
24          lot to say about Cherish, but -- and we'll continue on  
25          through our presentation of who Cherish was.



1                   Okay. And we have pictures.

2                   **MS. SHELBY THOMAS:** Yeah. If the  
3 technicians can just put up the photo.

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

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

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

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

21                  So she's, you know, she's running around  
22 behind them.

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

25                  So and that's the kind of person she was.

1 She was giving and sharing and you know, she was a kind-  
2 hearted little girl.

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

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

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

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

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

18 So anyway, those are a couple of my memories  
19 with Cherish.

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

1                   And on the left bottom there we have her  
2           Auntie Charlene and her son Charles, and then myself and  
3           Cherish there. And they were very close in age. Cherish  
4           was born in May and Charles was born in June.

5                   And so coming together and just showing how  
6           important, you know, our immediate and extended family are  
7           and how close we were. And so she had her little cousin  
8           there that started their lives together.

9                   And moving on to the next slide there, and  
10          this shows when she was in Grade 2 in Tache. That's  
11          another picture of her on the left and then Ashley and  
12          Cherish on the right, a picture of them being together and  
13          they were, again, just expressing how close they were in  
14          age and how close they were as sisters.

15                  And moving on to the next slide, we have a  
16          picture on the right there of -- on the top, of her cousin  
17          Charles and then there's Kelli second, then her cousin  
18          Stanley, then Ashley at the end and Cherish, and all the  
19          different -- as you see, that was a picture at Christmas  
20          time.

21                  And we look at the different holidays and  
22          celebrations and we still feel that today, you know, of not  
23          having Cherish with us and the importance of all of her  
24          cousins, like, her cousins that love her so much. We say  
25          they're cousins but they're like brothers and sisters, you

1 know, in how we all come together. And so such a huge loss  
2 for all of us.

3 And you see the school pictures below of  
4 again, giving you an example of who Cherish was. And on  
5 the left, we have the girls on the top there. There's  
6 Cherish and Ashley and then Vicki and Kelli. And so we  
7 have the four girls all dolled up and dressed up. That was  
8 at our wedding and so we have the four girls together  
9 there.

10 Yes, and looking at the next slide, family  
11 is everything and as we expressed, we wanted to show these  
12 family pictures and different memories that we have and  
13 things that we've done together as a family. And so on the  
14 right you see our family, my husband and I and the four  
15 girls. And so those are such precious and important  
16 memories that we hold dear.

17 And on the left again, we have Charles and  
18 Cherish again and how close they were as cousins. And on  
19 top we have Cherish.

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

24 And this picture we just love because this  
25 is what Cherish created herself. And she says, "I would

1           like to ride my bike in the sky when it is a bright, shiny  
2           day."

3                           And so Cherish created that picture. And of  
4           course, you can see the teacher took a picture her and then  
5           she drew around that. And so that was what she had  
6           created.

7                           Yes, Kelli.

8                           **MS. KELLI LACERTE:** I'd like to share a  
9           memory of my older sister that I had that I remembered.  
10          When I was just a little girl-- I was probably only four  
11          years old and my other older sister is just a year older  
12          than me -- she was probably five -- you know, like, kids  
13          like to ride the handlebars. We would always see our older  
14          cousins riding on the handlebars and we wanted to do the  
15          same.

16                           And Ashley and Cherish had a great idea how  
17          me and -- like, the younger siblings, me and Vicki would go  
18          on the handlebars. And we were chubby little kids so  
19          Ashley and Vicki, they were getting ready, getting on the  
20          handlebars. And yeah, I was pretty chubby when I was  
21          smaller and Cherish, I was going to go on her handlebars.

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

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

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

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

13                  And the first part was when Cherish went  
14                  missing and the search. So we're kind of laying out the  
15                  groundwork like that. And then looking at when we found  
16                  Cherish, and then the funeral. And then we're going to  
17                  speak on the courts, and then our healing journey. And so  
18                  we're kind of breaking it down into those areas.

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

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

24                  But I recall my room; you could see the  
25                  front entrance door and I randomly just woke up middle of

1 the night and I just seen her briefly. And I just assumed  
2 that she went to her room.

3 Then early in the morning I woke up hearing  
4 things downstairs and my parents were all down there  
5 wondering where Cherish was. So I assumed that she was in  
6 her room; like, I kept bringing up that she's in her room,  
7 she's in her room. So I went upstairs and checked and I  
8 just felt completely shocked that she wasn't in there. And  
9 just right then I just felt really heavy and I knew  
10 something was wrong right then, and so it happened that  
11 evening.

