

# **Bernardo**

# **The Scarborough Rapist**



A chronicle of the early crimes and victims of Paul Kenneth Bernardo, including an abbreviated account of all crimes committed by the brutal serial rapist and his wife, Karla Homolka (a.k.a. The Teale's)

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## **FOREWORD/WARNING**

This book is unique. While being another book in the continuing saga of the lives of Paul Bernardo, Karla Homolka and those effected by them, this is the story of the victims of Paul Bernardo before he began to kill. While, for the sake of continuity, all crimes committed by Paul Bernardo and Karla Homolka are chronicled in brief, this book is about the savage serial Scarborough Rapist and his unfortunate victims. This is the only book to fully chronicle these crimes.

All information contained herein, though at times seemingly unbelievable, is backed by expert medical, legal, and medicolegal opinions and testimony, court and government documents and reports, Crown brief documents, victim impact statements and other court testimony. To the best of the author's ability, this is a complete and unblemished account of the Scarborough Rapist.

Real life rape doesn't just mean forced sex. It is not a woman, eyes teary and bruised, bursting into a police station and perfectly describing the rapist. Real life rape is unconscionable primitive violence never fully chronicled in the mainstream media. The impact of rape is never fully known, except by those unfortunate ones who have fallen prey to a rapist.

To a rapist, rape is not a sexual act, it is a weapon. Rape is a weapon that strips the victim of all self-power and force's that victim's compliance while she hopes to survive the assault. The sadistic rapist revels in this subjugation, feeling his own self-power and self-worth increase. Paul Bernardo, according to FBI behavioural analyst, Special Agent Gregg McCrary, is a sexual sadist. He psychologically abuses his victims, uses more force than necessary to subdue them and punishes and beats them. He tortures his victims beyond what any human being should have to endure.

This is an account, true and feral, of the early crimes of Paul Bernardo during his horrifying reign as the *Scarborough Rapist*. Paul Bernardo is a predatory serial rapist and a sexually sadistic psychopath with no chance, based on current medical knowledge, of treatment.

To protect the identities of crime victims and innocent persons still living, many names in this work have been substituted with pseudonyms and proper addresses and locations have been omitted and/or altered.

**Some readers may find the following sexually violent and graphic accounts of real life rape disturbing. The author asks that you consider this warning and govern yourself accordingly.**

## **ACKNOWLEDGEMENTS**

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In addition, please refer to footnotes throughout this book for further acknowledgments.

## **PART ONE**

***"Just by saying the Scarborough Rapist, people don't know just how awful it was. The Scarborough Rapist is just a name, it needs more explanation." -Scarborough rape survivor (The Sunday Sun, 26 November 1995.)***

# CHAPTER ONE

***"I'm the solo creep. I make the girls weep. Acting out my crimes while others sleep." -Paul Bernardo***

In August of 1984, Steve Smirnis, a neighbour and friend, dropped by the Bernardo home to introduce his new girlfriend, Dayle Coltin, to Paul. Soon afterwards, Steve invited Paul to accompany himself and Dayle to a drive-in movie; Dayle had a friend who would accompany Paul and make it a double date.

The foursome found exploring each other more interesting than the screen at the drive-in movie they'd selected.

Paul was a twenty-year old university student with a developing penchant for petite young girls. Dayle, a sixteen-year old high school student, shorter, by a full foot, than Paul's six feet, and weighing about one hundred pounds, excited the fermenting predatory emotion within him. Paul played with Dayle's hair, begging the teenager's attentions. Steve, meanwhile, found himself more attracted to Paul's date than his own.

Paul was calling the shots that evening. Switching partners, Dayle found herself sitting with Paul. Naïve and innocent, Paul's determination to date her both flattered and attracted her to him. It was 16 August 1984. Stating, "I'm going to go out with her," Paul claimed the high-school girl as his own.

An item now, Paul began conditioning Dayle to serve as his personal sex slave. Within six months she was a possession on his arm in public. She was a brutalized toy thing for him in private.

He criticized her family. He isolated her from her former friends, allowing her only friends he chose -his own friends. He belittled her religion, even taking semi-nude pictures of her and threatening to display them in her church should she ever defy him.

Their sexual relationship began with Paul tangling his fists into her

long brown hair and forcing her mouth down upon his penis. "You're just my servant girl," he took pains to explain on those few occasions when she dared complain.

