

CANADA

PROVINCE OF NOVA SCOTIA

IN THE MATTER OF THE
FATALITY INVESTIGATIONS ACT

S.N.S. 2001, c. 31

THE DESMOND FATALITY INQUIRY

TRANSCRIPT

HEARD BEFORE: The Honourable Judge Warren K. Zimmer

PLACE HEARD: Port Hawkesbury, Nova Scotia

DATE HEARD: June 21, 2021

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1 JUNE 21, 2021

2 COURT OPENED (13:02 HRS.)

3

4 THE COURT: Thank you. Good afternoon.

5 COUNSEL: Good afternoon, Your Honour.

6 THE COURT: I understand we have ... Ms. Borden is
7 appearing by way of video? Ms. Borden, can you hear me all
8 right?

9 MS. BORDEN: Yes.

10 THE COURT: You can hear us all right? Well, thank you
11 very much. We appreciate that we had planned to have you here
12 on an earlier occasion and there have been a variety of
13 circumstances that have kind of impeded that opportunity. I
14 know I appreciate you finding the time. I think the rest of the
15 counsel here, as well, appreciate you finding the time to appear
16 and answer some questions and give us some information. So
17 thank you. All right.

18 MS. BORDEN: No problem.

19 THE COURT: So perhaps we could have Ms. Borden sworn or
20 affirmed? Your choice.

21

22

1 **SHONDA BORDEN**, affirmed, testified:

2

3 **THE COURT:** Mr. Russell?

4

5 **DIRECT EXAMINATION**

6

7 **MR. RUSSELL:** Thank you, Your Honour. Good afternoon, Ms.

8 Borden.

9 **A.** Good afternoon.

10 **Q.** If, at any point, you can't either hear me or things
11 break up, just signal or let me know somehow and we'll take a
12 break.

13 **A.** Sounds good.

14 **Q.** If there's something that's sort of not clear and you
15 need me to re-ask it, just, you know, indicate that you'd like
16 me to re-ask it. And if, at any point, you need a break, some
17 of the topics you may just need a break from, maybe just let me
18 know and we can ask the Court and Judge Zimmer will probably ...
19 His Honour will probably allow us to take a break.

20 **A.** Okay.

21 **Q.** So I might refer to you as "Shonda" because we have
22 talked in advance as Shane and Shonda. I hope that's all right.

1 **A.** Perfectly fine.

2 **Q.** So I guess I'll start by getting you to say your full
3 name. What is your full name?

4 **A.** Shonda Rochelle Borden.

5 **Q.** And I understand that you're currently not in Nova
6 Scotia. Where are you living?

7 **A.** Regina, Saskatchewan.

8 **Q.** And how long have you been in Saskatchewan?

9 **A.** Nine years, I think.

10 **Q.** And I understand you're in a nursing program now?

11 **A.** Yes.

12 **Q.** When did you start the nursing program?

13 **A.** March.

14 **Q.** So you just sort of ... I guess you've got a long
15 ways to go, I guess?

16 **A.** Just started, yes.

17 **Q.** And how is it going?

18 **A.** Good so far. Great.

19 **Q.** So I understand that you have a twin as well.

20 **A.** I do.

21 **Q.** And Shanna would be your older sister?

22 **A.** Yeah.

SHONDA BORDEN, Direct Examination

1 **Q.** And Sheldon is your twin. Sheldon Borden?

2 **A.** That's correct.

3 **Q.** How many years in the difference between you and
4 Shanna?

5 **A.** Five years.

6 **Q.** Are there any other siblings?

7 **A.** No.

8 **Q.** So in terms of growing up, were you, Sheldon, and
9 Shanna close growing up?

10 **A.** Yes.

11 **Q.** All right.

12 **A.** Like siblings.

13 **Q.** Yes. Okay. Sometimes you got along, I guess, and
14 sometimes you didn't. Is that fair?

15 **A.** That's right.

16 **Q.** All right.

17 **THE COURT:** Mr. Russell, I'm just going to stop you for
18 a second.

19 So, Ms. Borden, some of the questions that you might get
20 asked might seem to be kind of like simple and basic questions,
21 but they're important because they kind of fill in the
22 relationship that you had with your other family members and it

SHONDA BORDEN, Direct Examination

1 really helps us to have kind of an understanding, a better
2 understanding. And, you know, some of the historical data is so
3 well-known to you that ... but it's unknown to us. So that's
4 part of the reason why Mr. Russell will go through this very
5 carefully. And some of it may not seem all that important to
6 you, but it really does provide us with some important
7 background and context. Okay?

8 **A.** Yeah. Totally fine.

9 **Q.** Perfect. Thank you. Sorry, Mr. Russell.

10 **MR. RUSSELL:** So you would've all grown up in the same
11 household, I guess?

12 **A.** Yes, we did.

13 **Q.** And so who would've lived in that household growing
14 up?

15 **A.** Myself; my twin brother, Sheldon; Shanna, which is
16 obviously our older sister; and then my mother and father,
17 Thelma and Ricky.

18 **Q.** So Shanna, in terms of she's the big sister and there
19 were five years in the difference, but would you see her very
20 frequently? Would you always sort of know what she's up to, she
21 would know what you were up to, growing up?

22 **A.** Most of the time. She was like our second mother.

SHONDA BORDEN, Direct Examination

1 **Q.** All right. And so she was a little motherly, I guess,
2 over you and Sheldon.

3 **A.** Majorly. Yes.

4 **Q.** All right. And, well, could you give us sort of an
5 example.

6 **A.** Well, just when ... one time when my mother had a
7 stroke, she took on the motherly responsibilities of getting us
8 to school, and herself, and cooking breakfast and whatnot. She
9 always had the mother role.

10 **Q.** And I always sort of wondered. How was it like
11 growing up with a twin?

12 **A.** Annoying.

13 **Q.** I should point out, he can hear everything you're
14 saying.

15 **A.** I hope he can.

16 **Q.** And so I guess if you could tell us a little bit about
17 into the future. How was Shanna as a mom with Aaliyah?

18 **A.** Shanna was fantastic. Being a mother was so natural
19 to her. You know, she loved children. She loved taking care of
20 people, whether they were infants or toddlers or elderly. It
21 was just her dynamic.

22 **Q.** And we know that she had a successful career as a

SHONDA BORDEN, Direct Examination

1 nurse. So how was she at sort of balancing that professional
2 career as a nurse with being a mother?

3 **A.** She did it a lot better than what I can do. Just
4 multi-tasking. Especially going back and forth from New
5 Brunswick to Nova Scotia and then still being able to help
6 Aaliyah with her homework or, you know, taking her out for
7 activities. Plus doing her, you know, schoolwork and studying
8 for exams on the run is ... it's a lot of work, but she did
9 great at it.

10 **(13:10)**

11 **Q.** And in terms of her overall sort of presentation,
12 would you describe her as sort of a shy person? A confident
13 person?

14 **A.** Confident and social, I would say.

15 **Q.** All right.

16 **A.** Yeah.

17 **Q.** And in terms of when you moved to Saskatchewan -
18 you've been there nine years - did you stay in touch with
19 Sheldon and Shanna during your time that you were in
20 Saskatchewan?

21 **A.** Yeah. So I talk to Sheldon every once in awhile, but
22 Shanna, we'd normally talk every day on the phone.

SHONDA BORDEN, Direct Examination

1 **Q.** So it was pretty ... Did you say "every day"? Or how
2 frequent would that be, say, in the run of a week?

3 **A.** Every day.

4 **Q.** Every day? Okay. And was that sort of the typical
5 relationship that you sort of both had shared was always in
6 regular contact and up to speed with what's going on in each
7 other's lives?

8 **A.** Not normally. I mean like when I graduated high
9 school, we became a lot closer because I was older then. And
10 when I had my children, I was living in Nova Scotia, obviously,
11 at that time. We just became even more closer. So, you know,
12 once you get older, you become closer with your siblings.

13 **Q.** Sure. And how old are your children?

14 **A.** Eleven and nine.

15 **Q.** So how old would you have sort of been when you moved
16 out of the family household? I'm assuming Shanna might've been
17 the first to kind of leave the family home?

18 **A.** So Shanna was the first to leave and then I left right
19 after graduating. So I went to go live with her and Lionel in
20 New Brunswick. And then I bought a house and then they came and
21 lived with me until they bought their house.

22 **Q.** So I'm going to ask ...

SHONDA BORDEN, Direct Examination

1 **A.** We spent quite a bit of time together.

2 **Q.** So I'm going to ask you just a little bit about you
3 living with them at different portions of time. Sort of
4 momentarily, we'll get into that. So do you remember how old, I
5 guess, would you have been, roughly, when Shanna and Lionel
6 might've started dating, I guess?

7 **A.** Geez ...

8 **Q.** It doesn't have to be perfectly accurate. I'm just
9 trying to get a sense of it.

10 **A.** I'd say like 16 maybe?

11 **Q.** And would Lionel sort of always ... would he come
12 around the house when they first started dating?

13 **A.** Yeah. Lionel used to either bike down or sometimes he
14 would hitchhike down, walk.

15 **Q.** And they were together approximately how many years,
16 would you say, before they got married?

17 **A.** I think Shanna was in grade ... Before they got
18 married? I'd say about six years maybe?

19 **Q.** And so would they have dated in high school?

20 **A.** Yes.

21 **Q.** And so how would ... Would you see Lionel quite
22 frequently when you're ... You're still in the family home when

SHONDA BORDEN, Direct Examination

1 you were younger, and Shanna starts dating Lionel. Would you
2 see them together at your place quite often?

3 **A.** Yeah. Lionel was always down because my mother used
4 to be pretty sick, so Lionel used to come down and help with the
5 wood or, you know, help with the household, help her out.

6 **Q.** And how did ... Sort of in those early years while
7 you're still living at the family home and they're started out
8 sort of dating, how did Lionel get along with you and the rest
9 of the family?

10 **A.** Great. He joined our family with no hesitation, you
11 know, he was just a happy, cheerful guy. Lots of laughter,
12 dancing.

13 **Q.** And I heard a little bit from speaking to Sheldon that
14 Sheldon kind of almost looked at him sort of in the role of a
15 bit of a big brother at times.

16 **A.** Definitely. He was definitely like our big brother.

17 **Q.** And I wonder if you can tell me a little bit about
18 that in terms of what was that dynamic like?

19 **A.** Well, since I never had a big brother, it was
20 obviously nice to have him come around and help out. He used to
21 help with household chores or just take us some place. If we
22 needed to go somewhere, he would take us. You know, he was

SHONDA BORDEN, Direct Examination

1 really fun. You could talk to him about anything. Open-minded.

2 Q. Sort of, again, we're talking kind of pre-military.
3 They're just dating. In terms of your interactions and what you
4 saw in the relationship between Lionel and Shanna, how was it?

5 A. I thought it was pretty good. He was very quiet at
6 first. Like I didn't really know what was going on between them
7 except that he was coming over a lot. But, yeah, they seemed
8 like they were getting along very well at that point.

9 Q. Did you ever see sort of anything sort of unusual
10 about the relationship? I guess you know how you can sometimes
11 see a couple, that they're together but, look, they really don't
12 get along and they're constantly arguing. Did you sense any of
13 that when Shanna and Lionel are first sort of together and up to
14 when they got married?

15 A. No. I didn't see anything.

16 Q. Do you recall roughly when they did get married?

17 A. No, I don't.

18 Q. That's all right. So were they married, I guess,
19 before Lionel entered the military?

20 A. No. They got married after.

21 Q. Okay. And was it close in time?

22 A. I think it was when he came back. When he came back

SHONDA BORDEN, Direct Examination

1 maybe on his break. Or maybe before that. Not quite sure.

2 Q. Just to sort of help you along. We know Lionel had
3 started with the military in 2004, and we know that he went to
4 Afghanistan in 2007.

5 A. When Aaliyah was born. Yes. So they got married
6 before Aaliyah was born, I believe.

7 Q. Okay.

8 A. Yeah.

9 Q. So up to the point, I guess, when they got married,
10 was there anything that you noticed about the two of them as a
11 couple that would've caused you sort of any concern that, look,
12 they're not ... they don't appear to be getting along or how
13 would you describe their relationship overall?

14 A. So when they got back, originally, the wedding was
15 planned and everything was good but I know up ... when the
16 wedding happened, their first ... So they got married ... there
17 was two weddings, pretty much. The first one didn't go through
18 because he didn't show up because he was dealing with some
19 things. I'm not quite sure. And then I guess they went to the
20 justice of peace and got married a certain time later. So I'm
21 not really sure when that time was ... but, yeah.

22 Q. Were those two dates in the same year or do you think

SHONDA BORDEN, Direct Examination

1 they were separate years or ...

2 **A.** It was a separate year because the original one was a
3 date in January or December, so it was the following.

4 **Q.** The following year?

5 **A.** Yes.

6 **Q.** So, I guess, did you ever talk to Shanna a little bit
7 about that, what happened sort of in the first ... They were
8 set to get married. Was it sort of planned in terms of was
9 there like a church and reception and everything planned and
10 then it didn't happen?

11 **A.** Yeah. So everything was planned. Wedding dress,
12 everything. It was at St. FX. So her dress was there, guests
13 were coming in and then, you know, we were waiting. I know that
14 she was on the phone lots with him. I'm not quite sure, you
15 know, what was happening. I was still pretty young at the time.
16 And he didn't show up at that time, so she was left at the
17 altar.

18 **Q.** Roughly how old would you have been around that time
19 when they had the original date set?

20 **A.** I have a hard time remembering tomorrow.

21 **Q.** Me too.

22 **A.** Oh gosh. I was still in school.

SHONDA BORDEN, Direct Examination

1 **Q.** As in high school?

2 **A.** I would say ... Yeah, I was in high school, I
3 believe. I would say I was in Grade 9 maybe?

4 **Q.** So did you ever talk to Shanna then or in the years
5 later, or Lionel, about that, as to what really went on there?
6 What sort of ... what was the reasoning behind what was going
7 on?

8 **A.** All I know is that he was dealing with something. I'm
9 not quite sure. He didn't really know what he wanted to do. I
10 didn't really go into full detail because it wasn't the best
11 experience for her and I didn't want to really bring it up so
12 ...

13 **Q.** Mm-hmm. And up to sort of that point, from what you
14 saw, or by speaking to Shanna, how did the relationship seem?

15 **(13:20)**

16 **A.** It was good when they were together, like when it was
17 just him. When he had other people in his ear, then it was a
18 lot harder for them.

19 **Q.** Okay. And when you say "had other people in his ear,
20 it was a lot harder for them", what do you mean?

21 **A.** I just mean like family, different family members, you
22 know, maybe saying not to marry Shanna but, in the end, he just

SHONDA BORDEN, Direct Examination

1 ignored everyone and did what he wanted to do.

2 Q. Did you get a sense that there was a little bit of
3 pressure? Sort of maybe, you know, his family, I guess, didn't
4 want him marrying Shanna and then it sort of served as a bit of
5 a distraction? Did you get a sense of that?

6 A. Most definitely. Most definitely.

7 Q. And did you ever speak to Shanna about that?

8 A. I did. She knew that there was, you know, family
9 drama that was occurring, but then she also knew the way he felt
10 wholeheartedly as well, so when they talked and when they got
11 along, like I said, it was very good when it was just the two of
12 them, but when you have different family members coming in your
13 ear, it's a lot harder on you.

14 Q. Okay. And did Shanna ever talk about sort of whether
15 that was sort of a stressful or difficult thing to navigate for
16 the two of them?

17 A. It was. It was at first and then once Lionel's mother
18 started coming around things became so much better for them. Of
19 course, there was other family members that would, you know,
20 have something to say, but the most important one was his
21 mother, and once she approved, it was great. They all got along
22 really well.

SHONDA BORDEN, Direct Examination

1 **Q.** Okay. And I guess I'll ask you some questions that
2 actually may seem a little hard or probing a little bit. I'm
3 just trying to get an overall sense, as Judge Zimmer has
4 indicated, just sort of the dynamic and how you saw things.

5 So, again, we're talking sort of just up to the point where
6 they're married and earlier. Were there ever any sort of signs
7 of any sort of jealousy on either Shanna or Lionel's part?

8 **A.** Early on in the marriage?

9 **Q.** Yeah. I guess ...

10 **A.** Or before?

11 **Q.** I guess up to ... We'll leave it for up to the point
12 where they get married, I guess. At that point and earlier, was
13 there any sort of jealousy aspects to the marriage and the
14 relationship?

15 **A.** No, I wouldn't say so. I wouldn't say. Not early on.

16 **Q.** And I guess we know that, later on, Lionel had
17 developed a fair number of sort of obsessive traits and it was
18 described as kind of being obsessed over finances and cleaning.
19 Did you ever see any of those early on in the relationship, I
20 guess up to the point where they first get married, or earlier?

21 **A.** Well, Lionel was always a clean freak. He always,
22 always, always loved cleaning, especially mopping and sweeping.

SHONDA BORDEN, Direct Examination

1 So I've noticed that.

2 Q. So I'm going to ask you a little bit about New
3 Brunswick. So when you graduate high school, do you immediately
4 go to New Brunswick afterwards?

5 A. Yes, I do.

6 Q. And you say Lionel and Shanna are living in New
7 Brunswick at that time.

8 A. Yeah, they were living in Oromocto in the PMQs.

9 Q. And you said "in Oromocto". What was the second part?

10 A. PMQs. So it's military housing.

11 Q. Okay. So they lived sort of in military housing. Was
12 that close to the military base?

13 A. Yeah. It was about ten minutes.

14 Q. So when you first moved there, who was living in their
15 household? Was it just the two of them?

16 A. Shanna, Lionel, and Aaliyah.

17 Q. And Aaliyah. Do you know how long you had lived with
18 them when you first left high school and you went to New
19 Brunswick?

20 A. I'd say about six months.

21 Q. Do you remember roughly what year that might've been?

22 A. 2008.

SHONDA BORDEN, Direct Examination

1 **Q.** So ...

2 **A.** 2008/2009.

3 **Q.** So was it after Lionel had come back from Afghanistan?

4 **A.** Yes.

5 **Q.** So you lived with them. Were you sort of working or
6 in school at the time you were in New Brunswick?

7 **A.** I was working.

8 **Q.** So that dynamic, would you see them almost every day
9 in their place in New Brunswick?

10 **A.** Yes.

11 **Q.** How would you describe, sort of overall, what their
12 relationship was like? We'll talk about it generally and then
13 we'll get specific, but how was the relationship at that time,
14 in around 2008/2009, when you were living with them in New
15 Brunswick?

16 **A.** It was a normal relationship. You know, they would
17 have their little arguments here and there like anyone would but
18 it was nothing too drastic or out of the ordinary that I would
19 ... you know, that would make me question something.

20 **Q.** And I understand that your ex had been, at the time,
21 the relationship you had been in, he had been military as well?

22 **A.** Correct.