12 **MS. SHELLEY OPPENHEIM LACERTE:** Yes, I just  
13 learned about that. It was something last week and Vicki  
14 telling me this story, and I didn't know that Vicki had  
15 seen Cherish at the door.

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

18 So it was October 13<sup>th</sup> that Cherish was last  
19 seen and it was a Friday night after school. She wanted to  
20 visit her friend so I brought her uptown to visit and said,  
21 "Make sure you come home because we have to get rested up."  
22 And Kelli had started hockey and I wanted Vicki to -- or  
23 Cherish to help with her skates and help get her ready the  
24 next morning. It was early.

25 And so she goes, "Yes, I'll make sure I'm

1 home and I'll be there to help."

2 And so that evening, it was getting later  
3 and later and it was not like Cherish not to listen or you  
4 know, do -- you know, we always had that communication.  
5 And so through the night, I kept -- I waited in the living  
6 room and then I fell asleep. And it was about three  
7 o'clock in the morning and when I woke up. It was really -  
8 - I always think about the connection that a mother and  
9 daughter have. And so I woke up and I literally went, "Ah,  
10 Cherish." And I got up and got up from the couch and I  
11 went looked in her room.

12 Then I went and I jumped in my vehicle and I  
13 drove around Merritt looking for her because I knew  
14 different areas at Tache, and Cherish, you know, tended to  
15 go and visit. And I went out and I was driving all over  
16 Merritt.

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

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



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

2                   And I says, "Well, look everywhere. Contact  
3                   whoever you can."

4                   She says, "I have."

5                   And I said, "Keep looking."

6                   And we started looking for her and by that  
7                   afternoon, I contacted the RCMP right away. I contacted  
8                   them and reported that Cherish was gone. And so right then  
9                   we knew that, you know, this was out of the ordinary for  
10                  her to be away from our family that long.

11                  And so we waited through Saturday and then  
12                  families started arriving at the house and expressing that,  
13                  you know, we were worried about Cherish. And so that was  
14                  the beginning.

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

20                  And then everybody is like, it just started  
21                  to intensify from there and just really knowing that there  
22                  was something wrong.

23                  And I'll go into the steps that we took  
24                  after that. But when we start pulling together as a  
25                  family, one of the main people, key people that supported



1 reason they've got a tip that somebody may have seen her  
2 down in the Lower Nicola area."

3 So I said, "Well, you know, we have to go  
4 back to the Coldwater Road, you know. Somehow, you know,  
5 we cannot leave that area alone."

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

8 So we had the Upper Nicola First Nations  
9 cowboys. They got on their horses and they said, "Okay.  
10 We're going to help out on the search and we're going to  
11 start, you know, doing a lot more search in the woods,  
12 wooded areas on the outskirts of Merritt."

13 So yeah, so you know, Robert was  
14 instrumental to the search and rescue and he pretty well  
15 coordinated his efforts with the RCMP. So they kind of  
16 worked hand in hand with that.

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

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

25 And we brought them -- and I'm not sure if

1           it was on that slide but we had our poster here that was  
2           created. And we brought it back to the house and of  
3           course, more and more family members and people were  
4           pouring into the house. And we just started distributing  
5           this.

6                           And as my husband had mentioned, that's when  
7           Robert was there helping us organize, you know, where  
8           people are going. And we'd had people going to the  
9           Okanagan and down through the canyon and we were just  
10          distributing posters everywhere we could.

11                           And for some reason, I don't know why, I  
12          guess we just needed to take action, so my husband and I  
13          drove up to the toll booth on the Coquihalla. That's when  
14          it existed there. And when we were going up there, it was  
15          quite late and I remember going -- when you go up the  
16          Coquihalla towards the toll booth, Coldwater Road, it runs  
17          parallel to the Coquihalla.

18                           But I was so scared and I was -- to me,  
19          then, I was imagining, you know, what if Cherish is down  
20          below there, down the hill? And it felt like she was  
21          trying to get up, come up to the highway or come up towards  
22          us. Then at that time, I remember that but I thought, you  
23          know, like, you desperately want to find her and so I  
24          thought that that was something that, you know, I could be  
25          imagining.

1                   However, as time went by and I think back,  
2                   and again, looking at the night when I was searching for  
3                   her, looking at the moon and praying for her and knowing  
4                   then and also looking -- creating the posters and knowing  
5                   that we had to move forward, and then going up the  
6                   Coquihalla and thinking about Cherish trying to come up  
7                   that mountainside to us, to me, it makes me wonder, you  
8                   know, how things work in connection with a daughter and a  
9                   mother. And when I went back to that, I still think about  
10                  that. Like, I knew.