Paul, within a year, had brainwashed Dayle and controlled her life. "You know I'm right!" was his stock answer when she dared question his rule. "I'm the king," he drilled into her. If she had any ideas about leaving the relationship, Paul reminded her of the knife stored in the glove-box of his car. It was a knife occasionally held against her throat during sex.

Sex graduated from vaginal to anally, whenever he wished it and despite her cries of pain and tears of fear and shame. Paul's sexual appetite was high, peaking around 11:00 p.m. through 3:00 a.m. If Dayle was in pain or visibly frightened, Paul would become excited and climax quickly. In keeping him satisfied, Dayle avoided being beaten but Paul's sexual gratification was getting harder to satisfy.

In both public and private, Bernardo degraded Dayle, thinking it nothing to call her a bitch, a cunt or a whore. He even bragged to Steve's brother, Van Smirnis, of his sadistic sexual relationship with Dayle. "I had another fight with Dayle," he'd once said. "I had to tie the bitch up. I tied her up, bent her over and fucked her up the ass." In one such assault, the force of Paul's thrusts tore the passenger seat from its bolts in the car's frame.

## CHAPTER TWO

In April of 1986, some eighty-five miles away from the menace known as Paul Bernardo, a teenage school girl, fifteen year old Karla Homolka, began working at the Number One Pet Centre in St. Catharines, Ontario. Another young girl, in love with pets and exuding innocence, frequently visited the pet store. Karla befriended twelve year old Ashley Storm<sup>1</sup>. Ashley began asking for Karla whenever she needed a baby-sitter and convinced the pet store management to allow her to work with Karla, performing minor jobs such as brushing the animals.

Ashley, an only child who always wanted an older sister, found, in Karla, a confidant -someone she could talk to about boyfriends ... about anything. Karla and Ashley stayed in touch, at first regularly, via telephone, then, as is the way with young friendships, they spoke less frequently. When Karla left the pet store, they lost touch with each other.

Tragically, Ashley would later be drawn, by Karla, into the perverted world which she shared with Paul Bernardo.

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<sup>1</sup>Ashley, a pseudonym itself, is a replacement for the Ontario court ordered pseudonym Jane Doe. The author feels it proper to offer some kind of real name to a faceless victim.

## **CHAPTER THREE**

Hearing footsteps she quickly glanced around; the man behind her was too close and sensing unknown danger, she broke into a run. As she reached the front lawn of her home she was grabbed from behind and pulled to the ground. In vain, she struggled and screamed.

It was only hours into 4 May 1987 and the reign of the most vile serial rapist in Scarborough history had begun.

Earlier, on Sunday 3 May 1987, Chelsea Hagen had wrapped up an evening out with friends, parting company with them around midnight. Leaving downtown Toronto, the twenty-one year old boarded a Toronto Transit Commission (TTC) subway, with a connecting 12:30 a.m. bus that should have brought her to the safety of her parents Scarborough home.

Chelsea drifted into a sleep during the bus trip, awakening shortly before her scheduled stop. Looking to the front of the bus, she noticed a man engaged in chatter with the driver. When she exited moments later, the man was the only other passenger to follow. As Chelsea walked towards her home, she noted the only sound to pierce the quiet night was the idling bus.

TTC driver John Ancio, concerned when the man broke conversation and exited immediately behind the young woman, waited until he saw the two walk in separate directions before driving away.

Chelsea also noted the young man had walked in the opposite direction from her and continued the three block walk to her home.

"Daddy!" screamed Chelsea: "Help!"

Bernardo rained punches to her head and body. "Shut up," he demanded; he hissed obscenities at her. "Shut up! Shut the fuck up!" he repeatedly demanded, punctuating each demand with a blow to her body until, at last, he had beaten her into submission.

It was a physical beating that would heal with time, however his brutal attack destroyed her inner strength, courage and independence. Chelsea would never again feel those confidences others take for granted. Her

psychological scars will -while with time be masked- last forever. Forcing her onto her back, one arm became pinned beneath her; he tried to silence her with a hand over her mouth. Pure instinct demanded she continue to struggle. His efforts frustrated, he became enraged and seized her throat, choking her into silence.

Holding her free arm backwards, he groped at her breasts, cruelly bruising them to match the bruises on her arms.