SHONDA BORDEN, Direct Examination

1 Q. And would he have been friends with Lionel?

2 A. He saw Lionel like around places but they weren't
3 exactly friends, no.

4 Q. So in terms of when you were living there ... How
5 long did you say you were living there? I might've missed that.

6 A. About six months.

7 Q. About six months.

8 A. Living with them.

9 Q. With them, yes. So did you notice any sort of
10 arguments between them when you were there for those six months?

11 A. Yeah, there was arguments. Like I said, it wasn't
12 nothing that was out of the ordinary or made me nervous or
13 anything. Just regular boyfriend/girlfriend arguments.

14 Q. You kind of ... I know you probably didn't know all
15 the details, naturally, but what were the sort of things that
16 they would argue about?

17 A. Just him at work. Like he would come home talking
18 about someone at work. I had a new puppy that was staying with
19 them and they would argue about the puppy, you know, making
20 noise in the middle of the night or just something silly.

21 Q. And how long would sort of the conflict ... from what
22 you saw, would the conflict kind of last between them?

SHONDA BORDEN, Direct Examination

1 **A.** About 20 minutes. Nothing major.

2 **Q.** And in terms of Aaliyah, roughly how old would she
3 have been at that point?

4 **A.** Oh. Aaliyah, I would say maybe one, two, maybe?

5 **Q.** Was Shanna ...

6 **A.** She was quite young.

7 **Q.** Was Shanna in school at that point?

8 **A.** No.

9 **Q.** No. So she had yet to sort of go into nursing.

10 **A.** Yeah. Yeah. She was still at home.

11 **Q.** In terms of their overall relationship, did anything
12 sort of stand out to you in that period of time you lived with
13 them in New Brunswick?

14 **A.** While living with them? No. Nothing stood out to me.

15 **Q.** Did you ever hear sort of Lionel talk about ... I
16 don't need to know the details, obviously, but we know a little
17 bit about after he came back from Afghanistan, that he was
18 struggling with a few things that he had experienced over there.
19 Did he ever sort of bring that home with him when you were
20 living there for those six months?

21 **A.** I know there was one time where he ... I think he
22 grabbed her by the throat - like this was really early on

SHONDA BORDEN, Direct Examination

1 because he had a bad dream or something. You know, she calmed
2 him down, he woke up, and he was quite shaken up by it at that
3 time, but they talked it through. And I guess that was like the
4 first time that, you know, something was going on, but it wasn't
5 like a regular thing. He kind of got control of it at that
6 time.

7 **Q.** Was this during the period of time you had first lived
8 with them in New Brunswick?

9 **A.** Yeah. I would say it was about maybe four months in?
10 Four or five. Four-and-a-half months in, yeah.

11 **Q.** So you were living in the same house at the time that
12 this happened?

13 **A.** Yes.

14 **Q.** So I'm just going to ask you, and I know some of it
15 might be hard to talk about, but I'm just trying to get some
16 perspective on it. So you said he grabbed her by the throat.
17 What sort of context was that in? What do you recall from that?

18 **A.** Well, they were both sleeping, so it was in the middle
19 of the night. I guess he had a bad dream and he grabbed her by
20 the throat at this time to where she woke up and she was like,
21 you know, It's okay, It's just me, like, Lionel, Lionel, it's
22 just me, kind of thing. He kind of snapped out of it but when

SHONDA BORDEN, Direct Examination

1 he woke up, he was, you know, pretty sweaty. He had, you know,
2 a lot of sweat on him. He was soaking wet. So then I guess
3 they were up for a little bit for the rest of the night and then
4 he got up again. And I don't think he went to work that night
5 either ... that day. He was at home.

6 **(13:30)**

7 **Q.** Did you get any sense, after speaking to Lionel or
8 Shanna, what the dream was about?

9 **A.** All I know is that he was ... he dreamt that he was
10 back in Afghanistan. Like he doesn't really go into detail of
11 what he's experiencing over there, but he would just be like,
12 It's something that happened over there.

13 **Q.** And after sort of speaking with Lionel and Shanna, did
14 you get any sense as to whether ... was this sort of the first
15 time, did it happen before, was it something that was happening?

16 **A.** So this was the first time. It shocked her as well as
17 him; you know, especially if you're sleeping and someone
18 automatically grabs you in the throat. It's not something that
19 is a pleasant thing. But, you know, you can see in his eyes
20 that he was fearful about it. She wasn't so much because, you
21 know, she knew that he did experience some things over there,
22 but ... yeah.

SHONDA BORDEN, Direct Examination

1 **Q.** So did you ... is this something that when it
2 happened, you were alerted to it that night or was it the next
3 morning? Do you remember?

4 **A.** It was that night ... well, that morning.

5 **Q.** Yeah.

6 **A.** Not that night; morning.

7 **Q.** So ... and you interacted with Lionel that next
8 morning.

9 **A.** Yeah.

10 **Q.** What do you recall? Like how did he feel about what
11 happened the night before? Do you recall what he was saying or
12 how he would talk?

13 **A.** So the night before it happened?

14 **Q.** Or the night ...

15 **A.** He was fine.

16 **Q.** So ...

17 **A.** The night after.

18 **Q.** After, the next morning. So ...

19 **A.** Okay.

20 **Q.** It happens and ...

21 **A.** So he didn't originally tell me. It was Shanna that
22 told me. I tried to talk to him about it a little bit and he's

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1 just like, I had a bad dream, like I don't want to talk about
2 it, kind of thing. And then I guess he stepped outside and
3 Shanna told me what happened. And then I guess I questioned him
4 about it ... you know, a little bit later on that day. He'd
5 just be like, I'm sorry. Like, you know, I had a bad dream. I
6 don't know what happened, kind of thing. But, he's like, I'll
7 get it together. So ...

8 Q. Did you get any sense of ... did you ever discuss with
9 Shanna or Lionel whether this occurred again ... any incidents
10 like that happened afterwards?

11 A. I was never notified that anything happened. I heard
12 that something happened from my mom but they never told me
13 anything about it.

14 Q. This was another incident, you mean.

15 A. Yeah.

16 Q. I know ... if I could just have one moment. I know,
17 Your Honour, this is really getting into sort of hearsay and I
18 know that it is a provincial court obviously and ...

19 **THE COURT:** Ask.

20 Q. Thank you, Your Honour. So what was the other
21 circumstances in terms of your mother alerted you to something
22 else? What was the ...

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1 **A.** Well, I guess he did grab her by the throat again
2 another time when they were sleeping but this happened at my
3 mother's house. So it didn't happen in New Brunswick. It was,
4 you know, a couple of years later that it happened again. And I
5 guess his dreams or his hallucinations were occurring more
6 frequently.

7 **Q.** Okay. And did you get a sense as to whether or not
8 ... did you talk to Shanna about what she was thinking about it
9 and how she felt about it?

10 **A.** She just said that, you know, he suffered from PTSD
11 and that he needs treatment, he needs help, kind of thing. She
12 was very adamant that he needed help and he was as well. But,
13 you know, I guess it was very hard for them to figure out where
14 to go at that point in time on what to do.

15 **Q.** And when you say it was hard for them to figure out
16 ... and you said this is a few years later, hard for them to
17 figure out where to go and what to do, what do you mean by that?

18 **A.** As in like there's not a lot of resources for mental
19 health, especially when you're out of the military. Getting a
20 hold of Veterans Affairs is quite a struggle. And then having
21 to deal with, you know, military doctors and then transforming
22 to civilian doctors, medical records; you know, all that. All

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1 those documents is ... it's ... you get the kind of go-arounds.

2 **Q.** Well, I just want to keep it confined to your
3 conversations with Shanna and Lionel and their trying to
4 navigate through this. Did they ever express to you concerns
5 they had about ... directly to you about whether or not they
6 were having a hard time sort of trying to navigate where to go?

7 **A.** Yes. I was present when Shanna was on the phone
8 multiple times, you know, trying to get a hold of someone on
9 what to do but it was difficult.

10 **Q.** All right. In terms of that period of time in New
11 Brunswick and sort of before then, did you ever notice if Lionel
12 ... we know a little bit about at times he would lean on
13 alcohol. But did it appear as though he had any issues with
14 alcohol before Afghanistan or just as he came back?

15 **A.** No. I don't really think that it was a problem. I
16 mean, you know, he would have a beer here and there but ...

17 **Q.** So you're there for six months in New Brunswick and
18 then you made reference to they go and live with you in New
19 Brunswick at some point?

20 **A.** Yes. I bought a house about five minutes ... not even
21 five minutes from them and they came to live with me.

22 **Q.** And when ... how soon after was it that they went and

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1 lived with you after you left? So you were with them for six
2 months. Then you leave and you get a house and they're living
3 with you. How much sort of time passes?

4 **A.** It wasn't a lot of time. It was, I would say, maybe
5 four months after I bought the house.

6 **Q.** Do you remember how long they would have lived with
7 you in the same house?

8 **A.** They lived with me for about a year.

9 **Q.** So at that point where they're living with you for
10 about a year is Shanna in school at this point? Do you
11 remember?

12 **A.** No. She is working. She'd be working.

13 **Q.** Okay. And was Lionel still in the military at that
14 point?

15 **A.** Yes.

16 **Q.** So I'm wondering if you could tell me a little bit
17 about sort of the dynamics. So who's living in your house at
18 that point? We know Lionel, Shanna. I'm assuming Aaliyah is
19 there, as well?

20 **A.** Yes. So Lionel, Shanna, Aaliyah, and then it would be
21 my ex, Navneet, that was living with us.

22 **Q.** What do you notice about their ... and they're ...

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1 are they married at this point?

2 **A.** Yes.

3 **Q.** What, if anything, you can tell us about how they were
4 getting along in that year that they went to live with you in
5 New Brunswick?

6 **A.** They got along pretty well. They mostly stayed in the
7 basement because I had an ensuite. But it was really good. You
8 know, they were living with me because they were trying to buy
9 their own house. So they were pretty excited about that, lots
10 of shopping, lots of talks about how they were going to
11 decorate, whatnot. And I think that's when he also bought his
12 Jeep as well.

13 **Q.** Did you notice any ...

14 **A.** So they were doing pretty well.

15 **Q.** Did you notice any sort of arguments between them
16 during this year that they're living with you?

17 **A.** Yeah, there was arguments. Nothing out of the
18 ordinary just basic simple arguments like I would have with my
19 ex.

20 **Q.** Okay. Sure. But, in your mind, sort of nothing
21 unusual or concerning?

22 **A.** No, nothing unusual. Nothing out of the ordinary.

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1 **Q.** And did Lionel ever sort of ... did you ever get a
2 sense of how he was coping and dealing with coming back from
3 Afghanistan? So now we're in about 2010, I guess, if I'm doing
4 the math correctly.

5 **A.** Yeah.

6 **Q.** How he's doing?

7 **A.** So he would have his days. I know that things were
8 getting a little bit worse for him as he was going to work. I
9 know he was dealing with a lot of problems with his buddies or
10 people that was on his platoon. So he'd come back and, you
11 know, talk to my ex about it, since they were in the same
12 platoon. But it was nothing towards Shanna. It was moreso he
13 was having issues at work, kind of thing.

14 **Q.** And I wonder if you could tell us a little bit about
15 what he would sort of come back home and convey to you about the
16 problems he was having at work with the platoon. What sort of
17 problems was he having?

18 **(13:40)**

19 **A.** He was just ... he went into ... so they took him out
20 of the group that he was in and they put him into the band, so
21 Pipes and Drums. He wasn't very happy that he was going into it
22 at first. He thought pretty much that they were demoting him.

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1 But then after he started going in, he started making, you know,
2 a little bit more friends, buddies in the band and Pipes and
3 Drums, he enjoyed it a little bit more. He got to travel. Like
4 he went to Halifax a couple of times for the Tattoo. So
5 eventually he started to like it.

6 **Q.** Did he ever talk to you or were you ever present when
7 he talked to someone in the home about any conflicts he might
8 have had with people on his platoon?

9 **A.** Yeah. So there was ... it was moreso ... he said it
10 was moreso about racism. He said that there's a lot of them
11 that were racist. He didn't really go into full detail about
12 what was happening. He moreso talked to my ex about it. But he
13 just said a lot of them were racist so ...

14 **Q.** And were you ever present for the conversations he was
15 having with your ex as in like the same room or ...

16 **A.** Yes, but I can't really remember exactly what was
17 being said in their military lingo.

18 **Q.** You indicated ... you said he was talking about
19 experiencing racism while he was in, say, the platoon there and
20 he was in the band. Did he give sort of examples of what it was
21 he was going through?

22 **A.** I guess they were just like little small remarks that

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1 people would say. Like I guess one time he was drinking ... he
2 did say this. One time he was drinking chocolate milk, which he
3 loves, and one person got on his case for drinking chocolate
4 milk and not drinking white milk. And they said, Well, you
5 don't like white milk or something? And I guess they were
6 putting it into a racist context to him to where at that point
7 he got pretty mad and they got into an argument. And I guess he
8 chased the person around the table, he was so upset at that
9 point in time, to where his commanding officers pretty much told
10 him to go home.

11 **Q.** Did you get a sense of how frequent those experiences
12 were for him in terms of being subjected to some racism or
13 whether its comments directly or sort of innuendos? Did you get
14 a sense of how persistent that seemed to be with him? Like how
15 often was he complaining about that? I shouldn't say
16 "complaining". How often was he telling you about that
17 experience?

18 **A.** It was slow at first. Like he would say something
19 here and there but then later on it started to get more frequent
20 with him. And then my ex, as well, used to come home and say
21 pretty much the same exact stories of how people were racist
22 and, you know, making them do, as they would say, the "grunt"

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1 work instead of doing the work that they're trained to be doing
2 so ...

3 **Q.** And did you see whether or not this appeared to have
4 sort of an impact on Lionel, how he was when he'd come back and
5 he'd be telling you about this? Did it seem to have an effect
6 on him, like an impact on him?

7 **A.** Most definitely. He was quite upset. You know, you
8 go somewhere and risk your life for your country and, you know,
9 you spend all that time over in another country and then to come
10 home and to have to deal with racism, especially from the ones
11 that maybe you're over there fighting with or fighting for. It
12 took a major impact on him.

13 **Q.** In terms of discussing with you what it was he
14 experienced, what were his views of sort of ... at that point
15 when this was happening, what were his views of being in the
16 military? How did he feel about being in the military?

17 **A.** He didn't like it. He wanted to get out. But he
18 wasn't quite sure at that ... at this point, he wasn't quite
19 sure on what he wanted to do because being in the military is
20 something that he really enjoyed and it's something that he
21 really did love to do. But, you know, if you go to work and the
22 people that you are working with isn't making work good for you,

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1 then it kind of ruins your spirit for it.

2 **Q.** So you got a sense, I guess, of ... at this period of
3 time, in around 2010 when he's living with you, I guess if you
4 could sum up generally how he was feeling about his employment
5 at that time, what would you say?

6 **A.** He hated it.

7 **Q.** Did you notice whether or not this was causing any
8 stress or tension in the dynamic with Shanna in their
9 relationship?

10 **A.** It was, because she doesn't really understand what was
11 going on at work either. It's not like we experience racism
12 firsthand, really, especially down home in Guysborough. But,
13 you know, when you come home and you're always getting
14 complaints about what's happening at work ... even for myself,
15 my ex would just say that they're all just racist. So dealing
16 with that and having to calm someone down and be like, Okay,
17 well, you're home now. Like leave work at work and come back
18 home and let's deal with our stuff. But it was hard to find the
19 balance between that.

20 **Q.** And would you see sort of incidents where Shanna would
21 try to, I guess, get him to sort of diffuse a little bit, try
22 to, You're home now, let it go. Would you see examples of that?

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1 **A.** I did. Sometimes, you know, it would work and then,
2 other times, she'd be like, Okay, Shonda, let's go. We're going
3 for a drive. And then we'll leave and we'll go to the mall, go
4 shopping or go walk around the marina that was right below our
5 house.

6 **Q.** And when you would come back, how would he seem?

7 **A.** He was fine.

8 **Q.** Okay.

9 **A.** The switch turned off.

10 **Q.** All right. Was this sort of ... how frequent, I guess
11 ... I'm trying to get a sense of how frequent during this period
12 of time that he would come home, he would be bothered, he would
13 be sort of unloading the bad things that he had experienced, and
14 then it would cause a little bit of tension and Shanna would try
15 to speak to him and then leaving? How frequent would that have
16 been?

17 **A.** So I would say about maybe six times a month.

18 **Q.** Okay. So six times a month, if I'm doing the math and
19 seeing four months in a week, it was sometimes more than one a
20 week?

21 **A.** Yeah. Yeah.

22 **Q.** Had they discussed ... or did they discuss with you

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1 any sort of idea that he was going to then try to get out of the
2 military?

3 **A.** So later on, he did ... we knew that he did want to go
4 out. Again, he just didn't know what ... like he was very
5 focused on he wanted to be an RCMP officer. Like that's what he
6 wanted to do. But, of course, when he got diagnosed with the
7 PTSD, he knew that that probably wasn't the best choice for him.
8 And then he started working on cars a lot more frequently,
9 especially his own. And he would learn things from either my
10 father or watching YouTube videos. And that's what he'd really
11 put his time and energy into. That's something that calmed him
12 down like a lot was working on the vehicles.

13 **Q.** And I know it may seem by my questions that I'm
14 dwelling on the negative. In terms of Lionel's sort of skill-
15 set, what sort of characteristics or qualities did he have that
16 were sort of very good in terms of his abilities?

17 **A.** He was good at shooting. No. He was very ... his
18 abilities and qualities. He was really good at learning things
19 firsthand. Like I said, he would watch YouTube videos maybe
20 once and he'll go and change the brakes on his car for the first
21 time, or he'd watch my dad do something, he would get it right
22 away, so his mindset was pretty good that way.

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1 **Q.** In those early years in terms of when Aaliyah was
2 first born ... I guess in general throughout the period of time
3 Aaliyah is born and as she's getting older, how was he ... that
4 you saw, how was he as a dad?

5 **A.** As a dad, he was very fun. He was a jokester. You
6 know, he loved to laugh and joke around and dance and make funny
7 faces. He was really good with Aaliyah.

8 **Q.** And they got along well?

9 **A.** They did. Yes.

10 **Q.** When we spoke before, you gave a sort of a sense of
11 Shanna is close to you and then Lionel was close to you, as
12 well.

13 **A.** Yeah.

14 **Q.** Would they often ... how often would they confide in
15 you, and this isn't necessarily limited to this period of time
16 in New Brunswick, but how often would they sort of confide in
17 you if they had an argument? Did they ever reach out to you?

18 **A.** Pretty much all the time.

19 **(13:50)**

20 **Q.** Do you know how that sort of developed, how you became
21 the person they would reach out to if they weren't getting along
22 or having an argument?

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1 **A.** I'm not sure. I was just really adamant about ... I
2 mean I knew that he was going through things, but I was very
3 adamant about her, you know, sticking through him through
4 sickness and health kind of thing and I used to say that, you
5 know, quite often. Like, you know, he's sick, but you married
6 him. You got to deal with it, kind of thing, and ... I don't
7 know. It's like I was the big sister in that sense.