11                  And with Robert, I went to him and I said --  
12                  asked him where the search was happening. And he pointed  
13                  out.

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

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

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

21                  And through this part, through all of the  
22                  work that we did, coming through with -- together as a  
23                  family, I just really wanted to express everything that we  
24                  did, as Ko'waintco had demonstrated with our prayers and  
25                  the brushing off, we came together strong as a family.

1                   We have a large family. And we're so  
2 fortunate to have strong leaders and family members within  
3 our family. And we always started off with -- we had  
4 smudges available. We did the prayers. We wanted  
5 everybody to be connected and safe and grounded.

6                   And so we practised that through and we had  
7 drumming and singing and it was so important part of our  
8 day-to-day function to keep us going and to make sure that  
9 we were operating in a smart way to keep ourselves safe and  
10 keep ourselves connected and having that communication  
11 clear.

12                   There was so much networking throughout B.C.  
13 Like, we have relatives down the island and in Vancouver,  
14 Chilliwack, way up north to Terrace, Burns Lake, Fort St.  
15 James, and Edmonton. And so we started that networking too  
16 because we have -- they were family and we really needed to  
17 make those connections and sending the posters out to them  
18 and communicating.

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

23                   And I have another cousin that worked in the  
24 school. I phoned her and I said, "I need help." I said,  
25 "This is overwhelming."

1                   She dropped everything from her work and she  
2                   came and we really set up a -- like, a command centre, a  
3                   centre where we were really well organized, again, the  
4                   strength of different people and their family, you know,  
5                   manning the phones, having the mapping, having Ko'waintco  
6                   and Sister Esther and different people come and leading us  
7                   and guiding us with the culture and the spiritual ways  
8                   that, you know, to take care of ourselves.

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

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

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

1 And we knew that.

2 And so again, the family pulling together.

3 And we had involved a couple of medicine men to come and  
4 join our family and help us as well. And so it really  
5 became a focal point for the search team and pulling  
6 together.

7 And through this process, it felt like we  
8 really shook up the town of Merritt. Like, we had --  
9 people had posters on their vehicles driving through. We  
10 were just searching everywhere, in buildings, everywhere we  
11 could think of. We just covered every area.

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

17 And so also we ended up searching homes that  
18 were abandoned, kind of like breaking into places to  
19 search, you know, and just out of desperation, searching  
20 everywhere.

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

25 And when the media did finally take it



1 seriously and come on board they were constantly at the  
2 door. They were there. And it became a place where we  
3 were just so overwhelmed.

4 And our family kind of protected us from the  
5 media and we assigned Ko'waintco to help speak for us and  
6 another couple of other family members to connect with the  
7 media and help us through that because it was just too much  
8 for us to take on. And so that was another part of the  
9 organizing.

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

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

25 And a big part of going through this day

1 after day after day is just having that hope, you know, and  
2 people would get tips. We'd get tips; the RCMP would get  
3 tips, and we heard that she was in the Cache Creek area.  
4 We had people go and search that area or the RCMP would  
5 follow up and then it would come to a dead end.

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

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

19 **MR. VICTOR LACERTE:** Yes, so they gave him a  
20 24-hour suspension. It wasn't let out til probably about  
21 three or four days later, after he was pulled in or picked  
22 up.

23 Apparently when he was picked up, one of his  
24 friends came forward, the person that he was working with,  
25 and he said that Dezwaan was looking at the poster when he

1 was in Westbank. He said it was kind of odd, you know,  
2 that he would be standing there in front of this --  
3 Cherish's poster and, you know, just staring at it with a  
4 blank look on his face.

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

11 So anyway, want to say something?

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

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

24 **MS. SHELLEY OPPENHEIM LACERTE:** And that was  
25 something that I wasn't aware of until recently either.

1 Like, we just -- things that we experienced, we continued  
2 with our lives and things that come up, and so that was  
3 another shocking thing that I heard, recently learned.

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

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

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

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

24 And it felt like my body was just vibrating.  
25 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  
25 and things again happened really fast where my other two

1 relatives were a part of talking to the media. And so  
2 Ko'waintco was trying to keep up to what was going on.

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

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

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

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

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

23 Robert Moses, myself, Ko'waintco, I think was there with me  
24 and to identify her remains. So I looked at her and I  
25 said, "No, I mean, out of respect for Cherish," I said,

1 "this does not look like Cherish," and because you know, we  
2 were going to determine whether or not we were going to  
3 have an open casket. So I said, "Out of respect to  
4 Cherish, I think we'll just have to keep the casket  
5 closed."

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

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

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

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

25 Like, I remember driving up Coldwater Road

1 and it felt like I could feel what she was feeling when she  
2 was brought up Coldwater Road, and in my mind, over the  
3 years, I have constantly pushed it away.

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

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

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

24 And so it's amazing today that we can even  
25 do what we're doing today after all these years. Like,



1 before, we would never even be able to speak, you know?  
2 And so we need to speak. We need to bring this forward for  
3 the sake of Cherish and all the people that have gone  
4 missing. And so that's why we're here.

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

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

17 And this one reporter, I think there was a  
18 slight smile that really devastated me. And I was thinking  
19 about these reporters that, you know, overall, they care  
20 and they're working hard, but they didn't realize how that  
21 affects us as well.

22 And so that's another memory that triggers  
23 me talking about this, the media. But they were continuous  
24 and our family, again, continued to protect us so that we  
25 weren't out in front and centre. We planned and we

1 discussed how things would work.

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

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

18 Like, the people that were involved with --  
19 I don't want to downplay some of the work that had  
20 happened; we had become really close with some of them -- a  
21 couple of the RCMP members and investigators that really  
22 did fantastic work for us. And my husband was more  
23 connected to them so maybe you can speak on that.

24 **MR. VICTOR LACERTE:** Yeah, well, with  
25 working with Robert and the constables that were working

1 with us, the detectives, they kind of gave us an insight of  
2 basically where they were at and what their perspective was  
3 and their jobs. We tried to work hand in hand with them as  
4 much as we could. They weren't giving us all the  
5 information on what they had picked up. We were giving  
6 them everything that we had.

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

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

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

18 So I don't know, with Robert, like, he was  
19 really getting frustrated with it all. He said, "You know,  
20 like, we're giving the RCMP all the information that we've  
21 collected and you know, it seems like it's only a one-way  
22 street here. We're not having information in return."

23 So I sympathized with him. And he was  
24 really taking a lot of it to heart. So you know, pretty  
25 tough.

1                   **MS. SHELLEY OPPENHEIM LACERTE:** Yeah. So we  
2 talked to Robert before we came up and we could really just  
3 see all of the thoughts and the feelings coming back and  
4 the memories of what he experienced, because he was putting  
5 all his heart and putting his best foot forward and doing  
6 the best work that he could. And so really, we can never  
7 forget how committed he was in the work that he was doing.

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

17                   And again, she was a very nice person, but  
18 there was -- it just seemed like people in the Merritt --  
19 in our area didn't have the background, training, or  
20 experience in trauma. And so this person just came and  
21 pretty well just sat there and was present. And so we  
22 recall that.

23                   And as far as the counselling, I know that  
24 over the years there has been a lot of work and training  
25 that has happened and that's building up across Canada,

1 because sadly, look what is happening to so many of our  
2 families. And so again, having the cultural background, we  
3 feel is really helpful or would be helpful, and the  
4 training in trauma and to really understanding that. And  
5 so looking at also where we are today, we look at what's  
6 happening across Canada.

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

13 How can we provide information or education,  
14 you know, around this so that -- because it's so powerful  
15 in that I was just really blown away by going up to Prince  
16 George to the conference for the Missing and Murdered  
17 Indigenous Women and Girls. And I was shocked to see how  
18 many families were there. That's just in BC. And looking  
19 at imagining across Canada all the families that are  
20 gathering and that.

21 And so we have families in isolation. It  
22 seems that some families are in isolation and if they don't  
23 have the strength of leadership, you know, within their  
24 families or the cultural background or expertise to come  
25 forward, how are they managing? You know, are they by

1 themselves?

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

11 And so these things with -- and having our  
12 family, immediate family and extended family a part of our  
13 lives and supporting and helping us, I think is really  
14 huge. And my heart goes out to other families that are  
15 struggling through this.

16 And so the volunteers and support of the  
17 family and the volunteers with a trained crisis  
18 intervention team would have been very helpful in  
19 addressing the trauma and the crisis on finding Cherish.  
20 And so we think about that. If we had these types of  
21 supports through that process, we believe that would have  
22 been helpful because we did the best that we could with who  
23 we had and what we knew, but over the years and  
24 developments in trauma and processes, we believe that would  
25 have been really helpful.