8 **Q.** Okay. And so I guess from 2010 all the way up to,
9 say, January of 2017, did you get a sense of whether or not ...
10 if their marriage became more or less of a struggle?

11 **A.** Oh, yeah, it definitely became a struggle, especially
12 in the end because things got a lot worse. It was a lot harder
13 to deal with at that time, so ... yeah.

14 **Q.** I'm going to ask you a little bit about that
15 momentarily but in terms of 2010 ... so where did they go after
16 that year they're living with you and then where do you go?

17 **A.** So they ended up buying their own house, which was
18 like ten minutes from my house. Oromocto is quite small. So
19 they bought their house and I was still at my house at that
20 time.

21 **Q.** And would you see them as often when they were still
22 in New Brunswick in their own place as you were in yours?

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1 **A.** Yeah. We saw each other pretty much every day. Me
2 and Shanna used to walk every day ... every morning, so ...

3 **Q.** Okay. And how ... I guess if you can tell me a little
4 bit about how often they would reach out to you, sort of from
5 that point on, if there was a conflict. How often would you
6 hear from them? Not just sort of, Hey, Shonda, how's it going;
7 Went for groceries today, versus, Oh, here we go again. There's
8 some sort of conflict in the relationship. How often were they
9 reaching out to you?

10 **A.** Pretty much every time something happened.

11 **Q.** Are you able to say how frequent that was?

12 **A.** Oh, man! Well, earlier on ... so when they first got
13 their place, it wasn't ... it wasn't excessive. I'd say maybe
14 twice a month. And then later on it became multiple times a
15 month.

16 **Q.** And how would they reach out to you? Would it be by
17 phone or ...

18 **A.** Either phone or text.

19 **Q.** So would you ... would they ... did it seem as though
20 they would contact you soon after a disagreement or days later
21 or sometimes both? I'm just trying to get a sense of how long
22 would pass (inaudible - audio).

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1 **A.** It was usually when it was happening. So Shanna would
2 either call me or text me and she'd be like, Shonda, contact
3 your patient. So then I would contact Lionel or Lionel would
4 end up calling me when she texted me and we would just talk like
5 through things.

6 **Q.** So sometimes Shanna would get the message to you about
7 the conflict and then she would ask you to contact Lionel?

8 **A.** Yes.

9 **Q.** So I'm trying to get a sense of how did that sort of
10 develop. Like what ... you know.

11 **A.** I don't know. I think that she just knew that me and
12 Lionel were very close. Like Lionel was like my best friend
13 pretty much. So any time that he was frustrated, he would just
14 contact me. I don't know why. He just did.

15 **Q.** So if you could tell me sort of the ... was there a
16 time ... we have sort of a series of years, that's 2010 and then
17 after 2010 when they sort of get their own place in New
18 Brunswick, and we have 2016 which is sort of the last Christmas
19 together. Did you get a sense of when things started to become
20 more frequent in terms of their not getting along or ...

21 **A.** So obviously they ... when they got to their place,
22 you know, obviously they would have their arguments and whatnot.

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1 And then I would say around 2012 to 2013 is when things started
2 to get really rocky. Like there was arguments a lot more
3 frequently than before.

4 Q. Can you sort of give me an example of ... you would
5 hear from Shanna and you would hear from Lionel, sometimes both
6 I guess, sometimes one or the other. What were the arguments
7 over?

8 A. It was really small stuff, either like not loading the
9 dishes into the dishwasher properly or, you know, not cleaning
10 the house properly or ... just basic things that were like
11 really petty, I should say. And then like I said, like in 2013
12 on, it was getting a lot ... little bit more intense where it
13 was coming into finances. And then she was in school then so,
14 you know, school things and driving back and forth, military
15 problems. Yeah, everything.

16 Q. Did you ... so what were the concerns ... like what
17 was the ... if they had an argument about her school, what was
18 the argument about? Do you remember?

19 A. Like finances, I would believe, moreso finances.
20 Like, you know, spending lots of money into school. Like, You
21 better finish this; like, you know, This is a lot of money; you
22 know, you better be making ... passing grades, kind of thing, or

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1 just driving back and forth from New Brunswick to Nova Scotia.

2 Q. And what was it that driving back and forth that was
3 the source of the conflict?

4 A. Because she would leave him. Like, obviously, he had
5 to stay there because he was still at work and then she had to
6 leave him to go to Nova Scotia, so ... he just ... he didn't
7 really like to be alone either.

8 Q. What was it about ... sort of did you get a sense what
9 was it about being alone that he didn't like?

10 A. I don't know if he just really loved his family or if
11 he was just really lonely but he didn't enjoy being alone.

12 Q. In terms of ... even after you moved to Saskatchewan,
13 do they both sort of continue to reach out to you whenever there
14 was a conflict or an argument?

15 A. Yes, they did.

16 Q. And I know there's a time difference. There's a
17 three-hour time difference. Was there ... was it unique to the
18 daytime, nighttime, morning when they'd reach out to you?

19 A. To me, it was either really early in the morning or it
20 was coming onto late in the evening.

21 Q. So towards the end of, I guess, if we go 2015 - 2016,
22 the last sort of two years, how frequent would you hear from the

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1 two of them or one of them in terms of, There was an argument
2 and can you talk to one of us about it?

3 **A.** So at this point it was moreso Lionel contacting me
4 and then I would contact Shanna just to figure out what was
5 going on, to hear her side. So Lionel ... so '15 - '16, it was
6 quite often. He would either message me on Facebook or call me
7 or text me. So it was quite a bit, maybe sometimes two times a
8 week.

9 **Q.** And what were the sort of ...

10 **A.** Two or three times a week.

11 **Q.** And what were the sort of things that he was telling
12 you about that was a problem within the marriage? What was he
13 complaining about?

14 **A.** If Shanna left to go somewhere and she took Aaliyah,
15 he would be wondering where she was; you know, what she was
16 doing, that she was leaving him or ... I know they made plans to
17 come out here more ... like so they came out here and then they
18 went back and they were planning on coming back out here the
19 following March. He was worried that she was going to come out
20 here by herself and not bring him and not tell him or she was
21 going to finish school and come out here and move without him,
22 just ... yeah.

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1 **Q.** So you're described sort of three different scenarios
2 there. One you described, she would just leave with Aaliyah and
3 then he would call you concerned that she just left with
4 Aaliyah?

5 **A.** Yeah. So they would make plans. Because I know one
6 incident they made plans to find this certain game, board game.
7 And they talked about it. They were in Halifax one time looking
8 for it and they couldn't find it. And they asked me to look for
9 it out West, but it was sold out.

10 **(14:00)**

11 **Q.** This is a kid's game?

12 **A.** So Shanna made plans to go ...

13 **Q.** This is ...

14 **A.** It was an adult-kid game. It was like this game that
15 you would put like this dentist thing in your mouth ...

16 **Q.** Okay.

17 **A.** ... and just like try to talk, you know. Silly game,
18 family game. So finally Shanna found it so they had to go to
19 Halifax to go get it. So her and Aaliyah and Brenda went to
20 Halifax and Lionel freaked out. He forgot that they were going
21 up to Halifax to get the game but in his mind, you know, she was
22 leaving him. But it was just ... he took it way out of

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1 proportion.

2 **Q.** So did he know ... was it a scenario where he just
3 sort of woke up and they were gone or did you get a sense that
4 he knew they were going to Halifax to buy the game?

5 **A.** He originally knew, but like once I told him, Hey,
6 they went to Halifax to get the game, they're coming back, it
7 was like he just didn't want to listen. He was like, No,
8 they're leaving me, you know, they're not coming back. She's
9 taking Aaliyah from me. No, he went to worst-case scenario.

10 **Q.** And did you ever talk to Shanna about sort of an
11 incident like that?

12 **A.** Yeah, I was talking to her that day as well.

13 **Q.** And what was she ...

14 **A.** She's just like, He's crazy. Like he's crazy.

15 **Q.** Did you get a sense that there was any sort of lead-up
16 to this? Was there an argument or it was just as innocent as
17 she's going to buy the game, you know she's going to buy the
18 game and suddenly he feels that she's leaving?

19 **A.** Yeah, like they were totally fine, she said that, you
20 know, before everything happened. I guess he went somewhere so
21 she left in the morning and then he just went 360, I guess.

22 **Q.** And when he's contacting you, how does he seem? Does

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1 he seem convinced that she's actually leaving him?

2 **A.** Oh yeah. Oh yeah, he was very agitated and then
3 eventually, you know, I got him to calm down. I was like, Yo,
4 you know, she's just gone to Halifax, calm down kind of thing.
5 Like she's going to be back. But, yeah, he was very adamant
6 that she was leaving him and taking Aaliyah with her.

7 **Q.** How ... did you get a sense of how often those sort of
8 occurrences would happen, that you would hear about either from
9 him or from Shanna where she would sort of just almost
10 innocently go somewhere and then he would equate it to her
11 leaving?

12 **A.** It started happening more often. Yeah, it started
13 happening a lot more often than obviously before, like before he
14 wouldn't have a care in the world and then, you know, leading up
15 to the end of their lives it got a whole lot worse. Like his
16 ... I don't ... I don't know.

17 **Q.** Could you get a sense of, and I know at the time
18 you're certainly not marking this down, but those occurrences
19 where he believed that she was leaving him when she would just
20 sort of innocently leave and you said that it happened later.
21 So did it happen sort of before 2015/2016? So if we ...

22 **A.** I think it was ... no, it was around that time, like

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1 ... yeah, 2015 I would say.

2 Q. Were you in Saskatchewan at that time?

3 A. Yes.

4 Q. Can you think of any other sort of examples of ... you
5 were able to recall the one where she sent for the game. Do you
6 remember any other specific sort of examples that were similar
7 to that?

8 A. Gosh, you're putting me on the spot now.

9 Q. Take your time. Take your time.

10 A. Yeah, I don't know. I don't know, my mind is blank at
11 the moment.

12 Q. What about sort of in a scenario, was there ever
13 anything ever similar to you talked about when she would go to
14 school she would drive. I believe she went to school in
15 Antigonish?

16 A. Yes, she went to St. FX.

17 Q. So did he ever express his views or did Shanna ever
18 express her views as to how he was feeling about that? Did he
19 have similar concerns there?

20 A. Well, in the beginning he was totally fine with it,
21 you know. He said just make the good marks kind of thing, and
22 then when she started going back and forth or when she started

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1 doing her practicums, which were obviously were there and she
2 started staying a lot more of her time down home, pretty much
3 living there. And the plan was obviously to sell the house and
4 then move, you know, to my mom's house and then buy a house
5 there. So he was just very, I don't know, lonely in New
6 Brunswick, which then that made him want to get out of the
7 military even faster because he wasn't with his family. So,
8 yeah.

9 **Q.** Did he have the same ... did he ever express any
10 similar sort of views that, Look, she's at school but he
11 believed she might have been somewhere else?

12 **A.** Yeah, he used to think that she was off with someone
13 else or seeing somebody else when she would go to school. Or if
14 she was late or doing night shifts, you know, for practicum or
15 whatnot, he used to believe that she was with somebody else when
16 realistically she was at her job.

17 **Q.** And did he ever kind of talk to you about that sort of
18 believing that even though she was off doing her practicum or at
19 school, he believed she was with someone else? Did he ever sort
20 of elaborate on that?

21 **A.** He would try to but then I basically cut him off and
22 just be like, Don't be so crazy kind of thing. You know, she's

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1 at school. You know, she's doing this for all of you and not
2 just, you know, for her, but ...

3 **Q.** And how did he seem to react to that when you were
4 trying to bring him back to, Look, she's at school?

5 **A.** Sometimes it would go really well and then other times
6 it would be like, No, I know, you know. He would say, I know
7 what's in my head, you know, it's not ... it's not true, but
8 it's like I can't shake it sometimes, you know, these are my
9 thoughts, you know, and it's hard not to shake it. But at this
10 point I would just be like, Well, you're being crazy kind of
11 thing. It's not a good word to say but it's like ...

12 **Q.** Yes.

13 **A.** You are being crazy because ...

14 **Q.** Yes.

15 **A.** That wasn't her. You know, it wasn't her character.

16 **Q.** So did this sort of ... did this seem sort of a
17 frequent sort of occurrence where he would believe that she's
18 either leaving him or that she's going with someone else? Did
19 you get a sense of how frequent ...

20 **A.** Yeah, it started happening a lot more frequently in
21 the end. It wasn't just, you know, finances or cleaning the
22 wrong way, it was like, You're doing something behind my back.

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1 You're doing something against me kind of thing so ...

2 Q. Did Shanna ever talk to you about that, how she
3 perceived it and how she felt about it?

4 A. It was driving her crazy. I'd say it would drive
5 anyone crazy to be accused of something knowing that you're not
6 doing anything but she dealt with it in her own way I guess.

7 Q. And you described ... so that was sort of the first
8 sort of examples. You gave another example, I'm trying to
9 recall. I'm trying to recall my question and your answer. I'll
10 go back to it. But what other sort of things that he would call
11 you about that he was concerned with?

12 A. Oh my gosh, I don't know. So there was school, there
13 was finances, there was the car. So they had a car as well.
14 Sometimes he would get a little mad because Lionel could not
15 drive a standard very well so he would get annoyed. You know,
16 he got mad over something he would take her car even though he
17 couldn't drive a standard. He'd be revving the gears or ruining
18 the clutch kind of thing. So then she would get mad at him,
19 then he would get mad at her and it was just really petty things
20 at times.

21 Q. So did you get the sense that he would sort of
22 deliberately ... sort of they'd have an argument, he'd get angry

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1 and then he would go sort of rev her car?

2 **A.** Yeah, because ... well, he would take the car away
3 from her at times. So when he used to get mad he'd be like,
4 Well, you know, I bought this car and I'm taking it kind of
5 thing. So he would just do little spiteful things just to try
6 to make her life a little bit more difficult. Eventually he
7 would come around and be like, I'm sorry, Pookie, which is what
8 he used to call her. Yeah.

9 **Q.** Did you get a sense of how frequent that sort of was?
10 You said he would do little spiteful things like taking her car,
11 like how often would that sort of happen?

12 **(14:10)**

13 **A.** Quite regular. If it wasn't the car then he would
14 change the finances, like change the banking information. I
15 know that one time ... Shanna was the one who did all the
16 banking pretty much, you know, so then when he did that then he
17 was responsible to do all the banking and then, you know, there
18 would be cell phone bills that weren't paid and the phone would
19 get cut off. And then she would contact me and she'd be like,
20 Well, Lionel didn't pay any of the phone bills, like his is cut
21 off and mine is cut off, can you ... and then I would hook them
22 back up or whatever for them. But it was like little spiteful

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1 things that he would do like that.

2 Q. And at some point she ... I believe if we fast forward
3 I guess for a brief moment, in 2016 she might have got a new
4 truck?

5 A. Yes, so she got a new truck.

6 Q. And did he ever express to you or did she ever express
7 to you his views on the fact that she got a new truck?

8 A. Realistically he was jealous because he did want a
9 truck. A truck is something that he'd always wanted. But
10 Shanna knew that she couldn't rely ... at this point she knew
11 that she couldn't rely on him for the car that she had so then
12 she had to go out and get her own truck, which my mom and dad
13 helped her with the down payment for.

14 Q. What sort of made you say "I believe that he was
15 jealous over the fact that she had a new truck"? Clearly there
16 must have been something that would suggest that to you. What
17 was it?

18 A. Yeah, well, it's something that he wanted but also to
19 the fact where he didn't have control over her having a vehicle
20 on being able to get to work with his vehicle is pretty much
21 because he had his Jeep and then he also paid for the car as
22 well, so those were in his name. But when she got the truck he

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1 was like, Oh well, my name is not on that kind of thing, so I'm
2 jealous that you have that, you could get that without me kind
3 of thing.

4 **Q.** When you say before he would take the car, do you know
5 how he would go about taking the car? Would he physically move
6 it or would he take the keys or disassemble it? How was he
7 taking the car from her?

8 **A.** Well, he would take ... actually drive it out the
9 driveway or he would take the keys, one or the other.

10 **Q.** And did you get a sense of how long he would sort of
11 keep the access to the car away from her?

12 **A.** Well, sometimes it would be for a month.

13 **Q.** About a month?

14 **A.** Sometimes, yeah.

15 **Q.** So how would she get around, I guess, if she didn't
16 have a car sometimes a month?

17 **A.** She would use my mom or my dad's vehicles.

18 **Q.** So this ... just to get this straight. So it would be
19 a car that she would normally drive. Would she drive this car
20 to school?

21 **A.** Yeah. So the car was bought for her. You know, he
22 had his Jeep and then she had the car. The car was bought for

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1 her. And if they had an argument or, you know, he was feeling
2 some type of way then he would take that from her. Yeah.

3 Q. Would she ever talk to you about that? Say, Look,
4 he's taken the car from me for a month?

5 A. Well, she wouldn't say a month, it would be like ...

6 Q. Yeah.

7 A. ... well, he took the car. It would be like, Yeah, he
8 took the car away from me again. Like he got the keys. And she
9 wouldn't beg him for anything. So if he came back then he came
10 back on his own accord, you know, she was ... she wasn't someone
11 who was going to kiss someone's behind for something. She was
12 very independent and she knew that whatever happened she was
13 going to be able to finish school regardless.

14 Q. And I guess at that point Aaliyah is born, so how
15 would she sort of get Aaliyah around with no car?

16 A. Relying on Mom and Dad.

17 Q. And so your parents gave her their car?

18 A. A vehicle to use, yeah.

19 Q. Okay. Did you get a sense from him what he thought of
20 that?

21 A. Umm ...

22 Q. Did he ever express to you?

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1 **A.** I didn't really think that he cared. As long as that
2 he wasn't involved or he didn't pay for it kind of thing then he
3 didn't really have a care in the world. I think that he knew
4 that regardless whatever he did that she was going to have some
5 type of backup plan.

6 **Q.** And you said earlier, you talked about when it came to
7 her school, that you said he said something to the effect of
8 well, you'd better pass or you'd better do well. Did he ever
9 convey that information to you?

10 **A.** It wasn't specifically to me, but like they would have
11 discussions like, say, in the kitchen or in the living room.
12 And he'd be like, You better be passing, you know, these grades
13 kind of thing. You know, spend all this money and ... or
14 especially like around tax time, tax time is normally when she
15 would end up putting more money on for school so ...

16 **Q.** What did he ... did he ever express what his thoughts
17 were just on the fact that she was going back to school and she
18 was going to become a professional nurse? Did he ever tell you
19 sort of what he thought about that or did she ever tell you what
20 he thought ... what he was saying about it?

21 **A.** Yeah. Well, originally he was very excited for her
22 and very happy and then in the end I think he was ... I don't

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1 know, I don't really like to use the word jealous, but I think
2 that he was jealous or I would say lost, because he was now out
3 of the military, pretty much retired, and they didn't know what
4 to do. So now you go from being the sole provider for your
5 family to now where she's going to be making the money and being
6 the sole provider so ... yeah.