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

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

8                   And I think about Robert and then talking to  
9                   him about this and seeing the hurt in his eyes and hearing  
10                  the message from Ko'waintco's sister Esther and different  
11                  family members. I think, look at all these years and  
12                  they're still carrying a lot of those memories and that  
13                  pain. And so maybe we should still do a debriefing on  
14                  that.

15                  And looking at moving on to Cherish's  
16                  funeral, she had a huge funeral where there was -- we had  
17                  it up at Coldwater School in the gym and there was like,  
18                  500 people. And what was amazing is we had so many youth  
19                  that came. Like, she was in her rugby and different sports  
20                  and they stepped forward, relatives from all over the place  
21                  and they attended the funeral.

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

25                  And when we carried Cherish from the school

1 to the gravesite, it was about a mile away, and they wanted  
2 to take part in carrying her. And so they would trade off  
3 and be a part of it and were drumming and singing and just  
4 -- and again, there was just lots of people there.

5 And yes, and so we'll never forget the love  
6 that they demonstrated throughout that process. And again,  
7 we go back to the youth and helping them to feel strong and  
8 confident enough to step forward and to do things like  
9 this, again, going back to the education system of how can  
10 we empower our youth, educate them?

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

14 And for the rugby team, when they went into  
15 the gym, Cherish had a jersey with the number 13 and so  
16 they hooked it onto this stick and they walked into the  
17 gym. You know, again, this is them expressing what they  
18 wanted to do for Cherish. And so I can imagine them with  
19 that rugby jersey and them all coming in together for the  
20 funeral services.

21 And so we really -- I don't think we ever  
22 really got to express the importance of that and how they  
23 really connected to our hearts. And so that's a huge  
24 important piece.

25 Can you hold this?



1                   For the funeral, we made a pamphlet as we do  
2                   for our loved ones, and we created this pamphlet and we had  
3                   a lot of large family involvement and people wanting to be  
4                   a part of this whole process. And we had a youth do the  
5                   eulogy and we had pictures of the family in here. And so  
6                   again, that's a lot of family members and supports coming  
7                   together to help us through this. And so again, I put up  
8                   there that, "We still cannot believe you are gone,  
9                   Cherish."

10                   And you think about the number of years.  
11                   People may think, well, look at how many years ago it was.  
12                   To us, it doesn't feel that way in our heart because it's  
13                   just still fresh in our minds. And my husband had  
14                   mentioned that there's -- we have four daughters, and in  
15                   our hearts, we know that Cherish is the missing link. And  
16                   so we constantly feel that.

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

19                   And moving on to the trial, many of our  
20                   family and friends attended the trial that spread over  
21                   several days in Kamloops. The family and friends really  
22                   wanted to show Dezwaan how many lives he had impacted,  
23                   which was many. And it was not easy for the family to sit  
24                   and listen to the court evidence presented on how Cherish's  
25                   life was taken.

1                   And thank goodness again for the family  
2                   pulling together each day in prayer and supporting one  
3                   another emotionally, mentally, and spiritually. It was  
4                   deeply devastating for all that were there because the  
5                   emotions were so high with anxiety and grief and stress and  
6                   anger, and so a family coming together and trying to go  
7                   through the court process and stay grounded and balanced so  
8                   that we were going through things in the right way.

9                   I could not attend the trial, of course. It  
10                  was just too big and too much. And so I stayed out in the  
11                  lobby with some family members while people went in -- our  
12                  family went into court.

13                  And I know that I had to do the victim  
14                  impact statement, which was something that I can't really  
15                  remember. And I know that I did do that but I know just  
16                  reading in the newspaper how that -- how what had happened  
17                  and that and it was again, part of the memories that I just  
18                  can't recall exactly.

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

23                  And we wanted him to be listed as a  
24                  dangerous offender; however, through that process, they  
25                  said that because, I guess, through negotiating, that they

1           lowered that. They didn't put him on as a dangerous  
2           offender because a part of it was him telling them where  
3           Cherish was.

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

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

16                           And so is there anything you wanted to say?

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

1                   And for him to say in the courts that it was  
2                   consensual, you know, I mean, this little girl that's only  
3                   16 years of age and you know, it just -- and for us to find  
4                   out the way that he had killed her, you know, it's just  
5                   unbelievable.

6                   So I don't know if there's any way, you know  
7                   -- I mean, things have already taken its toll as to him not  
8                   being able to have that dangerous offender attached to his  
9                   release. I don't know if there's any way that a person can  
10                  go back and say, "Okay. Well, you know what? If we can  
11                  reconsider this and have that attached, that would make our  
12                  lives a lot more -- you know, we'd be able to live with it  
13                  a little more so as opposed to him not receiving a first-  
14                  degree sentence without a chance of parole", which in our  
15                  eyes, you know, we thought that was the way things should  
16                  have happened.

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

21                  **MS. SHELLEY OPPENHEIM LACERTE:** One thing  
22                  that one of my relatives had mentioned is that during the  
23                  court hearing they found that the seating arrangements  
24                  could have been better structured in keeping the family  
25                  separated from the offender's families and support. The

1 family members said that they weren't -- felt that that was  
2 really -- we were already going through a lot and the  
3 family to come in and be in close proximity to the other  
4 family, it was -- it really made things more difficult. So  
5 that was something that was expressed.

6 And again, we talked about the debriefing  
7 after the search and how huge that was, but also the  
8 debriefing after the trial that had never happened; again,  
9 that that's something that I think is really important,  
10 that we have that process looked at, you know, so that  
11 we're taking care of individuals and taking care of them  
12 and closure.

13 You look at the four areas, like, when you  
14 talk about a traumatic event, it was like, going through  
15 the search, how traumatizing that was. And then realizing  
16 that Cherish was gone, going through the funeral, and then  
17 right into the courts, like, it was trauma after trauma  
18 after trauma, just building. And how can we take care of  
19 ourselves and each other through that process? So we  
20 believe that's an important part to consider.

21 And moving on to something else that we  
22 wanted to share is in April 2011, there was -- Dezwaan's  
23 son had ended up killing and raping this young lady. I  
24 think she was -- I can't remember how old she was, 18. She  
25 was 18 years old. And so this was on the island and his

1 son has killed and raped and murdered this young girl.

2 And so from that happening, the media were  
3 right on to us again. They were searching for us in  
4 Merritt. And we didn't know how to feel or react with  
5 that.

6 And then I heard that they were trying to  
7 track down my oldest daughter Ashley. So we came together  
8 again as a family. We said, "Okay. We need to approach  
9 the media. What is the purpose? What are we going to  
10 provide for the media so that they would not keep pursuing  
11 us?"

12 And so looking at that, we decided to  
13 provide a message to the victims, the family, and provide  
14 some sort of supportive message that you know, we wanted to  
15 somehow let them know of our love and our care of them and  
16 thinking about them. And so that helped with that process,  
17 the media approaching us.

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

1                   And so again, trying to pick myself up again  
2                   and move forward. So that impact of that happening just  
3                   shook our whole family again. And so that was something  
4                   that had happened.

5                   And moving on to another incident, that was  
6                   in April 2017, where Dezwaan had escaped Mission  
7                   Institution. He was in Mission and he had walked right out  
8                   of the prison and had escaped. And so all of a sudden,  
9                   this is all over the news and we're thinking, what's going  
10                  on? And we were again shook because the RCMP or nobody had  
11                  come to us and told us that this is happening. And so  
12                  again, we felt that somebody could have come to us and let  
13                  us know that this -- and that's not that far from Merritt  
14                  either, like, from Merritt to Mission. And so you know, is  
15                  he going to be in Merritt or is he going to be around?

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

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

24                  And as I mentioned, us not being notified  
25                  and being contacted of his escape, and through that

1 process, we had learned that there is some forms that you  
2 can fill out and learn about where he is or what's  
3 happening, because when he was -- and nobody had told us  
4 about that or again, with all the things that had happened,  
5 maybe we didn't hear it or maybe we -- I don't know.

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

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

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

20 Looking at going into the healing journey,  
21 steps the family took to help with the healing journey, a  
22 year after Cherish had passed away we had a memorial. And  
23 in preparation for that we provided giveaway items and we  
24 prepared to thank the people that supported us, which was  
25 so many people. So my mother and myself and relatives came



1 together and we canned fish, we canned lots of different  
2 berries and anything we could and made different things,  
3 bought items to bring everybody together and show our  
4 appreciation of the support that was provided.

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

12 And so that was again, really an important  
13 part of our healing journey is just to organize that and do  
14 that.

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

25 And through this process too I was very

1 suicidal at times where I remember planning to take my  
2 life. I was rationalizing that my husband could take care  
3 of Vicki and Kelli, that they would be fine. They would be  
4 able to move on. My mother and my dad were okay and my  
5 brothers, and thinking about different family members, of  
6 how they could move on with their lives so that I could go  
7 and join Cherish. And I thought about gathering all the  
8 pills that I could and I would check into a motel and do  
9 that.