7 **Q.** You described one you were present for and then one
8 your mother had relayed about sort of waking up in the middle of
9 the night and he's choking her. Did you ever see directly any
10 other sort of acts of aggression or violence that Lionel might
11 have had towards Shanna or Aaliyah.

12 **A.** So it wasn't really anything that happened. I know
13 like some ... he would raise his voice obviously, he'd go spin
14 the tires with the driveway, he would curse and yell excessively
15 a lot. And then, you know, I think I went home in 2015, in that
16 instance he had slammed his hand on the table but there was
17 never anything physical toward Shanna or Aaliyah.

18 **Q.** And was there ever anything sort of objects. So you
19 said you saw him slam his fist on the table and he would rev the
20 car. Were there ever any sort of he'd get frustrated and take
21 it out on objects?

22 **A.** He would bang at the car. But, yeah, he wouldn't like

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1 throw anything or do anything physically to be able to harm
2 them.

3 Q. When you say he would bang at the car, which car was
4 it?

5 A. Either his Jeep or Shanna's car.

6 Q. Okay. And what do you mean "bang at the car"?

7 A. Like he would pretend that he's fixing something and
8 he'd be banging and banging and banging. Like, I don't know,
9 like leaving some of his stress on the car I guess.

10 Q. This is a bit leading. Did you ever see him throw
11 anything?

12 A. No, I have never seen him throw anything.

13 Q. Did you ever hear of him throwing anything?

14 A. No, not that I can recall.

15 Q. In terms of sort of specific incidents and sort of his
16 emotions, did you notice any sort of fluctuations in his
17 emotions? And what I mean by that sort of happy one minute and
18 all of a sudden not so happy.

19 A. Yeah, that was quite frequent with him. We used to
20 call it his switch. You know, one minute he'd be so happy and
21 the next minute the switch would turn off and he would lose it,
22 so ... It was like walking on eggshells at times.

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1 **Q.** How quickly would sort of those moods change with him?
2 Say if he's in a happy, pleasant mood and then he wasn't, how
3 fast of a fluctuation would that be?

4 **A.** Like a switch, on and off.

5 **Q.** And were they sort of very extreme?

6 **A.** Yeah, I mean, it could be like the littlest thing. He
7 would be happy and then something so small like, say, a
8 dishwasher not packed properly, switch, all of a sudden he is in
9 his rant or his mood so ...

10 **Q.** So I guess in a scenario where he's ... you know,
11 there's a dishwasher, he's fine, it's a normal day, and then how
12 elevated does he seem over a dishwasher not being packed
13 properly?

14 **(14:20)**

15 **A.** Very elevated. Nothing in the normal. Nothing that
16 anyone should ever get mad about but he would get extremely mad
17 and go on for hours about it.

18 **Q.** Was he ever ... when you said he'd go on for hours
19 about it, would be sort of hours about upset about the
20 dishwasher?

21 **A.** Yeah, it would be the dishwasher.

22 **Q.** And I guess ... not trying to get any sort of

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1 professional opinion, but we've all seen people in a general
2 day-to-day scenario where something makes them angry and they
3 may yell. Was there any sort of, with him, that was sort of
4 unusual or different in terms of his level?

5 **A.** I'm sorry, can you repeat that?

6 **Q.** I guess we've all seen someone something makes them
7 upset, whether they're called a name and they may react to it.
8 And in his case did it seem sort of abnormal to you or unusual
9 to you, this all of a sudden ramp up?

10 **A.** Definitely. There was nothing normal about him, you
11 know, getting extremely mad about the dishwasher or, you know,
12 the things that he got mad over. It was not normal at all.

13 **Q.** And what did you make of the fact that it would sort
14 of linger and last for hours as you said?

15 **A.** So ... well, like Shanna would just normally end up,
16 you know, blocking him out kind of thing. I guess where she
17 would get really annoyed if Aaliyah was home and he was doing it
18 and constantly yelling around Aaliyah then, you know, that would
19 be really frustrating for her as well. Again, if I was there
20 I'd be like blocking him out, but then to an extent where I
21 would have to be like okay, like you need to calm down kind of
22 thing because this is just craziness. Like the amount of time,

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1 you know, that he would go on is really excessive.

2 Q. And did this sort of, I guess I'll say sudden sort of
3 fluctuations or as you described the switch, did this seem more
4 frequent in the later years as compared to the earlier years or
5 less so?

6 A. Oh yeah. No, no, no, it was definitely the later
7 years where it became more excessive.

8 Q. Did Shanna ever speak to you about what she was sort
9 of making of it, what she was thinking about it?

10 A. Well, in the end she just wanted it to be over with,
11 you know, which is why he went away to Montreal and he went to
12 all these different programs to try to find, you know, different
13 resources to help him with his temperament but at the end she
14 was just really getting tired of it, as anyone would.

15 Q. You've mentioned ... and I don't necessarily need to
16 show you the statement unless you're having a difficult time
17 recalling it I guess. But you had mentioned in your statement
18 that, and I certainly don't want you to repeat the term used,
19 but you said ... at one point you said he would get angry and
20 then start yelling sort of almost a racial slur. Do you recall
21 saying that in your statement? I'm just trying to put that in
22 con- ...

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1 **A.** No.

2 **Q.** Okay, I'm going to ...

3 **A.** Can I see it?

4 **Q.** I'm going to turn to page 8 of your statement. I'm
5 just trying to get a sense of if this was out of character for
6 him or if it was something new that sort of developed after he's
7 left Afghanistan. It's the second ... when it starts you'll see
8 an A. there and these are your words:

9 He hasn't physically touched her since that
10 one night from dreaming but he always, like
11 ... if he had like a vision or something or
12 an outburst it would always be cursing and
13 yelling. You know, Fuck you this, fuck you
14 that, or he would repeat things that he
15 heard in the military that he used to get
16 called like (and I'm not going to repeat
17 that word) and every day.

18 Was this something kind of new with him?

19 **EXHIBIT P-000171 - TRANSCRIPT OF AUDIO STATEMENT - SHONDA**

20 **BOPARAI**

21 **A.** Yeah, he would ... he wouldn't do that. So that
22 wasn't his normal, that was when he was on one of his episodes

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1 we would call it.

2 Q. So this was sort of unusual for him. Like he ...
3 would he normally ... I guess pre-Afghanistan is this something
4 that he would do?

5 A. No. No, never.

6 Q. And it wasn't something that he would sort of throw
7 around loosely, that term?

8 A. No, definitely not.

9 Q. And I'm just trying to make as much sense of it as I
10 can because I don't know. You talked about he experienced ...
11 he would talk about his experiences of racism in the military
12 and he would frequently come home and talk about it. And then
13 he's upset and he has an outburst and then he's the very term
14 which he hadn't used before. Did he ever discuss that with you?

15 A. Not necessarily discussing like the words that he
16 used. No, he would just talk about the things that he would
17 dealt with at work. But as far as the terms that he used to
18 call her at times, no, we didn't really go into so much detail
19 about it.

20 Q. And did he ...

21 A. I was more focused on his yelling and behaviour, I
22 guess.

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1 **Q.** Okay. But you said that was sort of ... that was
2 something different about it?

3 **A.** Yeah. That was definitely not something that he would
4 have done pre-Afghanistan.

5 **Q.** Did he ever use that term in referring to her?

6 **A.** At times he used to.

7 **Q.** And was he saying it in sort of a being upset kind of
8 sense?

9 **A.** Yeah, it would ... like when he was in his normal
10 state he would never say something like that. But as we called
11 when he had his little outbursts or episodes he would ...
12 everything would be just off the table for him, anything goes.

13 **Q.** Okay. But in terms of the ... and I know maybe I'm
14 asking it too much, but in terms of the Lionel Desmond you knew
15 up until pre-Afghanistan, is that something you would see out of
16 him?

17 **A.** No.

18 **Q.** Did ... I'm trying to get a sense of ... he's had
19 these traumatic experiences in the military and serving in
20 Afghanistan, did Shanna ever sort of confide in you how it was
21 impacting her and Aaliyah, the stress that he was undergoing?

22 **A.** Yeah. Well, it was just ... especially in the end it

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1 was becoming way too stressful for her. And she was so focused
2 on Aaliyah and she didn't want Aaliyah to be around, you know,
3 that type of environment. She was very protective of her. And
4 then, you know, especially if Aaliyah saw him have outbursts as
5 well it was terrifying her; she was scared of her dad when he
6 was in those episodes. You know, she used to say, When Daddy's
7 good he's really good, but when he, you know, is upset he scares
8 me. So she didn't want her own daughter to be scared of her
9 father so ...

10 **Q.** And did Aaliyah say that to you or did Shanna relay
11 that to you about Aaliyah ...

12 **A.** Aaliyah said that to me.

13 **Q.** So I guess if we can go back to it. Do you recall
14 what it was she said to you and in what context?

15 **A.** So this was a time when they were in New Brunswick
16 living in our house. Brenda, Lionel's mother, was also there as
17 well, we were all sitting down talking. Lionel was angry pretty
18 much for the whole day and we were all, you know, in the ... the
19 thing was the kitchen and living room were pretty much together.
20 So Aaliyah, I said, how do you feel about this, like are you
21 okay? Lionel was in the garage working on the car and she's
22 like, I love my daddy but when he's good he's really good with

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1 me, but when he's, you know, mad or upset he scares me because
2 he yells too much at Mommy. So especially hearing that from
3 Aaliyah it made Shanna's heart melt. You know, she didn't want
4 her daughter to have to go through that.

5 **Q.** And did Shanna ever sort of express any views to you
6 about whether or not she would leave Aaliyah with him sort of
7 alone without either his mother present or someone present?

8 **A.** She used to and then she knew that she just couldn't
9 rely on him especially when he had his episodes, so she used to
10 get her friends who lived right beside her to watch Aaliyah or
11 there was another two friends that used to study the Bible with
12 them, to watch Aaliyah and take Aaliyah at times or I used to
13 take Aaliyah when I was there.

14 **(14:30)**

15 **Q.** So she sort of developed the concern. Did she express
16 it to you that she didn't want to leave Aaliyah alone with him?

17 **A.** Yeah. It wasn't so much as, you know, she was scared
18 that he was going to do something to Aaliyah but she just knew
19 that like when he was in a state, it was hard for him to focus
20 on Aaliyah when he was angry.

21 **Q.** Did Shanna ever discuss with you whether or not she
22 wished to sort of maybe speak to someone or reach out to someone

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1 in terms of any help they might be able to offer her and
2 Aaliyah?

3 **A.** She didn't specifically talk to me about it. She
4 talked to my mum about it.

5 **Q.** And how did you find out about that, that she spoke to
6 your mother about having somebody help her?

7 **A.** It was my mum that told me.

8 **MR. RUSSELL:** Again, Your Honour, this is a very similar
9 situation.

10 **THE COURT:** Go ahead.

11 **MR. RUSSELL:** So what was this about? What was your
12 understanding that she reached out to your mother about?

13 **A.** So this was in the very end, like late in 2016, where
14 she was just looking for I think it was the Naomi Society or one
15 of those programs to see what her options would be if she was to
16 get a divorce and how she would go about dealing with someone
17 that has PTSD as excessive as he did.

18 **Q.** And she sort of talked to your mum about looking into
19 that sort of thing.

20 **A.** Yes.

21 **Q.** Do you know if there was ever sort of a specific time
22 where she might have expressed to you that, look, she's going to

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1 end the relationship and they're going to completely separate?

2 Did that ever come up?

3 **A.** Yeah, so that happened a couple of times. You know,
4 one time, you know, a couple of times she told me that she was
5 done. Well, they both told me that they were done with each
6 other. Where I would just say, Okay, well, you have to, you
7 know, try to stick it out through sickness and through health,
8 deal with it kind of thing. But then at the end, like late in
9 2015, early 2016, she was just like, I'm done with this, you
10 know. I can't deal with this anymore. It's going on for too
11 long. He's not getting the help that he really needs and I
12 can't help him, you know. She used to be ... He used to think
13 that because she was a nurse that she would be able to help him
14 but that's way out of her scope of practice. She just wanted to
15 be done in the end.

16 **Q.** Did he ever sort of express to you that he was aware
17 that she was ready to be done? Did he ever have that sort of
18 share information with you that would suggest that he knew that
19 it was over?

20 **A.** Yeah, so a couple of times he would message me and
21 then I'd be like, Well, just give her some time, like give her
22 some space, you know, you've driving her ... I used to say

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1 you're driving her crazy, literally. I'm just like, Give her
2 space and she'll come around in the end. And then there was
3 another time where they were yelling, she contacted me and she's
4 like, I'm done, I can't deal with this anymore to where I was
5 just like, Okay. I didn't really say anything else about it.
6 Just kind of do what's best for you kind of thing. And he used
7 to contact me and I'd just be like, Well, she doesn't really
8 have anything else that she can do, right. Like you're driving
9 this woman crazy so, you know.

10 **Q.** And how did he sort of express his views on the fact
11 that she may actually leave him?

12 **A.** He was sad. He didn't really know. I think he was
13 more so lost in a sense. He didn't really know what direction
14 to take himself. Like it went on for so long and then not to be
15 with him and then possibly have to do, you know, custody, who is
16 going to get Aaliyah, what time is he going to get Aaliyah. So
17 all these things, obviously, were going through his head and
18 through his mind.

19 **Q.** Did he ever talk to you about that, sort of what was
20 going to happen to Aaliyah and what his plans were if they did
21 divorce or separate?

22 **A.** Yeah, so he used to say that, you know, he would find

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1 his own place and he used to say that he was looking for a place
2 in town. So I said, Okay, and that they're going to go to court
3 and that, you know, they'll figure out what to do with Aaliyah
4 in that sense. But that's all he used to say. He didn't say
5 anything more than he was looking for a place kind of thing.

6 **Q.** So I'm just trying to get a sense of when this really
7 sort of became a big topic of discussion with you from both of
8 them that their separation is going to happen, they're talking
9 about Aaliyah, custody, different places. What year is this?
10 So if 2016 is sort of the last year. Christmastime is really
11 the last ...

12 **A.** I would say about the end of 2015. Either the end of
13 2015 or maybe like early on in 2016.

14 **Q.** Did he sort of express to you whether or not he sort
15 of came to terms with the fact that it was over or that he
16 wanted to continue to work on the relationship? Did you get any
17 sense of that from him in your conversations?

18 **A.** Yeah, well, he definitely wanted to work on the
19 relationship. He didn't want to give up on Shanna. You know,
20 obviously, Aaliyah as well. He did love that family dynamic,
21 all of them but ... And, again, like they used to say that
22 they're getting a divorce and then, you know, a couple of weeks

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1 later, they're taking pictures together so ... It was very hard
2 to understand but that's just the way it was.

3 Q. The concept of jealousy where he would say that he
4 thinks she's going with someone else. Did this happen in 2016
5 as well?

6 A. Yes.

7 Q. Did it seem any less so or worse or the same in 2016
8 compared to when it was before?

9 A. I would say it was about the same if not a tad bit
10 more. But ... yeah.

11 Q. When he would express that he believed that she was
12 leaving him, were you ever able to convince him otherwise? In
13 terms of leaving him or gone with someone else, did it take a
14 lot of convincing to convince him otherwise that, no, she's just
15 gone to work or, no, she's just gone to school?

16 A. Sometimes. And then, you know, especially if he would
17 message Shanna. Say they were arguing or whatnot, he would
18 message her and she wouldn't respond back. Then that made his
19 mind wander even more to then where the fact where I had to
20 message Shanna and be like have a conversation with her,
21 screenshot it, and then send it to him to be like, Okay, here's
22 your proof, she's at work, or she's here, like just calm down

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1 kind of thing.

2 Q. Would he ever ask for actual proof that you spoke to
3 her, she confirmed that she wasn't, then you'd screenshot the
4 text and sent it back?

5 A. No, he would never ask for proof but I just knew that
6 maybe if he saw a conversation from me and Shanna, then he would
7 ... It would calm him down more, he would believe me kind of
8 thing. So I just automatically just did that and be like, Look,
9 this is where she is, like this is the conversation, the time
10 and everything is right there, so you're good now. And that
11 would calm him down.

12 Q. Okay. What information, especially in 2016, what sort
13 of information or discussions did you have with Lionel or Shanna
14 about him and medication?

15 A. I know that he was prescribed marijuana for a
16 medication and then he had other medications for bipolar
17 disorder or schizophrenia and then, of course, PTSD as well.

18 Q. And I know that, and I want to make sure because we
19 have his medical records, so we know exactly what he was
20 diagnosed with. When you said bipolar and schizophrenia, you
21 got this information from who?

22 A. Shanna and Lionel.

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1 **Q.** Okay, they had relayed that to you. That's how they
2 characterized what it was.

3 **A.** Yeah.

4 **Q.** And how was he in terms of taking his medications?

5 **A.** He wasn't the best at taking them. Sometimes he would
6 take them and he would do really good. Other times, he would
7 just stop flat out and be like, Well, no, they're not working
8 and then give up on them. So he was off and on with the
9 medications.

10 **(14:40)**

11 **Q.** Did he ever express any concern to you about
12 medications and taking them?

13 **A.** He just used to say that they're not working.

14 **Q.** Did he say why they weren't working or did he say how
15 they made him feel?

16 **A.** He didn't exactly say how they made him feel. He
17 used to just say that they weren't working for him, that there
18 was no point of him taking them if they're not working kind of
19 thing. And he wanted to really just focus on I guess the
20 marijuana portion of it. So that's what he did. He said that
21 calmed him down a lot more.

22 **Q.** Did you ever talk to him about him on medical

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1 marijuana?

2 **A.** Like talk to him how?

3 **Q.** Well, I guess did a conversation ever happen between
4 you and him about him taking medical marijuana, what he thought
5 of it?

6 **A.** Yeah, so when he first got it, he was kind of happy,
7 it was like he was back in high school again. So when he first
8 started taking it, it was very good. It mellowed him out. He
9 was laughing and happy. And then when he came out to Regina, he
10 brought it with him as well and I told him, you know, how to get
11 onto a plane with it, because I worked at the airport, and the
12 requirements he needed. And when he came out here, he used to
13 vape it and everything was fine. So, yeah, he enjoyed doing
14 that and then I guess later on, he was feeling that it wasn't
15 helping as much as it did in the beginning. So he kind of
16 slowed down with it.

17 **Q.** Did he ever directly say to you that he felt that the
18 effects changed?

19 **A.** Yes, he just said that it's not working as well and he
20 also didn't like really smoking either. In the beginning, it
21 was something that it was exciting, I guess. It took him back
22 to his younger years, but it's not something that he really

SHONDA BORDEN, Direct Examination

1 wanted to be doing.

2 **Q.** Did he ever talk to you about how it made him feel?

3 **A.** He said cloud nine, was his words, would be cloud nine
4 so ...

5 **Q.** Did he ever talk about any sort of negative effects of
6 cannabis or marijuana?

7 **A.** Not like side effects. He just personally just didn't
8 want to smoke.