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

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

24 And I think that's just a part of the  
25 process I went through and I came to a point where I had to

1 say, "Okay. I will live for my husband. I will live for  
2 my daughters. I will live for my family. And maybe  
3 someday I can live for me too." But I had to pick myself  
4 up to do that, to keep going.

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

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

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

24 And we had talked about -- earlier, I talked  
25 about attending the conference in Prince George and the

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

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

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

20 And the financial distress when I went on  
21 long-term disability, it was really stressful and demeaning  
22 to go through that process and that paperwork and the  
23 expectations they have of you, where I couldn't even see  
24 the paper. I couldn't understand it and they'd read it to  
25 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  
25 need some help.

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

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

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

19                   And to me, it was really important. It was  
20 important to me to learn and know and understand that. And  
21 I was kind of holding back, thinking this might sound crazy  
22 to be talking about, but I thought maybe if I talked about  
23 it, maybe there's other individuals that would like that or  
24 need that. I know there's many different needs and wants  
25 from different people. But I wanted to share that, that

1           that was important to me.

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

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

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

21                          And so looking at the cultural piece and  
22          what I believe really helped us through this, I ended up  
23          becoming a principal at the band school, and then into the  
24          school district. And the work that we do is really to grow  
25          these programs and to learn who we are as a people, and to

1 learn our history and our local cultures and the history,  
2 and teaching that to our students, and the importance of  
3 providing information, as I had mentioned earlier, to  
4 educate and provide this.

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

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

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

19 We looked at -- I never forget looking back  
20 at what we had as a family, like, for instance, my mother  
21 coming in. And it seemed like everybody naturally took on  
22 these different roles. My mother came in and she did the  
23 laundry. She was doing cleaning. My brother and sister-  
24 in-law took care of the yard. My cousin came in and helped  
25 with the girls. And well, a few of my cousins.



1                   And then Ko'waintco with the spiritual and  
2                   the cultural piece. And people coming in to cook. And  
3                   that happened for months. It wasn't just a short term. It  
4                   had happened for over a year.

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

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

17                  And feeling -- I remember going -- we came  
18                  to a family gathering and they had a dance, and I felt so  
19                  guilty for dancing and trying to have fun, you know? And  
20                  it just didn't seem right to do that. So things like that  
21                  that again, as a family, we recognize our individuals and  
22                  finding a way to get through all of that.

23                  And the nightmares of imagining the violence  
24                  that Cherish experienced. That's still there, and trying  
25                  to get through that, getting triggered of the terrifying

1 memories that Cherish experienced then. And driving by the  
2 site and when we come to the coast, we're on Coldwater  
3 Reserve. We have to drive through the site and sometimes  
4 we just -- we acknowledge and we do our prayers, but  
5 sometimes it's just too much, where we have to just block  
6 that away until we can deal with that.

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

14 We're fortunate to have three grandchildren  
15 and so our time and our love and you know, we embrace our -  
16 - a family is so important and we're just so fortunate to  
17 spend time with them and make their lives happy and safe  
18 and want them to be successful, and that we know that  
19 someday we'll join Cherish and we'll all be together again  
20 with her and family and other relatives.

21 And looking at how the things that we went  
22 through and the things that we needed to do to heal  
23 ourselves and where we are today, that this evil man will  
24 not have the power to destroy us. And so that's what we  
25 look at.

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

3                   Is there anything else?

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

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

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

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

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

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

13                   You reported on the Saturday to the RCMP  
14 that Cherish was missing and you started your family search  
15 on Sunday; is that correct?

16                   **MS. SHELLEY OPPENHEIM LACERTE:** That's  
17 right.

18                   **CHIEF COMMISSIONER BULLER:** Yeah. When did  
19 the RCMP start their search; do you know?

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

23                   **CHIEF COMMISSIONER BULLER:** When the trial  
24 was happening and then there was the sentencing and what's  
25 called a plea bargain to -- well, I don't know if -- I

1 shouldn't say that that's what happened, but it sounds to  
2 me like there was a plea bargain of some sort for the  
3 dangerous offender issue. Did Crown counsel ever talk to  
4 you about what was going on with respect to sentencing and  
5 what was happening and why?

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

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

15 **CHIEF COMMISSIONER BULLER:** Okay, thank you.  
16 Now that makes sense. I misheard that. Okay. Thank you  
17 very much.

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

21 **MS. KO'WAINTCO MICHEL:** Just the point about  
22 the day before when the RCMP were aware that Dezwaan was  
23 breaching his condition and was in the Merritt area and  
24 they had told him that he wasn't to be in the vicinity,  
25 when they could have picked him up and charged him, but

1           they didn't. You know, they just let him go and that was  
2           just the day before. And I think that, you know, if the  
3           police had just followed up, then this all wouldn't have  
4           happened.

5                           And I really think that the police, the RCMP  
6           need to be a little more assertive with people who are  
7           breaching their conditions. And that was just shared on  
8           the news the day before. And you know, I go back to that  
9           time and think about that time and it's really upsetting  
10          that they just let that slide. And I really feel that  
11          needs to be noted through this whole thing.

12                           And you know, knowing that it's 2018 now,  
13          it's 15 years after, you know, and so it means this year,  
14          if they're giving him 15 years, it means he will be out  
15          this year. But we don't know as a family if they extended  
16          his time when he escaped from the minimum-security prison.  
17          We don't know if they gave him additional time. And  
18          hopefully they have.

19                           And we don't know as a family if we have a  
20          say. Would the legal system support us as a family to  
21          ensure that he gets additional time? And what is it as we,  
22          as a family, can do to make sure that he is looked at as a  
23          dangerous offender and not really minimize it, that he's  
24          not dangerous? Because if he is to go out there and he's  
25          released this year, which is 15 years now, I was looking at

1 the information, adding it -- and if he is, you know, where  
2 is he going to live?

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

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

12 And I'm sure that's the things that Shelley  
13 and Amigo were looking at because we're looking at -- this  
14 Inquiry is to look at recommendations of what can be done  
15 better and how can we help all our people, anyone, not even  
16 just talking about Aboriginal but non-Aboriginal as well,  
17 you know, when you have dangerous offenders out there?

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

23 **CHIEF COMMISSIONER BULLER:** Great. Thank  
24 you very much.

25 **MR. VICTOR LACERTE:** I was just going to add

1           that during the court process, Dezwaan apparently had seen  
2           Cherish walking from school a couple of times and that she  
3           had reminded him of an old girlfriend that he was seeing in  
4           Westbank or Kelowna. So in that essence, I was kind of  
5           looking at it and saying, "Well, you know, was this guy  
6           stalking her and just by chance she was walking by the area  
7           where he was at that evening?"

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

12                        **CHIEF COMMISSIONER BULLER:** Well, thank you  
13          all very much. I have to say, I've never given up hope in  
14          the strength of families and what families can do for each  
15          other. And you've just reconfirmed that belief again in  
16          such a great way about how as a family and as a community  
17          you've all stayed together and helped each other.

18                        What you've said today is really important  
19          to our work and is a big help to the work that we have to  
20          do ahead of us. So I want to thank you for that. You've  
21          made a difference already to the work that we're doing and  
22          I'm very thankful.

23                        I want to thank you personally because I  
24          suppose it would be so easy to give up, to give up hope,  
25          and you still haven't done that. And I think that's

1           wonderful. You've really inspired me. So I want to thank  
2           you personally for coming and lifting up my spirit too.

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

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

12                      Our second gift is some seeds. And I hope  
13          you have better luck than I did in my garden. When the  
14          Commissioners and I started this work, we hoped that one of  
15          the things that would be sort of an offshoot or a result of  
16          our work is that there would be healing and new growth.  
17          And so we decided to give all the families and survivors  
18          who come forward these seeds, which they're wild strawberry  
19          seeds.

20                      Would you please plant them -- and better  
21          luck than me -- and if something grows, would you please  
22          take a picture and send it to us so we can see the new  
23          growth and keep the photographs in our legacy archive?

24                      I have to tell you, we're already getting  
25          photographs so there's new life all across Canada, and



1           there's hope now all across Canada.

2                               So my sincere thanks for coming, for sharing  
3           your truths with us. I wish you a safe trip home, or trips  
4           home. And I want you, when you go home please, to remember  
5           that you made a big difference by coming here. Thank you  
6           so much.

7                               Okay. After either the -- whichever happens  
8           last, the feathers or the song, we will be adjourned.

9           **--- CLOSING SONG**

10          **--- Exhibits (code: P01P15P0502)**

11          **--- Exhibit 1:**           PowerPoint presentation "In Loving  
12                                       Memory of Cherish" prepared for the  
13                                       public testimony of the family,  
14                                       comprising 11 colour slides

15          **--- Upon adjourning at 14:22**

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LEGAL DICTA-TYPIST'S CERTIFICATE

I, Karen Noganosh, 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.



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Karen Noganosh TRANSCRIPTIONIST

INTERNATIONAL REPORTING INC

April 15, 2018