9 **Q.** So I'm going to switch gears a little bit. So we know
10 in 2016, so that last year, we know in May to August 15th, he
11 went to Ste. Anne's. That's when he went to Quebec and then he
12 left middle of August and we're up until Christmas and New Years
13 of that year. Did you ever talk to Shanna about how things were
14 when he left Ste. Anne's in August. So that last half a year,
15 did you ever talk to Shanna about how things were going?

16 **A.** So when he left, we didn't really talk that much.
17 Like here and there, we would talk. Because at this point I was
18 working two jobs and I was just extremely busy. But he was
19 doing well when he first came back and then I guess later on in
20 the winter, things started declining again for them.

21 **Q.** And who indicated to you or gave you the idea that
22 things were declining again for them towards the winter?

SHONDA BORDEN, Direct Examination

1 **A.** Well, she told me about the incident that she had, I
2 think it was around New Years ... or Christmas/New Years where
3 it was storming and she ended up ... Well, he ended up putting
4 her truck into the ditch, I guess, coming from my aunt's camp.
5 And then that's pretty much where the decline kind of went from
6 there.

7 **Q.** Okay, I'm going to come back to that. Normally, we
8 would discuss it but I want to sort of come back to that towards
9 the end because it's sort of is sort of the end of the last
10 contact you have with both.

11 **A.** Okay.

12 **Q.** So we'll leave that, park it there for a minute. I'm
13 just going to look at your statement.

14 **THE COURT:** Mr. Russell, I'm going to stop you for a
15 second. Ms. Borden, it's not unusual for us to take short
16 breaks in the afternoon. I know we started at 1 o'clock and
17 we've gone for about an hour and three-quarters. How do you
18 feel about taking maybe a 15-minute break.

19 **A.** That would be great.

20 **THE COURT:** That would be great? All right. So that's
21 what we'll do. We'll break and we'll try and make it for about
22 15 minutes, okay?

SHONDA BORDEN, Direct Examination

1 **A.** Sounds good.

2 **THE COURT:** All right, then thank you.

3 **COURT RECESSED** **(14:46 HRS.)**

4 **COURT RESUMED** **(15:04 HRS.)**

5 **THE COURT:** Mr. Russell?

6 **MR. RUSSELL:** Thank you, Your Honour. Hello again.

7 **A.** Hi.

8 **Q.** So where we left off, I was trying to find something
9 in your statement. I'm going to read a line. It's on page 8,
10 line 11. This is you responding to a question: "And he used to
11 throw things, but he would never, ever touch any of them like.
12 And then after, you know, he used to call me ... always call me,
13 and tell me what was going on and I used to say, you know, Calm
14 down."

15 So in this statement, you did say "and he used to throw
16 things". Does that help sort of refresh your memory?

17 **A.** Kind of. To an extent.

18 **Q.** That's fair. I just ... And, certainly, if you don't
19 recall particular examples of him throwing things or, in fact,
20 you don't recall ever hearing that he threw things, that's quite
21 fine as well. I just raise this. You did point out in your
22 statement that you said, "and he used to throw things". Do you

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1 remember that?

2 **A.** Yes.

3 **Q.** And when I say, Do you remember that?, do you remember
4 saying it in the statement or do you remember actually being
5 aware that he used to throw things?

6 **A.** I remember it in the statement but I just can't
7 recall, you know, a time that he did do it.

8 **Q.** Okay. Do you recall any sort of discussion with
9 Shanna or Lionel about him throwing things?

10 **A.** No.

11 **Q.** That's perfectly fine. I just raise it just to be
12 thorough and complete. But is it fair to say that chances are
13 that when you gave this statement to the RCMP, you wouldn't have
14 made something up?

15 **A.** No. Definitely not.

16 **Q.** So it's possible that you would've recalled throwing
17 things at the time you gave the statement, but you might not
18 recall it now?

19 **A.** No. Not now. My mind is gone now.

20 **Q.** Okay. That's fair.

21 I'm going to ask you a little bit about after Ste. Anne's,
22 after he leaves Ste. Anne's in August 2015, and any

SHONDA BORDEN, Direct Examination

1 conversations you had, I guess, first with Shanna and then
2 second with Lionel. But first with Shanna. Did you have any
3 conversations with her about Veterans Affairs Canada and
4 resources and services after he left Ste. Anne's?

5 **A.** I know that they were ... she was talking about
6 getting someone that he could stay connected to. So after he
7 left. That was pretty much all I can remember at this point.

8 **Q.** Did she express to you ... You said she talked about
9 having someone that he would be connected with. Did she ever
10 tell you kind of where along that was in the process or have any
11 opinion as to that?

12 **A.** No. We didn't really talk about, you know, how far
13 along that they were with it. She just said that she was
14 looking for ... Well, they both said that they were looking for
15 someone that he could stay connected to once he got out and once
16 he was home.

17 **Q.** Did you get a sense of what it was? What was going to
18 be the purpose of this person that he would stay connected to?
19 Did they ever express to you what they thought this person was
20 going to do for him?

21 **A.** So just moreso for like counseling. If he felt, you
22 know, like he had a trigger or something, that he has someone

SHONDA BORDEN, Direct Examination

1 that he can talk to besides just her.

2 Q. In your convers- ... "besides just her" as in Shanna,
3 you mean?

4 A. Yeah. Shanna.

5 Q. In terms of your conversations with Lionel and Shanna
6 in August when he leaves Ste. Anne's, did you get a sense of
7 whether Lionel was motivated to actually see this person put in
8 place for him and then go along with what was being recommended?

9 **(15:10)**

10 A. I can't recall like him being excited, but I knew that
11 he was excited to come home and excited to ... excited that he
12 was, you know, able to handle different situations a little bit
13 better from what he was taught in Montreal.

14 Q. And you said things seemed to get a little bit worse
15 as the winter rolled around. What do you mean by that?

16 A. Yeah. Well, I wouldn't even say it was just winter.
17 I guess when he got back home, there was just one thing after
18 the other. It was like he went, and then he was home for like a
19 month maybe and everything was good, and then it took a 360
20 again where everything was affecting him.

21 Q. In your entire sort of time as, I'm going to say, the
22 person in the middle, I guess ... You're hearing concerns from

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1 Shanna. You're hearing the concerns from Lionel. Definitely,
2 you've indicated those were very frequent and busy. Was there a
3 time period where you thought, things are at an all-time low or
4 worse? This is the worst time yet.

5 **A.** Yeah. There was a couple of times where I thought
6 that. And Shanna used to get upset at me that I talked to him
7 now at this point, you know. She used to say, I don't know how
8 you can talk to someone that's degrading your sister, or, you
9 know, yelling the way he does. And, at this point, I was just
10 like honestly caught in the middle like, you know. He's the
11 brother-in-law. She's the sister. He's coming to me with
12 problems and she's telling me to kind of back off, kind of
13 thing. So I was put in an unusual situation.

14 **Q.** In terms of that period of time after he gets home
15 that August from Ste. Anne's up until the tragedy happens in ...
16 just past New Years, how would you sort of consider that period
17 of time based on ... So based on what you're hearing from
18 Shanna and based on what you're hearing from Lionel, how was
19 that time period for them?

20 **A.** So it was good like really early and then it, like I
21 said, it went downhill pretty quick, to the point where she was
22 getting upset at me or he would be saying, you know, something

SHONDA BORDEN, Direct Examination

1 that I quite didn't understand, or talking like, I would say,
2 gibberish, because one minute he would be saying, you know,
3 these random things through text, and I'd be like, Who are you
4 talking to? Like what are you talking about? And it was just a
5 whole bunch of stuff that really just didn't make any sense. So
6 ...

7 **Q.** And we're going to look at some text messages in a
8 little bit, but what do you mean, sort of, by "gibberish" that
9 he was sending you in text?

10 **A.** Like it honestly made no sense at all, like some of
11 the things he used to say. It was like he was talking to
12 someone else and I'd be like, Are you talking to me or are you
13 having a conversation with someone else? Like I don't know.
14 And he'd be like, Oh, I'm talking to my buddy, Dale. So then I
15 would respond, Well, you're talking to me, like this is my
16 number, kind of thing. But he would still continue on like he
17 was having a conversation with someone else through me. So it
18 was gibberish on my end.

19 **Q.** So it seemed almost like he would ignore the prompt
20 that, Look, you're talking to Shonda, and then he would just
21 continue?

22 **A.** Yeah. And then he'd be like, Oh, hi Shonda. Like ...

SHONDA BORDEN, Direct Examination

1 like I wasn't just saying, Hey, this is me, kind of thing but,
2 yeah.

3 Q. That sort of exchange, had you seen that before or was
4 that something more recent?

5 A. It was more recent. Like from 2016, it ... it ...
6 that's when it started happening.

7 Q. And when he would say ... then he would acknowledge
8 that it was you, would the conversation then continue as though
9 he was talking to Dale?

10 A. For a minute, yeah, he would continue like he was
11 talking to like his friend. And then I'd be like, Lionel, like
12 it's me. It's Shonda. And then he would come back and be like,
13 Oh, hey Sha-Sha. Like ... yeah, so ...

14 Q. Did he ever ...

15 A. He was all over the place at this point.

16 Q. What about actual sort of voice communications you had
17 with him. Did you ever experience that sort of confused, all
18 over the place, scattered, you said?

19 A. Like talking on the phone with him?

20 Q. Yeah.

21 A. No. I think when we'd talk on the phone, it was
22 towards me. I don't think ... Yeah, I think it was towards me.

SHONDA BORDEN, Direct Examination

1 I didn't really notice anything unusual, I guess.

2 Q. Okay. Did Shanna ever express to you sort of an
3 openness that she either feared for her safety or Aaliyah's
4 safety?

5 A. Yes, she did.

6 Q. Tell me a bit about that.

7 A. Well, she was just ... like in the end, she was ...
8 in the end, she was quite, I guess, concerned. And so I was
9 down home visiting one time and he was having an episode,
10 yelling about something. In the beginning, he was fine, and
11 then ... You know, because he was happy to see me as well. And
12 then a couple ... I'd say about a half hour to an hour later, he
13 kind of freaked out, had an episode. And then I was just like,
14 Okay. Well, just let him be. Like calm down. Like leave him
15 alone, kind of thing. Don't engage it. And she would be like,
16 Well, you know ... I'd be like, Shanna, Shanna, like calm down.
17 And she'd be like, Well, it's not Shanna, Shanna when you find
18 Shanna dead, you know, in the kitchen. He's not playing around.
19 I'm just like, Well, you're crazy, kind of thing. But,
20 obviously, me just coming home, I'm not knowing the extent of
21 how bad it is actually getting with him. So ... yeah.

22 Q. So that was sort of ... Do you recall roughly when

SHONDA BORDEN, Direct Examination

1 that conversation might've taken place?

2 **A.** Oh. I don't if it was 20- ... I don't know. Maybe
3 late 2015, possibly?

4 **Q.** Would it have been before he went off to Ste. Anne's?

5 **A.** Yes. It was before that, I believe.

6 **Q.** And ...

7 **A.** Or ... yeah, before.

8 **Q.** So she made this comment. Was it sort of in reaction
9 to you trying to get her to work through the difficulties she
10 was having in the relationship? Is that how it came out?

11 **A.** Yeah, because when he used to have an episode or
12 whatnot, or yelling or curse or whatnot, inside the house, that
13 would obviously make her mad. So then they're bickering back
14 and forth. So I'm just like, You know, like just leave him.
15 Like let him be. Like let him go do his own thing. And so I'm
16 like, Shanna, you've got to calm down. Like Shanna, you've got
17 to deal with it. You know, it's your husband, kind of thing.
18 And then she'll be like, Well, it's not Shanna, Shanna when you
19 see me here on the floor so ...

20 **Q.** Did she seem ... That's quite a serious comment. Did
21 she seem sincere when she said it? Did she seem actually
22 legitimately concerned for her safety?

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1 **A.** Now that I think back about it, I would say yes, but
2 in that instance, I wasn't really focused on that for some
3 reason so ...

4 **Q.** And I got the sense, is it fair to say, that it was
5 quite frequent ... Based on what you described, would you say
6 it was quite frequent for there to be an incident, perhaps an
7 overreaction, then you become pulled into it, and then it
8 settles and resolves and it's sort of "rinse, repeat"? Is that
9 a fair way to characterize it?

10 **A.** Yeah, I would say so.

11 **Q.** Did Shanna ever make a similar comment about that?
12 That "dead on the kitchen floor", did she ever make that similar
13 comment any other time?

14 **A.** Not that I recall. The one on the kitchen floor is
15 the one that stands out to me the most. That really stuck with
16 me, I guess.

17 **Q.** Did she ever talk to you about perhaps whether she
18 would go to the police or she was worried over something in
19 particular?

20 **A.** Well, I know she did call the police a couple of
21 times. She did call the police one time when she was in New
22 Brunswick to where they did take his guns away from him then.

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1 Obviously, he got them back. And then there was an instance
2 where - it was in 2016 as well - where she called the police on
3 him again because he was outside in the yard and putting things
4 into his Jeep and yelling and cursing. And she called the
5 police and he was over at my Aunt Sarah's, which is beside their
6 house. So she did call the police on him a couple of times.

7 Q. Did you ever discuss with either Shanna or Lionel this
8 ... We've learned a little bit about dreams he might've been
9 having. Do you recall any conversation with Lionel about
10 dreams?

11 **(15:20)**

12 A. Yeah. He said he had some pretty disturbing dreams.

13 Q. If you can tell us a little bit about that
14 conversation.

15 A. It was either dreams that she was cheating on him or
16 dreams that he'd killed her pretty much.

17 Q. How often did he talk to you about those dreams?

18 A. It wasn't often. And it was very subtle too. It's
19 not like he went into fuller detail. And then when I go back
20 and I look at the text messages, like he would pinpoint
21 something out to where ... He would say something and then he
22 would say something else to where I didn't really catch on to

SHONDA BORDEN, Direct Examination

1 it, kind of thing. So that's the kind of way he would do
2 things.

3 Q. So what do you mean by that? Do you mean in terms of
4 he would say it almost in passing through a conversation?

5 A. Yes. So it was like ... It wasn't like, you know, we
6 were talking about him having a dream specifically. It was like
7 we are having a conversation and he would say something like,
8 Oh, I had a dream that I killed your sister or something like
9 that. And then he'll change the topic to something else. So
10 then I didn't really catch on to what he was saying in that
11 exact moment until now when I look back at things.

12 Q. Did he ever say what he was ... how he thought or how
13 he was reacting to the idea that he was having those dreams?

14 A. He said it scared him. He pretty much said it was
15 because, you know, of a concussion that he'd had, that he was
16 having bad dreams that were leading up to this is why he's
17 having, you know, all these things happen to him. He focused it
18 on having a concussion so ...

19 Q. Did he ever say ... Did he always say that those
20 dreams were dreams and not necessarily thoughts or did he ever
21 say they were thoughts as well?

22 A. I would say they were more so dreams than thoughts.

SHONDA BORDEN, Direct Examination

1 **Q.** Was it the same sort of recurring dream of her with
2 someone else and then he reacts to it?

3 **A.** Yeah, I believe so.

4 **Q.** Did he ever describe any other types of dreams or
5 other scenarios that were causing him difficulty?

6 **A.** Like when they would argue or something, then he'd be
7 like, Oh, tell your sister I have my eyes on a .22 or, you know,
8 just things like that. But he would change it so quick that I
9 wouldn't even catch on to it.

10 **Q.** And we're going to review a text in a bit about "eyes
11 on a .22", but in terms of an actual discussion, a phone
12 conversation with him, did he ever make comments about a firearm
13 or a suggestion that he might do some harm to Shanna or anyone?

14 **A.** I can't recall him, in a phone conversation, saying
15 something like that. Yeah. But I think most of the time when
16 he would say something crazy like that, it was in a text
17 message.

18 **Q.** And I just ... you know, just so I want to be fair and
19 put it in context. You know, normally, we can look back and
20 say, If somebody mentions they're going to do something with a
21 gun, or implies it, that you would phone the police. But, in
22 your shoes, you dealt with Lionel Desmond quite frequently and

SHONDA BORDEN, Direct Examination

1 you heard a lot from him frequently and it would be sort of
2 repeat. So how did you sort of perceive when he would make the
3 reference to that?

4 **A.** Well, sometimes I didn't even catch on. Like now that
5 I think back, I'm just like, Well, why didn't you do something
6 about it? So, at times, I didn't catch on. And then other
7 times, I'd be like, Oh well, he's just having one of his rants,
8 kind of thing. But, realistically, obviously, I should've said
9 something and done something about it.

10 **Q.** And I definitely don't want to ... That's not the
11 purpose of why I'm asking you. Don't sort of ... I know I'm
12 ...

13 **A.** No, no. Yeah.

14 **Q.** ... giving more of a lecture, Your Honour, than a
15 question, but the nature of it is, Shonda, hindsight is a lot
16 easier ...

17 **A.** I know.

18 **Q.** ... than the reality at the time.

19 **A.** Yeah.

20 **Q.** In terms of, I guess, Lionel's perspective of what he
21 thought was wrong with him, I'm going to look to a passage in
22 your statement. It's page 13. So page 13, line 13. And I'll

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1 just read it. This is your answer to the officer. You said:

2 And I had my own thing going on in Regina,
3 so ... but, yeah. Apparently, he said that
4 he found out that he does have PTSD and they
5 say that ... he's like, Well, they say that
6 I'm schizophrenic too, he says, but he's
7 like, I also found out that I went to the
8 doctor, that I could have a brain tumour, he
9 said. So they have to do testing on me.

10 And he said, You know what, Shonda, or Sha-
11 Sha, he said. He's like, All the times that
12 I hit my head. I hit my head on (and then
13 it's inaudible) when I fell down some place
14 when he was in Afghanistan.

15 And then he goes on and says: "Something wrong with my
16 head."

17 So this is him relaying to you what he thought was wrong
18 with him.

19 **A.** Yes.

20 **Q.** Realizing, certainly, that he's not a doctor, but did
21 he really sort of believe that doctors told him he had
22 schizophrenia?

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1 **A.** I don't know. He made me believe that he did.

2 **Q.** Okay. And I'm mindful of the fact that he might've
3 sort of misinterpreted or misunderstood what was being told to
4 him by the doctor but he came ... Do you need a break or ...

5 **A.** No, no. I'm good.

6 **Q.** And, as well, with the brain tumour, did he come right
7 out and tell you, They think I have a brain tumour?

8 **A.** Yeah. I have a text message of it.

9 **Q.** And, looking back, was there ever any suggestion that
10 he seemed to maybe indicate that he wasn't sure what the doctors
11 were telling him, or did he seem confident that, I know what
12 they told me?

13 **A.** Well, after he said that the doctors told him that, he
14 was very adamant that it was because of the brain tumour or
15 concussion that he had that this is why all these things are
16 happening to him. That's what he was relaying to me.

17 **Q.** In terms of ... Did he ever discuss generally his
18 treatment with you? Who he might've saw? What he might've saw
19 people for?

20 **A.** No. He didn't really go into a bunch of details about
21 that.

22 **Q.** In all your conversations with him, did it seem to

SHONDA BORDEN, Direct Examination

1 you, based on what he told you, that he had a good grasp of the
2 structures that were put in place for him to help him? Did he
3 really understand what was going on?

4 **A.** I don't necessarily think. I think that he was really
5 just taking it as it was coming towards him or as he was dealing
6 with it. Yeah.

7 **Q.** In your conversations with Shanna, what did she ...
8 did she indicate what she felt that the doctors told him that he
9 had wrong with ... I wouldn't say "had wrong with him", but
10 what his struggles were caused by?

11 **A.** So when I talked to Shanna and asked her about, you
12 know, that he might have the tumour or concussion, she agreed.
13 She said that, Yeah, that's what he says, kind of thing. But,
14 again, she didn't really know because she wasn't over there with
15 him or whatnot, so she was really going by what he was saying as
16 well, or maybe ... yeah.

17 **Q.** So in your conversations with her, did Shanna seem
18 confident to you that she knew what he was diagnosed with, knew
19 what his struggles were, or did it seem as though she was
20 unsure? Or neither?

21 **A.** I think she was unsure. I know that she knew that he
22 had PTSD and she was very adamant that he had that, but she also

SHONDA BORDEN, Direct Examination

1 knew that something else had to be wrong as well, just by his
2 actions.

3 **Q.** Did Shanna ever express to you concerns that she
4 might've had as it relates to Lionel harming himself?

5 **(15:30)**

6 **A.** She was concerned that he was going to kill himself,
7 definitely. This was like earlier on. She was more so concerned
8 about his safety in the beginning.

9 **Q.** And what sort of conversation took place ... you said
10 she was concerned that he might kill himself. What kind of
11 conversations do you recall about that?

12 **A.** Just like when he used to get mad. Like he used to
13 talk about, you know, taking himself out or whatnot. He used to
14 say, I'm not homicidal, I'm suicidal, kind of thing. And that
15 was something that he used to say out of his own mouth plenty of
16 times but ... so she never actually thought, well, it would
17 switch or occur the way it did. But, yeah, she was concerned
18 about him.

19 **Q.** So did Shanna relay that to you? So just so I get
20 this right, did Shanna say to you that Lionel Desmond would say,
21 I'm not homicidal, I'm suicidal.

22 **A.** No. Lionel used to say that from his own mouth. Like

SHONDA BORDEN, Direct Examination

1 I was there when he said that.

2 Q. So you heard him say that.

3 A. Yeah.

4 Q. How frequently would he talk that way or say that?

5 A. Any time he got mad or any time he talked about, you
6 know, someone at work, you know, were the things that, you know,
7 he used to deal with at work or whatnot. And he'll be like, you
8 know ... like she was concerned maybe he was going to go to work
9 and do something against his coworkers. And be like, Well, no,
10 I'm not homicidal, I'm suicidal, kind of thing. But it's not
11 something that he would say frequently or ... it was just like
12 here and there maybe.

13 Q. Did you say that she expressed ... were you there when
14 she expressed the concern to him that he might go to work and do
15 something to someone?

16 A. Yes.

17 Q. And how did that come ...

18 A. So like she said that when she was living in New
19 Brunswick.

20 Q. So how did that come up? Like how did it ... all of a
21 sudden, Shanna says, I'm concerned you're going to go to work
22 and do something to someone and he counters with, I'm not

SHONDA BORDEN, Direct Examination

1 homicidal, I'm suicidal. How did this evolve? How did that
2 conversation sort of come into play?

3 **A.** So we were talking about ... this was the time when he
4 chased the person that was at work when they were all eating
5 when he was drinking the chocolate milk. He actually went after
6 this person with a knife. So when he came home, like we were
7 all sitting around talking about what happened and then, you
8 know, she's like, Well, you just ... you can't go to work or
9 whatever, like I'm concerned that you're going to go to work
10 maybe and do something. Like you got to calm down, get more
11 help. And then he would make the statement and then we'd be
12 like, Ohh, kind of thing so ...

13 **Q.** How did he ... you were there for at least ... when he
14 said it one time. How did he seem? Did he seem that he's just
15 saying it, just throwing it out there, passing it off as sort of
16 almost jokingly or in jest, kind of, or was he sort of serious
17 about it? How did you ...

18 **A.** No. It was jokingly. Like he was laughing when he
19 was saying it. So it was hard to take him serious because ... I
20 don't know. He was laughing and smiling at the same time that
21 he said it, so I mean it's hard to take someone serious when
22 they're laughing about it, too.

SHONDA BORDEN, Direct Examination

1 Q. And you said it ... I believe you had said earlier
2 it's something that he would say. So he said it, to your
3 knowledge, more than once?

4 A. Yeah. He said it a couple of times.

5 Q. Did you actually hear him say it more than once?

6 A. I heard him say it two times. He said it one time at
7 my mom's house as well. I can't really remember how it got
8 brought up but I do remember him saying it. But, again, he said
9 it in a jokingly way, as well. So it's not something that
10 really caught my attention.

11 Q. And, again, sort of in fairness, is that ... it was
12 quite frequent that there would be the argument, perhaps the
13 overreaction and then, rinse, repeat, things would calm down, I
14 guess. Is that fair?

15 A. Yes. That's exactly how it went.

16 Q. Okay. I'm going to show you a series of text
17 messages. I guess we'll start with Exhibit 175 and 176.

18 **EXHIBIT P-000175 - TEXT BETWEEN LIONEL DESMOND AND SHONDA**

19 **BOPARAI**

20 **EXHIBIT P-000176 - TEXT BETWEEN LIONEL DESMOND AND SHONDA**

21 **BOPARAI**

22 Q. So these were text messages you had provided Mr.

SHONDA BORDEN, Direct Examination

1 Murray and I in preparation after we had met with you preparing
2 for today. I'm going to read this into the record and if you
3 can ... I'm going to ask then questions about it. Is that fine?

4 **A.** Yeah. Sure.

5 **Q.** So at the very top, I guess first is where did this
6 message come from? Where did you take it from?

7 **A.** Facebook Messenger.

8 **Q.** And this would be a message that you understood came
9 from whose account?

10 **A.** Lionel.

11 **Q.** And did it go to your account?

12 **A.** Yes, mine.

13 **Q.** So what made you think it came from Lionel, I guess?
14 Would you provide some context to that?

15 **A.** Because that's how he always talked to me.

16 **Q.** I guess I ... and I'm mindful of the fact that we're
17 not in a traditional, you know, trial but ... so is this an
18 account you would frequently have conversations with a person
19 that was Lionel Desmond?

20 **A.** Yes.

21 **Q.** And you guys would talk about various things that were
22 unique to what Lionel knew and what you knew.

SHONDA BORDEN, Direct Examination

1 **A.** Yes.

2 **Q.** Okay. So it says up at the top, "April 23rd, 2016,
3 6:18 p.m." So this date came off of Messenger?

4 **A.** Yes.

5 **Q.** All right. And does it seem consistent with sort of
6 your recollection of receiving the message that it was around
7 that time?

8 **A.** I guess so.

9 **Q.** Okay. That's fair. So I guess if it's April 23rd,
10 that's pre Ste. Anne's.

11 **A.** Yes.

12 **Q.** I'm going to read this in. It says, "Hey, Bones ..."
13 So is "Bones" ... who is he referring to there?

14 **A.** That's my nickname.

15 **Q.** Okay. So:

16 Hey, Bones, it's for the best. She and I
17 are changing for different reasons. She's
18 tired of this, too. She hacked in my
19 Facebook. Fine. This is my new one, okay?
20 Reason I put everything on Facebook is me
21 and her don't communicate well, so I am
22 stressed to not eating and I need her to be

SHONDA BORDEN, Direct Examination

1 happy with someone else, because I dream
2 that is wrong with this relationship between
3 us. Yes, she loves her family but I am the
4 issue she needs to delete from her mind.
5 I'm not cheating. It's just I have no
6 control over my dreams, nightmares of her
7 with another guy and me hacking them. So I
8 need to be alone.

9 And then it continues on the next page, so which is Exhibit
10 176. For the purpose of this, it cut off. So:

11 I'm not abandoned her. Yes, I ceased my
12 account. I'm triggering. It's not going to
13 stop, so it is best for you and your family
14 to know I am going to be divorced and
15 homeless. So nice knowing you.

16 So I'm going to stop it right there. So is this sort of a
17 message that he just suddenly sent off to you? All of a sudden,
18 you check your inbox and there's the message?

19 **A.** I believe so. For that day, yes.

20 **Q.** So you talked about him leaving you various messages.
21 Were they similar in nature to this? Were there messages
22 similar in nature to this?

SHONDA BORDEN, Direct Examination

1 **A.** Yes.

2 **Q.** And when he says: "She hacked in my Facebook and I set
3 up a new account." Did he have multiple accounts?

4 **A.** So he had an original account and then the original
5 account, he made a status pretty much bashing Shanna and the
6 family on. So then I responded and like, Take this down, kind
7 of thing, like it's nonsense. So I believe that she went in and
8 deleted that message or whatnot, or the status that he had. But
9 everything was the same. He ended up forgetting the password
10 for it and blamed Shanna on it. And then he created a new
11 account.

12 **Q.** When you say there was an account and he was bashing
13 Shanna and the family, I believe that's what you said, what was
14 it ... Do you remember what was said on Facebook, what was put
15 on there?

16 **A.** I don't really remember in like full detail, but it
17 was, you know, pretty much that they're fighting, they're
18 arguing, and that he was pretty much done or something, to when
19 a lot of his family is like, Well, leave her and she's no good
20 and a lot of the family came into it. His family came into it
21 and made it worse and it triggered his high pretty much of
22 writing more stuff. So then eventually when he calmed down, he

SHONDA BORDEN, Direct Examination

1 deleted it and deleted that Facebook and created a new one.

2 **(15:40)**

3 **Q.** And so when he put this on Facebook, there's a
4 reference ... was it sort of on like a public wall where if you
5 were friends you could see ... read it? Okay.

6 **A.** Exactly. Yes.

7 **Q.** So it wasn't just a private communication between him
8 and Shanna or you and him.

9 **A.** No. It was public.

10 **Q.** Okay. And is that the context where ... in which he
11 says: "I put everything on Facebook as me and her don't
12 communicate well, so I'm stressed." Is that what he's referring
13 to there?

14 **A.** Yes. So Shanna ended up deleting him off her
15 Facebook. I guess he didn't know that. So he put it on his
16 wall, talking about Shanna. But Shanna couldn't see it, so then
17 I was like, Well, look at this, kind of thing. Like why is
18 Lionel doing this? And then showed her and then ... yeah.

19 **Q.** And then he goes on further, he says he needs her to
20 be happy and he said, "with someone else because I dream that is
21 wrong". Do you understand what he's referring to there when he
22 says " ... that I dream and it's wrong".

SHONDA BORDEN, Direct Examination

1 **A.** I think it was just ... no, not necessarily.

2 **Q.** Okay. If you're not sure, that's perfectly fine. I'm
3 just asking. Did he talk about the dreams of her infidelity and
4 the killing and harm ... did he talk about that around the same
5 time as this message or were they separate times altogether?

6 **A.** I think it was close in timeframe but it wasn't that
7 day.

8 **Q.** He makes a particular reference that says: "I'm not
9 cheating. It's just I have no control over my dreams,
10 nightmares of her and another guy and me hacking them." So when
11 he says, "I'm not cheating" was there ever a discussion with him
12 about his infidelities or anything that you had with him?

13 **A.** No. That was random.

14 **Q.** Okay. Did you get a sense of what he's referring to
15 here? Is he referring back to the dreams that you had discussed
16 with him?

17 **A.** Yeah. So that would be just the dreams. Like he
18 would constantly always have dreams of Shanna cheating on him or
19 being with somebody else. So that was a recurring thing with
20 him.

21 **Q.** And then if we could go to 176, he says: "I'm
22 triggering. It's not going to stop, so it is best for you and

SHONDA BORDEN, Direct Examination

1 your family to know I am going to be divorced and homeless. So
2 nice knowing you." Was it frequent or how often would he talk
3 to you in those sort of terms, almost sort of like finality,
4 that, Nice knowing you. It's going to be divorce. It's going
5 to be over.

6 **A.** He always used to say that. If him and her were
7 fighting they would say, well, they're getting a divorce. And
8 then, obviously, he stayed at my mom and dad's house. He didn't
9 really go up to his family's house very often, so he would
10 automatically assume that he would be homeless.

11 **Q.** Did you get any ...

12 **A.** And that no one would talk to him.

13 **Q.** Okay. Did you get any sense of what he was referring
14 to when he says: "I'm triggering"? Is that a phrase he used
15 before or ...

16 **A.** Yeah. So his triggers were when he would just be in
17 like his agitated state, like he would go off on things.

18 **Q.** And when he says: "I'm not abandoning her. I ceased
19 my account." What account is he talking about? Do you know?

20 **A.** His bank account.

21 **Q.** And so what's he referring to there about the bank
22 account? Do you know?

SHONDA BORDEN, Direct Examination

1 **A.** That he took control over it. So he pretty much made
2 it so she wasn't able to access any funds.

3 **Q.** Below that, it picks up ... there's a sort of a thumbs
4 down. That's an icon that you posted, like you disagree with
5 it?

6 **A.** Yeah.

7 **Q.** And the response back is: "It's uncurable and killing
8 me inside, body is high." Do you have any sort of context for
9 that, if it's in reference to something?

10 **A.** He just ... he thought that, you know, his sickness
11 wasn't going to get any better and he knew that he was getting
12 worse, so I just believe that he was, in the end, that he just
13 knew that it was a lost hope, I guess.

14 **Q.** Okay. And in terms of your reply, I'll read it. It
15 says:

16 No, Lionel, it's not for the best. Not
17 communicating with Shanna at the moment,
18 okay, that's fine. Blasting everything on
19 Facebook is not okay, love. I understand
20 that you're going through a hard time but by
21 wanting to have a divorce because of it and
22 your bad dreams is unethical. Shanna loves

SHONDA BORDEN, Direct Examination

1 you deeply as does your daughter Aaliyah.

2 It says: "I am ... something. This is very hard for her
3 ... (I believe it says her) as well." So is this sort of a
4 typical way that you would sort of react to him when he would
5 make those comments?

6 **A.** Yeah, usually.

7 **Q.** And usually would you have some success with that?

8 **A.** Most of the time, I would.

9 **Q.** And do you know how long sort of the conflict ... if
10 this sort of ended it? Or did the conflict continue?

11 **A.** I believe at this particular time it maybe went on for
12 like four or five days and then it was back to normal.

13 **Q.** Okay. Did you ever share these messages with Shanna?

14 **A.** Not those ones. Some messages I did.

15 **Q.** So when he was sending sort of messages like this, did
16 you advise Shanna that this was sort of, I got this from him and
17 he said this.

18 **A.** Yeah. I would talk to her and be like, Lionel
19 messed me, and give her the scoop. But I would never ... like
20 sometimes I would send her the message, sometimes I didn't
21 because it was just so ... it happened quite a bit.

22 **Q.** So ... and I just want to put that in context. Is

SHONDA BORDEN, Direct Examination

1 sort of ... this type of message from him, was it sort of
2 something that was rare, common, or ...

3 A. It was common.

4 Q. Okay. And did you get any sense of did they ever
5 increase or decrease with frequency?

6 A. I don't know. I think it stayed the same.

7 Q. This message, based on the time, if we know that the
8 goes to Ste. Anne's about a month later and this is leading up
9 to that point, was there any sort of increases in the number of
10 messages you were receiving in 2016?

11 A. Oh, yeah. 2016, it was constant, constant messages.

12 **EXHIBIT P-000181 - TEXT BETWEEN LIONEL DESMOND AND SHONDA**

13 **BOPARAI**

14 **EXHIBIT P-000182 - TEXT BETWEEN LIONEL DESMOND AND SHONDA**

15 **BOPARAI**

16 Q. Okay. If we look at Exhibit 181 and 182, there's two
17 pages there. So where did this come from, do you know? Where
18 was the source of this?

19 A. A text message.

20 Q. And the text message ...

21 A. From his phone.

22 Q. From his phone to your phone?

SHONDA BORDEN, Direct Examination

1 **A.** Yes.

2 **Q.** And there's a picture there. It's in black and white.
3 Who's in the picture?

4 **A.** That's Lionel.

5 **Q.** Okay. This one isn't ... it never had any date on it.
6 You're familiar with the contents. Are you able to say roughly
7 when it was, what year it might have been?

8 **A.** That was around that same time as well. That was the
9 Facebook post that he blasted Shanna on.

10 **Q.** So it was right around the time ... if the other one
11 was April 23rd, 2016, this is around the same time?

12 **(15:50)**

13 **A.** Yeah. Yes.

14 **Q.** So I'm just going to read it. It says ... his message
15 to you: "Put it in stone because I have nurse that comes her
16 (sic) and she sees the darkness of hell in my house and she
17 understands why." Then is this your response below it?

18 **A.** Yes. I'm in the blue.

19 **Q.** And then your response reads: "Then why not talk to
20 someone on the phone? Why FB?" "FB", is that Facebook?

21 **A.** Yes.

22 **Q.** "Why get others involved?"

SHONDA BORDEN, Direct Examination

1 And then it says:

2 Deidrea. Did you see her response? Not
3 very nice. You can't blame pills for your
4 actions. Calm down. Call a nurse or
5 doctor, a therapist, or someone.

6 So I just want to ... we'll stop there and I just want to
7 put some context to this. So is this sort of a ... this
8 conversation starts with him sending that first message to you?

9 **A.** I don't know if that was the first message. I'm
10 assuming it was since there's nothing above it.

11 **Q.** Okay.

12 **A.** But, yes.

13 **Q.** Do you know who he's referring to when he says
14 "because I have nurse, she sees the darkness of hell in my house
15 and she understands why".

16 **A.** Yeah. That was gibberish to me.

17 **Q.** Okay. And, well, you mentioned that before that
18 sometimes he would send you sort of gibberish. Is this sort of
19 an example of what the gibberish was?

20 **A.** Yeah. That would be one.

21 **Q.** So in this context, you have no idea who the nurse is
22 that he's referring to?

SHONDA BORDEN, Direct Examination

1 **A.** None.

2 **Q.** And "darkness of hell in my house", you don't know
3 what he's referring to there?

4 **A.** "Darkness of hell", he's referring to himself.

5 **Q.** Okay. And he's referring almost to someone that sees
6 the darkness of hell in his house but you don't know who he's
7 referring to.

8 **A.** No.

9 **Q.** And that obviously prompted you to; one, again talk to
10 him about airing stuff on Facebook. And what's this about
11 "Deidrea"? Maybe I'm pronouncing the name wrong. Who is that
12 person?

13 **A.** That would be his cousin.

14 **Q.** So how did she come into this? What was going on
15 there?

16 **A.** So, like I said, he posted some things on Facebook
17 blasting Shanna. And then it was his cousins that was online
18 saying things that weren't very nice and then I decided to check
19 him on it.

20 **Q.** And you referenced, "You can't blame pills for your
21 actions." Had there been some conversation between you and him
22 and pills being attributed to what he's doing or ...

SHONDA BORDEN, Direct Examination

1 **A.** Yeah. At times, he would just blame medication for
2 the way he acted. This was before he started blaming the
3 concussion or brain tumour. He would blame medication.

4 **Q.** And you urge him, you say, to calm down, call a nurse,
5 a doctor, or therapist. And I'll read his reply. It says: "I
6 talked to myself because the devil don't talk. He runs around
7 trying to scare people, but I ain't scared of hell." Can you
8 put any context to that response at all?

9 **A.** Hmm.

10 **Q.** Do you know what he's referring to or anything?

11 **A.** It was just his gibberish that he used to talk all the
12 time. He was either ... he referred himself to the devil or
13 that he was part of being with the devil or the devil is on his
14 right shoulder, you know.

15 **Q.** So was this sort of a theme that he would talk about,
16 that either he was the devil, he was with the devil, or the
17 devil was on his shoulder?

18 **A.** Yeah. That's how he was. He even changed his
19 Facebook name to Lionel Demon so ...

20 **Q.** I'm just trying to put it in context. If this is
21 April of 2016 and he's making the comment about, "I talked to
22 myself because the devil don't talk", to your knowledge, when

SHONDA BORDEN, Direct Examination

1 did he start talking about he's with the devil, the devil is on
2 his shoulder, or he is the devil? When did all of that start?

3 **A.** Say 2015, 2016.

4 **Q.** And did you ever have any conversation with him about
5 the Facebook account that said "Lionel Demon"?

6 **A.** Yeah. I asked him why he changed his name to it and
7 he's like ... he said he made a mistake at first. So then I'm
8 like, Okay, well change it, like fix it. And he was like, No,
9 that's good. The devil is with me. So that's what he kept it
10 as.

11 **Q.** Do you know when he changed that Facebook profile to
12 Lionel Demon?

13 **A.** Yeah, when he created the new account.

14 **Q.** And would that have been around the same time, like
15 April of 2016?

16 **A.** Yes.

17 **Q.** So did you ever have ... did you ever share these
18 messages with Shanna or have a conversation with her about them?

19 **A.** No. We talked about the status that he had on
20 Facebook and what was happening, but not into detail.

21 **Q.** And what do you mean about the "status"? What was
22 that?

SHONDA BORDEN, Direct Examination

1 **A.** Like I just talked about like what he had posted on
2 Facebook and I showed her the screenshot.

3 **Q.** Okay. Did Shanna ever talk to you about her hearing
4 him referring to the whole devil and association and whether he
5 was or he was with or was on his shoulder? Did you ever have
6 any conversation with Shanna about that?

7 **A.** Not really. No, not really.

8 **Q.** Do you remember ...

9 **A.** But I know that she was concerned about him changing
10 his name to Lionel Demon, kind of thing. But, at this point,
11 she didn't even have him on Facebook anymore so it was just kind
12 of like a whatever thing.

13 **Q.** Okay. Can you think of any other context where he
14 would bring up this idea of the devil? You said it started
15 around 2015 and '16.

16 **A.** Yeah. Just really any time that he got mad, he used
17 to talk about the devil or demons or something foolish like
18 that.

19 **Q.** Did he ever talk that way earlier than 2015 that
20 you're aware of?

21 **A.** Not that I can recall.

22 **Q.** Your response, you say: "Oh, my goodness, Lionel, no

SHONDA BORDEN, Direct Examination

1 one can help you if you keep repeating it over and over again.
2 Take your nonsense down. I love you very much but you got to
3 stop. This is ..." And then it's C-R-A ... Do you remember
4 what that was? This is ...

5 **A.** I think it is ...

6 **Q.** If you don't, that's fine.

7 **A.** I don't know. I can't see it.

8 **Q.** It seems to be cut off. Right at the bottom of the
9 page? It says: "Take your nonsense down. I love you very much
10 but you got to stop. This is ..."

11 **A.** "This is crazy." That's it.

12 **Q.** Okay.

13 **A.** Hold on. I can find it on my phone.

14 **Q.** So you still have that on your phone, do you?

15 **A.** Yeah, somewhere. I'm just trying to find it.

16 **Q.** That's all right. We can ... if it's okay with the
17 judge, I can get that information after or if the Court ... yes?

18 **THE COURT:** Yes, that's fine.

19 **Q.** We'll get it later, Shonda.

20 **A.** Okay. Sure.

21 **Q.** So when you say ... you make reference that "you keep
22 repeating it over and over again", what are you referring to?

SHONDA BORDEN, Direct Examination

1 **A.** I think I was just talking about moreso like that he's
2 talking to himself kind of thing.

3 **Q.** Okay. And then if we turn to Exhibit 182, his reply
4 reads: "Talking to my realtor and more stories. Wow. She has
5 a sour tongue. Want me to lie to them. This is going to be in
6 the paper." What's he referring to there? Do you know what the
7 context is, that she has "a sour tongue"?

8 **A.** No. He was just making up stuff at that point.

9 **(16:00)**

10 **Q.** And then below it: "Let her know I've got eyes on a
11 .22 Magnum. Also, the car is going. I'm declaring bankruptcy
12 and they're going after her." Did Lionel Desmond ever refer to
13 a firearm or that he's got "eyes on a .22 Magnum" or any firearm
14 before this text?

15 **A.** No. Not that I can recall.

16 **Q.** And, at the time, how did you sort of react or
17 interpret this comment that he made?

18 **A.** I think I was just really confused.

19 **Q.** And what was it about it that sort of you felt
20 confused?

21 **A.** Because I guess we were just really deep into like
22 talking about something and then he brings up that he has eyes

SHONDA BORDEN, Direct Examination

1 on a .22. So then I was kind of like, Well, why are you talking
2 about guns all of a sudden, kind of thing? So it was just
3 confusing.

4 **Q.** And just below that, you indicate exactly that. You
5 say: "Why are you talking about guns?" His response: "That
6 calms me down. Bring back memories. So you let her know I'm
7 not paying no bills after bankruptcy. She will see."

8 Did you ever have a conversation with him before about how
9 talking about guns calmed him down?

10 **A.** No. That was the first.

11 **Q.** And do you know what he's referring to when he says
12 "bring back memories"?

13 **A.** Memories of a gun, Afghanistan, I'm assuming.

14 **Q.** Okay. And, again, he's talking about bills and
15 bankruptcy.

16 **A.** Mm-hmm.

17 **Q.** Did you ever have a conversation with Shanna about
18 this series of messages?

19 **A.** No.

20 **Q.** And was there a particular reason why you didn't?

21 **A.** I have no idea.

22 **Q.** Okay. And did Shanna ever talk to you about whether

SHONDA BORDEN, Direct Examination

1 or not she feared that ... or did Shanna ever talk to you about
2 him talking about guns or threats of guns before?

3 **A.** No. Like I know that she was concerned about his guns
4 that he had in New Brunswick. Moreso concerned about what he
5 was going to do to himself, but, at that point, she wasn't
6 concerned about herself.

7 **EXHIBITS P-000177 TO P-000180 - TEXT MESSAGES BETWEEN LIONEL**
8 **DESMOND AND SHONDA BOPARAI**

9 **Q.** Okay. And the last series of text messages, Exhibits
10 177 to 180. I call them text messages, I guess. So where do
11 these messages come from?

12 **A.** They're from Lionel's phone.

13 **Q.** And it has, up at the top left: "Lionel" and there's
14 a number there. Whose phone number is that? Do you know?

15 **A.** That's Lionel's number.

16 **Q.** Okay.

17 **A.** It was his number.

18 **Q.** And there's an "L" with a circle down at the bottom
19 corner of the page. It says: "Sorry. Can't talk right now.
20 Call back later." Whose message is that?

21 **A.** That's Lionel's.

22 **Q.** And then if we turn the page ... So that message:

SHONDA BORDEN, Direct Examination

1 "Sorry. Can't talk right now. Call back later" seems to say
2 17:30 is the time. And then a period of time passes. At 20:36,
3 there's a photo. Who's in the photo?

4 **A.** Lionel, Shanna, and Aaliyah.

5 **Q.** And just so I back-pedal, I guess. Sorry. On Exhibit
6 177, there's a date and time. It says, "Tuesday, November 8th,
7 2016". So we're post-Ste. Anne's. Now, I know you weren't
8 necessarily logging and marking everything down, but does it
9 seem consistent that we're into the winter that you recall this
10 is a later message?

11 **A.** Yeah.

12 **Q.** Sorry?

13 **A.** Yes. Yes.

14 **Q.** So we go to 178. There's a message from him with the
15 family photo and the same sweaters, and it reads: "Matching
16 sweaters!" at 20:36. And then your reply: "Haha. I love it.
17 Aaliyah is growing. Holy smokes. Thought she was me for a
18 second." And then there's a reply back, what appears to be from
19 him, that says: "Show mom. Going to get family pictures taken
20 with them" at 20:49.

21 So you get these messages. Is this, as well, consistent
22 with some of the messages you would get from him?

SHONDA BORDEN, Direct Examination

1 **A.** No. This was exact- ... actually from Shanna. Her
2 phone was dead at the time, so she messaged me from his phone.

3 **Q.** So was it Shanna that sent you this photo?

4 **A.** Yes.

5 **Q.** Okay. And the comments about: "Show mom. Going to
6 get family pictures", you believe that that was Shanna using his
7 phone?

8 **A.** Yes.

9 **Q.** And then at ... So that is Tuesday, November 8, 2016.
10 If we turn to Exhibit 180, and it shows Friday, November 25th,
11 2016, the next message is: "Let Shanna. I'm phoning the
12 police." And then your reply appears to be, "What's going on,
13 Lionel?" And then you say, "Hello?"

14 So is this sort of a conversation that's initiated by him?

15 **A.** Yes. He's done that.

16 **Q.** And did you know why he was phoning the police? He
17 just sent you a message and said, on November 25th, "I'm phoning
18 the police." Did he provide any context for that right away?

19 **A.** Yeah. After I said, "Hello", he stated why.

20 **Q.** And then we see a reply.

21 **A.** What was going on.

22 **Q.** It says: "Just blue mad. Shanna went somewhere.

SHONDA BORDEN, Direct Examination

1 Didn't tell me, so I called the police because I will snap, and
2 I'm trying to focus, but she left. We had an argument and she
3 took Aaliyah. I called Visa just to see where she was last.
4 Your dad said she went to Halifax. Well, I would have liked if
5 she had told me." If we turn the page, this is sort of where
6 the message cut off. And then it says ... where it said: "I
7 called Visa just to see where she was last. Your dad said she
8 went to Halifax. Well, I would've liked if she told me. So
9 they will be checking things out."

10 Is this the Halifax date that you were referring to earlier
11 about the game?

12 **A.** Yes.

13 **Q.** And when he says he called Visa, what did you
14 understand that to be?

15 **A.** He was just trying to find out her location - if she
16 used the credit card - to see where she was.

17 **Q.** And then he says: "Because I will snap, and I'm
18 trying to focus." Would this be sort of a typical reaction for
19 him? She's gone. He says he's going to snap?

20 **A.** Yeah.

21 **Q.** This type of message, how frequently did you get a
22 sense of him getting upset when she left?

SHONDA BORDEN, Direct Examination

1 **A.** Usually, he would if he just didn't know or he just
2 forgot that she was going somewhere, then he would normally get
3 upset. And, as you can see, it's like 8:00 my time, so it was
4 past my bedtime because I worked 2:00 in the morning. But,
5 yeah.

6 **Q.** Was it typical for him to just sort of reach out to
7 you with something as drastic as, I'm phoning the police. She's
8 gone. I'm calling you to find out where she's at?

9 **A.** Yeah. He would message me any time of the day.

10 **Q.** And did you ever talk to Shanna about what she thought
11 or how she felt about him doing this sort of thing?

12 **A.** Well, she's the one that started it. Every time that
13 he got mad, she would just say to contact me. So that's pretty
14 much how it started.

15 **Q.** Okay. And this was in November of 2016. Do you
16 remember getting any similar messages to this in 2016?

17 **A.** There's a whole bunch of messages.

18 **Q.** Okay. And the last one, Shonda, I just want to look
19 at is Exhibit 285. This seems to be dated December 2nd, 2016.
20 Do you know where this was taken from?

21 **EXHIBIT P-000285 - DECEMBER 2, 2016 - TEXT MESSAGE FROM LIONEL**
22 **DESMOND TO SHONDA BORDEN**

SHONDA BORDEN, Direct Examination

1 **A.** My cell phone.

2 **Q.** Cell phone? And is this a message that Lionel had
3 sent to you?

4 **A.** Yes.

5 **(16:10)**

6 **Q.** And I'll just read it. It says:

7 I hit my skull off the LAV back in 2005. I was a
8 driver in the training area. I put down the hatch,
9 rolled over. 32-ton vehicle whacked me. Head.
10 Passed out 15 minutes. Came to. I was shaken by it.
11 I never let it heal. Went tour. Fell off a wall
12 2007. 2008, jump course, hit my head off the plane
13 and thundered into the ground. That's all not related
14 to PTSD. Some is by concussions. Is making mind and
15 dreams feel real bad, but they are not. I need to
16 retain my brain. It's terrible. I need to manage it.
17 Hope for the best. Night, Sasha.

18 Who's Sasha?

19 **A.** Sha Sha. One of my other nicknames.

20 **Q.** Sha Sha. Sorry. So it's a nickname he had for you.

21 **A.** Yeah.

22 **Q.** So would it be typical that he would just send

SHONDA BORDEN, Direct Examination

1 messages about what he thought was wrong with him in terms of
2 that he had a concussion?

3 **A.** Yeah. Normally, he would.

4 **Q.** Was there any sort of context for this? Why, all of a
5 sudden, he's sending you a message and saying, There's something
6 wrong with me. I had these accidents and ...

7 **A.** I don't really remember. I think that's one of those
8 ... part of our conversation that we had, but I think this one
9 was pretty random because it was late in the night that I got
10 it.

11 **Q.** Would you ever get other similar sort of random
12 messages from him that would just sort of unload what he thought
13 was wrong with him?

14 **A.** Yeah. He would either say it was this, concussions,
15 or, you know, his mind is messed up. His brain.

16 **Q.** Would you say that it was a recurring theme with him
17 in 2016, when he's speaking with you or sending messages to you,
18 that he's trying to figure out what is wrong with him?

19 **A.** Yes, I would think so.

20 **Q.** So I'm going to go right to at the end here. 2016.
21 Sort of what do you know about sort of that Christmas break
22 between Christmas and New Years? Were you in Nova Scotia at the

SHONDA BORDEN, Direct Examination

1 time?

2 **A.** No. So ... No, I was home.

3 **Q.** In Saskatchewan.

4 **A.** In Saskatchewan. Yeah.

5 **Q.** So do you have any conversations with Shanna between
6 Christmas and, say, January 1st? Christmas and New Years?

7 **A.** On the phone, we had a con- ... like just talked, but
8 it wasn't anything about him. It was just, you know, just
9 catching up. Hi, bye, kind of thing.

10 **Q.** Did you get any sort of sense that over between
11 Christmas and New Years, that there was any sort of conflict,
12 tension, or problems between Lionel and Shanna?

13 **A.** So again like the incident that happened with her
14 truck around New Years, but then that was pretty much the only
15 thing I can remember of her complaining about something.

16 **Q.** What do you remember about the conversation about the
17 truck and New Years? So you're speaking to Shanna. What's the
18 conversation about?

19 **A.** It was just that they all went up there. Well, they
20 all went up to my aunt and uncle's. What's it called? Camp.
21 Sorry. They all went up to the camp and had a good time. They
22 were going home. I guess it was snowing and he was driving the

SHONDA BORDEN, Direct Examination

1 truck. Apparently, he ended up putting the truck ... he started
2 to go in the ditch then where my sister was like trying to pull
3 it back over to the road. And I guess he was very upset about
4 it going into the ditch, or almost going into it. She didn't
5 think anything of it. Like it wasn't a big deal to her, you
6 know. It's not like it was a big ditch or anything. The truck
7 wasn't ruined. But I guess he was embarrassed by it to then
8 where he just went on and on about it and, yeah, to where he
9 couldn't calm down from that ... from that time.

10 Q. What did she say about ... So your understanding that
11 he couldn't calm down, that came from her?

12 A. Yeah. She just said that he made a big deal out of
13 nothing. Like she said, It's not a big deal, but he made a big
14 deal out of nothing and now he's on one of his rants again so
15 ...

16 Q. Did she say how he was ranting or how he was acting as
17 a result?

18 A. Well, she didn't exactly say, but we all know how he
19 rants and he goes on. Like he'll yell and curse and ... So
20 that's pretty much what I figured that he was doing since she
21 said he was ranting.

22 Q. Did she ... During this time, so after New Years, do

SHONDA BORDEN, Direct Examination

1 you have the conversation on January 1st or 2nd? When do you
2 have this conversation? Do you remember?

3 **A.** I think it was January 2nd.

4 **Q.** Okay. Does she indicate to you whether or not like
5 this time was any sort of different than other times in terms of
6 his reaction or overreaction?

7 **A.** No. She just said, He's on one of his rants again.
8 So when she said "again", I just took it as it's one of the
9 things that he normally did kind of thing.

10 **Q.** Was there anything in the conversation that made it
11 seem like this particular incident and his reaction to it,
12 getting on a rant, wouldn't let it go, was there any indication
13 from her that this somehow ... this event and his reaction was a
14 little different in any way from other times before?

15 **A.** Well, she mentioned, when he was at my aunt's house
16 packing up some of his things, that he did threaten to kill all
17 of them again. So when she mentioned that, I was just like, Oh
18 wow, kind of a thing. But she did contact the police that day
19 so ...

20 **Q.** So I'm going to ask you about that. This is the first
21 time that I've heard it. So she talks to you in that phone call
22 and she says what about being up at the aunt's and the threat?

SHONDA BORDEN, Direct Examination

1 What was it again?

2 **A.** So he was over at my Aunt Sarah's house with his Jeep.

3 **Q.** Yes.

4 **A.** I guess he came to collect some things or whatnot.

5 And she just mentioned that he was going off and that he was
6 going to shoot them all. That's what she said, He said he's
7 going to shoot all of us this time. So she did contact the
8 police, but I think by the time that the police came over to my
9 aunt's house, they just pretty much told him that he has to
10 leave. So ... I'm going to try to find that text message for
11 you.

12 **Q.** Yeah. Just ... and we would have any sort of
13 interactions she might've had with the police. So is it your
14 recollection that she told you she phoned the police? Are you
15 sure of that?

16 **A.** Yes. Yes. 100 percent.

17 **Q.** So she told you, as a result of that, that she'd
18 phoned the police.

19 **A.** Yes.

20 **THE COURT:** I'm going to stop you. You said that you
21 have a text message? Who is the text me- ...

22 **A.** I do.

SHONDA BORDEN, Direct Examination

1 **THE COURT:** Who is the text message from?

2 **A.** Shanna.

3 **THE COURT:** It's from Shanna? And ...

4 **A.** Yes.

5 **THE COURT:** And in the text message, what is it that
6 she's describing in the text message?

7 **A.** That he was outside yelling and cursing. And so he
8 was over at my aunt's house yelling and cursing. And then she
9 said that he was ... said that he was going to shoot them all in
10 the house.

11 **THE COURT:** Oh. In your aunt's house?

12 **A.** No. My sister. So my mom's house.

13 **THE COURT:** In your mom's house. Okay.

14 **A.** Yes.

15 **THE COURT:** So you think you have that text on ... you
16 have that on your phone right in front of you?

17 **A.** Yeah. I'm just looking for it right now.

18 **THE COURT:** Okay. Well, you just take a minute and look
19 for it then.

20 **(16:20)**

21 **A.** (looking for text message) Oh man. Sorry, guys.

22 **THE COURT:** Pardon me?

SHONDA BORDEN, Direct Examination

1 **A.** Okay. So she messages me and she's like: "Oh, the
2 war is on now." And then she states: "Yeah. The threats are
3 rolling in. He wants to kill all of us. Yelling and cursing in
4 Aunt Sarah's yard." And I said: "For what?" And she says:
5 "Because he was making threats and the RCMP took his guns in New
6 Brunswick and told me to take the ones here and to keep them
7 from him until they tell me." And then I said: "Oh, that's
8 crazy." And then she said: "Then he went up the road yelling at
9 Brenda saying she's talking about him. He needs help but won't
10 tell them the whole story." And I said: "My, my, my." And then
11 she states: "Back and forth in the yard. Hysterical."

12 **THE COURT:** And the date of that is? Can you give us
13 the date, please?

14 **A.** The date is November 30th, 2015.

15 **THE COURT:** Thank you. I take it that was the event
16 that he came to Nova Scotia looking for his rifle that the RCMP
17 ...

18 **MR. RUSSELL:** It is, Your Honour.

19 **THE COURT:** ... from Fredericton advised her that his
20 ... Shanna to turn over to the RCMP for safekeeping.

21 **MR. RUSSELL:** Yes.

22 **THE COURT:** That was the ... Okay, thank you. Thank

SHONDA BORDEN, Direct Examination

1 you, Ms. Borden. Go ahead, Mr. Russell.

2 **MR. RUSSELL:** So Shonda, just so we sort of clarified
3 there the comments about "the war is on". Earlier, when you
4 referenced about the incident where he said he was going to
5 shoot everyone in the house, is it possible that you were
6 mistaken on the date? That it was actually November that you
7 were referring to?

8 **A.** Yeah. So that was November 2015, not '16.

9 **Q.** Okay. So in terms of your memory, from your
10 conversation with Shanna on January 2nd, is it fair to say that
11 there was no discussion about him going to shoot the family?

12 **A.** No. No. No.

13 **Q.** Okay.

14 **A.** No. I don't think so.

15 **Q.** I just want to make sure.

16 **A.** No. No.

17 **Q.** Okay. So that conversation that you have on the 2nd,
18 did anything seem any different, I guess is my question, than
19 other times before in terms of elevated concern?

20 **A.** No. Everything was in the norm. Like he would go
21 off, but there wasn't anything that was making her say a lot of
22 things to me.

SHONDA BORDEN, Direct Examination

1 **Q.** Okay. And when did you last speak to Lionel Desmond,
2 either by text message or by phone? This is January 2nd, you're
3 talking to your sister. Did you hear from Lionel over
4 Christmas? After New Years?

5 **A.** I talked to Lionel ... The last time I talked to him
6 was, I'd say, three days before the incident happened, he
7 contacted me.

8 **Q.** And so three days before it happened would've been
9 January 1st? New Years?

10 **A.** Yeah. But it was just a regular conversation, like it
11 wasn't anything. And then he contacted me on the 2nd but I
12 didn't answer. And he contacted me on the 3rd but I didn't
13 answer that time either.

14 **Q.** So your last actual conversation with him was it by
15 phone, voice, or by text?

16 **A.** It was by phone.

17 **Q.** And what was the conversation about?

18 **A.** They were making plans to come out for March break.
19 So they were just talking about March break and ticket prices.

20 **Q.** And so when you say "three days before", that would be
21 January 1st. This is after, I guess, the drive home when the
22 truck goes in the ditch? Am I interpreting that right?

SHONDA BORDEN, Direct Examination

1 **A.** Yes.

2 **Q.** And did anything seem out of the ordinary, from his
3 perspective, that things weren't going well or he was upset?

4 **A.** No. He didn't talk to me about anything that time.
5 It was just basically what they were going to do for March.

6 **Q.** So during that conversation, did you get any sense
7 that anything was off or not good with the relationship?

8 **A.** No.

9 **Q.** Did you speak to Shanna after the 2nd where she talks
10 to you about him going on a rant, I believe it was you
11 described, about putting the truck in the ditch? Did you speak
12 to her on another day after that?

13 **A.** I spoke to her on the 3rd.

14 **Q.** And the conversation on the 3rd, do you remember when,
15 roughly, that was? Was it ... I know there's a time
16 difference, so there's three hours we're ahead.

17 **A.** It was early morning for me.

18 **Q.** Okay. So ...

19 **A.** I was just sitting down.

20 **Q.** So around what time in the morning? Do you remember?

21 **A.** I'd say around 8, 9?

22 **Q.** And that's your time in Saskatchewan.

SHONDA BORDEN, Direct Examination

1 **A.** Yeah.

2 **Q.** So who calls who? Do you call her or does she call
3 you?

4 **A.** She called me.

5 **Q.** And what was that conversation about?

6 **A.** It was a very quick conversation. She just was asking
7 me who somebody was trying to add her on Facebook. One of my
8 friends was trying to add her and she was just like, That's
9 weird, kind of thing. And then she was like, Okay, I'll talk to
10 you later. And then that was pretty much the extent of the
11 conversation.

12 **Q.** And it's later that day you learn about what took
13 place?

14 **A.** Yes.

15 **Q.** When you spoke to her 8 or 9 your time, how long was
16 that conversation?

17 **A.** Like maybe five, ten minutes.

18 **Q.** Did she mention Lionel Desmond at all in that five to
19 ten-minute conversation?

20 **A.** No.

21 **Q.** Did anything seem off to you or different about how
22 the relationship was or any concerns?

SHONDA BORDEN, Direct Examination

1 **A.** No. She was her happy self. Everything seemed fine.

2 **Q.** And did you get ... You said Lionel Desmond tried ...
3 Lionel tried to contact you. Did he try to contact you on the
4 3rd as well?

5 **A.** Yes, he did.

6 **Q.** Was that before or after you spoke to your sister?

7 **A.** It was before. He contacted me early in the morning
8 and I was still sleeping.

9 **Q.** Okay. And you didn't answer the phone.

10 **A.** No.

11 **Q.** Do you know if there was a message left from him?

12 **A.** No message.

13 **Q.** Did you receive any text message from him on the 3rd?

14 **A.** No.

15 **Q.** No further questions, Your Honour.

16 **THE COURT:** Thank you.

17 **MR. RUSSELL:** Thank you, Shonda. The other lawyers most
18 likely will have a few questions.

19 **THE COURT:** So I understand that Mr. Anderson and Ms.
20 Lunn are not here today and that we knew they wouldn't be here
21 today. Ms. Ward? Ms. Grant?

22 **MS. WARD:** We have no questions, Your Honour.

SHONDA BORDEN, Cross-Examination by Mr. Macdonald

1 **THE COURT:** All right. Thank you. Mr. Macdonald?

2 **MR. MACDONALD:** I do. Thank you, Your Honour.

3 **THE COURT:** Thank you.

4

5

CROSS-EXAMINATION BY MR. MACDONALD

6 **(16:30)**

7 **MR. MACDONALD:** Hi Shonda. It's Tom Macdonald. I'm the
8 lawyer for your mother and father and Sheldon. We've spoken on
9 the phone before. I have my mask on.

10 **A.** Hi, Tom.

11 **Q.** Shonda, I wanted to ask one question. And earlier in
12 this session, before we paused because of the lockdown, some
13 evidence was given that suggested that Lionel contributed to
14 your parents' businesses; specifically, your mother's
15 businesses, and also gave money to your family. Do you have any
16 light you can shine on that particular evidence for us? Did it
17 happen?

18 **A.** No. Lionel has never, ever paid for any of the
19 businesses. If you want to say helping to put up shelving is
20 paying, then I guess we all did that, but as financially, no.

21 **Q.** Those are my questions. Thank you very much.

22 **THE COURT:** All right.

SHONDA BORDEN, Cross-Examination by Ms. Miller

1 **MR. MACDONALD:** Thank you, Your Honour.

2 **THE COURT:** Thank you, Mr. Macdonald. Ms. Miller? I
3 think the deputy is just going to clean the podium first here.

4

5 **CROSS-EXAMINATION BY MS. MILLER**

6 **(16:32)**

7 **MS. MILLER:** Thank you. Shonda, my name is Tara Miller
8 and I am counsel representing Brenda Desmond and Aaliyah
9 Desmond, sharing that with Mr. Macdonald as well. Just a couple
10 of quick questions for you.

11 You've been in Saskatchewan for nine years, did you say?

12 **A.** Yeah. I would say nine years.

13 **Q.** So did you move there in 2012?

14 **A.** Yeah, the end of 2012, I would say.

15 **Q.** Okay. You shared with us earlier on this afternoon
16 that when you were living with Lionel and Shanna in New
17 Brunswick, there was an episode where Lionel had grabbed Shanna
18 by the throat while she was sleeping, and she told you about
19 that the next day?

20 **A.** Mm-hmm.

21 **Q.** Do you remember if Sheldon was living with you at that
22 same time?

SHONDA BORDEN, Cross-Examination by Ms. Miller

1 **A.** I believe Sheldon was up there. I don't know if he
2 was in school at that time or if he was just visiting but I
3 believe that he was around.

4 **Q.** Okay. Thank you.

5 You also had said earlier that there were a couple of times
6 that you heard Shanna on the phone trying to figure out
7 something about military records? I don't know if that helps
8 refresh your memory from what your evidence was. I just want to
9 drill down on that. When you heard Shanna on the phone, you
10 said, Multiple times, trying to figure out how to get military
11 records? Is that what you had said?

12 **A.** Yes.

13 **Q.** Okay.

14 **A.** I think I was referring to medical records.

15 **Q.** Medical records. Thank you. And do you recall when
16 that period of time would've been when she would've been on the
17 phone trying to get medical records?

18 **A.** No, I don't. Sorry.

19 **Q.** Okay. Would it have been before you moved to
20 Saskatchewan?

21 **A.** Yes.

22 **Q.** And so it would be during the period of time when

SHONDA BORDEN, Cross-Examination by Ms. Miller

1 Lionel was still in the military?

2 **A.** Yes.

3 **Q.** Okay. And do you have any other specifics, Shonda,
4 about the nature of the medical records that Shanna was trying
5 to secure at that time?

6 **A.** I believe that they were just wanting to look at
7 different doctors. So if they wanted to get a new doctor that
8 was possibly outside of the military, they would need those
9 records.

10 **Q.** Okay. Do you know when, or do you recall when, Lionel
11 purchased the car for your sister? Do you know what year that
12 would've been?

13 **A.** I would say ... I have no idea.

14 **Q.** Okay. Would it have been when she was in school? Or
15 was it before she was in school? I'm just trying to help you
16 orient just with a date there.

17 **A.** I think when she ... So she wasn't in school yet, but
18 she was doing some courses online because I knew she had to take
19 her biology.

20 **Q.** Okay.

21 **A.** So when she was doing her biology while living in New
22 Brunswick, she got the car as well. So I'd say maybe 2011/2012.

SHONDA BORDEN, Cross-Examination by Ms. Miller

1 **Q.** Okay. And did Lionel's behaviour around taking the
2 car away from her start in 2011 or did that happen later on?

3 **A.** That happened later on.

4 **Q.** Okay. And would that have happened sort of in
5 2015/2016, after he was released from the military? We know he
6 was released in the summer of 2015, so I'm using that as an
7 orientation. So would that behaviour around controlling the car
8 have happened after the summer of 2015?

9 **A.** Well, it happened when they were in New Brunswick.
10 They were living in New Brunswick, but he just really could not
11 drive the standard at all, so he couldn't even get it down the
12 driveway. But once he started learning more, it started
13 happening more frequently. So I would say 2014/2015.

14 **Q.** You referenced Lionel texting you, but in the course
15 of the texts with you, he was talking to a "Dale"? Do you have
16 any idea who Dale is?

17 **A.** No idea.

18 **Q.** Okay. So you don't know if that's actually a person
19 or not. A friend or ...

20 **A.** I've never heard of a "Dale".

21 **Q.** Okay. So, to the best of your knowledge, that was
22 just part and parcel of the gibberish in terms of the texts that

SHONDA BORDEN, Cross-Examination by Ms. Miller

1 Lionel would sometimes send?

2 **A.** Yes.

3 **Q.** Okay. You also indicated that he would refer to
4 himself as the devil or a demon, and that started in 2015/2016.
5 And he would do that when he was mad.

6 **A.** Yeah.

7 **Q.** That's how he would refer to himself? When he would
8 calm down after, I guess, the flare-up or the period of being
9 upset, did you ever have a conversation with him about why he
10 would call himself "a devil" or "demon"?

11 **A.** No.

12 **Q.** Okay.

13 **A.** I didn't. To me, it was just randomness that he used
14 to talk. And so when he was good, I just focused on him being
15 good. I didn't really bring up the negative.

16 **Q.** Okay. And then I think you had told my friend, Mr.
17 Russell, that your last conversation with Lionel on January the
18 1st, that was a phone call and it was about making plans to come
19 out to Regina for March break?

20 **A.** Mm-hmm. Yes.

21 **Q.** And do you remember what time, your time, you would've
22 gotten that call?

SHONDA BORDEN, Cross-Examination by Ms. Miller

1 **A.** I'll say around 6:30/7:00 my time.

2 **Q.** A.m. or p.m.?

3 **A.** P.m.

4 **Q.** Okay. And then you indicated that he called you
5 again, or he contacted you again, on January the 2nd, but you
6 did not answer. Do you remem- ... That was by phone. Is that
7 correct?

8 **A.** Yes.

9 **Q.** And do you recall what time he would've called you on
10 January the 2nd?

11 **A.** It was morning. I'm not sure of the time, but it was
12 quite early, so I'd say around 7/8:00.

13 **Q.** Your time?

14 **A.** Yeah, a.m.

15 **Q.** Yeah, okay. Thank you. And did he leave a message in
16 that call?

17 **A.** No, he didn't.

18 **Q.** Okay. And then you indicated he called you again on
19 January the 3rd, early in the morning, as well. Before Shanna
20 had called you.

21 **A.** Yes.

22 **Q.** And from January the 3rd ... Sorry, January 1st to

SHONDA BORDEN, Cross-Examination by Ms. Miller

1 January the 3rd, we talked about phone calls. Was there any
2 other communication that you had with Lionel? Text message?
3 Facebook Messenger? Any digital messaging that would've
4 happened from January 1st to January the 3rd?

5 **A.** No.

6 **Q.** Okay. Thank you, Shonda. Those are all my questions.

7 **A.** Thanks.

8 **(16:40)**

9 **THE COURT:** Thank you. Mr. Rodgers?

10 **MR. RODGERS:** Thank you, Your Honour. I have no questions
11 for the witness.

12 **THE COURT:** Thank you. And Mr. MacKenzie?

13 **MR. MACKENZIE:** No questions, Your Honour.

14 **THE COURT:** All right. Thank you.

15 Ms. Borden, I think that those are all the questions we're
16 going to have for you today unless Mr. Russell has another
17 question.

18 **MR. RUSSELL:** Nothing, Your Honour.

19 **THE COURT:** Thank you. Did I canvass everyone? Yes?
20 Thank you.

21

22

SHONDA BORDEN, Examination by the CourtEXAMINATION BY THE COURT

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(16:41)

THE COURT: It appears that you still have some text messages and some communications either available to you on your Facebook or your phone?

A. I do.

Q. Mr. Russell may get in touch with you again. I'm going to have a discussion with him. So, for instance, I know there was Exhibit 180. If we could just pull Exhibit 180 up just for a moment. And it's a call that's November the 25th, 2016. And so that's getting pretty close to what I would call a fairly critical timeframe because we know that Lionel Desmond was admitted to the emergency department at St. Martha's Hospital in October. And so what was actually going on at that time is important, and I know, just at the bottom of the message - and it's kind of cut off - where it says ... there's a question to him. It's: "Aren't you in Halifax with her?" And I think his reply is: "I can't control my mind." And I don't know whether there's more ...

A. Yeah.

Q. ... discussion beyond that. So if it's okay, I would have Mr. Russell get in touch with you again, after I have some

SHONDA BORDEN, Examination by the Court

1 discussion with him again and we may ask you to have a look and
2 see if there's ... if you could help us with any other
3 communications around that period of time? It will be pretty
4 focused.

5 **A.** Okay.

6 **Q.** If I could ask you if you could help us with that, I
7 think it would be important to know.

8 **A.** Okay.

9 **Q.** At some point ... You know, these are examples of
10 Lionel's thinking, as he's expressing it to you, and we have
11 hopes to have a psychiatrist have a look at Lionel and do an
12 analysis for us - and it may be what they call a "forensic
13 autopsy" - to try and sort out his thinking and perhaps his
14 emotions and as much as we can, try and make sense of what
15 actually occurred and why it occurred, which might be helpful.

16 **A.** Okay.

17 **Q.** And it may very well be that the doctor, when we have
18 everything finalized ... We would let you know, of course, and
19 look for your permission to have him call you, but he may want
20 to have a discussion with you as well. And it would be helpful.
21 That may or may not happen. I don't know. But I'm going to
22 mention it to you now, while I have the chance ...

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1 **A.** Mm-hmm.

2 **Q.** ... to talk to you about it. Okay? And it would
3 happen, of course, with your permission. And Mr. Russell or Mr.
4 Murray would be in touch with you for that purpose. Okay?

5 **A.** Okay. Sounds good.

6 **Q.** So you've been very helpful to us and we certainly
7 appreciate your time. We know it's not easy and it's been
8 something that's taken some time to actually, you know, have it
9 set up so we could have this conversation, and you could help us
10 with the information. And, as I said, we'll likely be in touch
11 with you again about it and I thank you now for your cooperation
12 and your cooperation to date. It's been very helpful. Thank
13 you.

14 **A.** Thank you.

15 **Q.** All right. Thank you.

16 So, Counsel, we'll adjourn for the day. We'll be back
17 tomorrow morning at 9:30, please. All right. Thank you.

18

19 **COURT CLOSED (16:44 HRS.)**

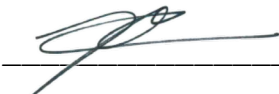
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I, Margaret Livingstone, Court Transcriber, hereby certify that the foregoing is a true and accurate transcript of the evidence given in this matter, **re Desmond Fatality Inquiry**, taken by way of electronic digital recording.



Margaret Livingstone

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DARTMOUTH, NOVA SCOTIA**June 29, 2021**