Lifting Chelsea's skirt, Bernardo forced her legs apart. That she was menstruating at the time meant nothing as he pulled aside her panties and sanitary napkin before driving himself into her vagina. Chelsea continued to struggle and attempted to scream: Bernardo smashed his fist in her face, causing her jaw to swell.

Pulling away from her, Bernardo forced her legs left, into a twisted position, allowing him access to her anus. He penetrated and raped her anally. A little more than one half of an hour after the attack began, he withdrew from her anus and fled into the night.

Chelsea, in a frantic state, finally reached her home where police were called. Police searched the area of the attack and retrieved personal items belonging to her. Chelsea, surrounded by police, her boy-friend, her parents and three sisters, felt ashamed that she had been raped. In a room full of people, Chelsea was alone in hurt and fear. She couldn't reveal the details of her assault in front of her family and boy-friend and reported only that she'd been beaten and fondled. The full extent of her rape was a secret she would carry and keep for the next six years. She later said she would have preferred to speak in private, but was afraid to request this from the investigating officer.

Eight years after being raped Chelsea would say: "The feeling of alone is an emotional scar that seems to always linger, even when you are surrounded by people who care."

Rape or sexual assault doesn't end when the rapist flees. In order to investigate a rape or sexual assault and to apprehend and successfully prosecute the rapist, the victim becomes part of a cold clinical process. Hopefully, following the process, the rape victim will become one who has survived being raped; no longer a victim of a rapist but a rape survivor, questing for re-empowerment and on the long and winding road to recovering.

The foremost concern following a sexual assault is getting to a place of safety. The victim then has several choices: she may call a friend; call a family member; contact a Sexual Assault Crisis Centre; call an ambulance; or call for police assistance. Likely, the victim's first priority is family notification, followed by police presence and medical assistance. This was the common sequence of events following attacks by the *Scarborough Rapist*. There are cases where the victim will refuse either medical and/or police attention. Aside from reactions such as humiliation, the rapist may have successfully convinced the victim that, if she reports the rape, he'll return and kill her, her family or her friends.

At this point the victim may suffer shock and needs the guidance of family or friends. Her family's first reaction is going to be revenge: Find the rapist and kill him. The victim's family, though suffering fear, rage and even guilt, must put aside these emotions and aid their sibling or daughter. They must inform her of her options, however they must also allow her to choose the ultimate course of action.

If the victim is coherent, she may begin writing down everything she can remember about her assault -the manner in which she was attacked and anything particular about her attacker. If injuries are a concern then the notes will be postponed and the victim is immediately transported to a hospital for medical assistance.

At the hospital, a forensic examination -commonly referred to as performing a sexual assault kit- will be conducted by specially trained nurses and doctors. A Sexual Assault Counsellor will attend to comfort the victim and advise her of her immediate options -the victim may choose to remain in contact with the counsellor in the days, weeks and even years that follow her rape or sexual assault.

The victim should, before the completion of the sexual assault kit, refrain from drinking, smoking, brushing her teeth, bathing or showering, urinating, defecating or douching or changing the clothes she wore when her attack occurred. The sad fact is that the victim's body is a part of the crime scene investigation and contains clues that may eventually lead to a successful prosecution of her attacker.

Once immediate medical care has been performed the sexual assault kit examination may commence. While laws concerning the actual content and procedure of administration of the kit vary from country to country, the basic protocol is standard.

A registered nurse or doctor will begin with an interview. Past sexual

experience, if any, is noted. Medical details of the rape are gathered and the victim's present gynaecological status is recorded. A medical history including any allergies, medications and illnesses, the victim's menstrual cycle and the use, if any, of contraceptives is also noted.

In general, a sexual assault kit contains laboratory and physical examination forms, and equipment for labelling and storing samples of evidence. The uniform collection of evidence ensures correct documentation of results and, if any, orders for further tests. Once completed, the kit will be refrigerated until forensic investigators are ready to take it into their custody.

The examination may begin with a documentation of the condition of the victim's body. All visible physical injuries, including size, shape, and location are noted on a traumagram -a sketch of the human body. Photographs of injuries may be taken.

Common injuries resulting from sexual assault may include abrasions and bruises; signs of restraint such as rope burns on wrists or ankles; mouth injuries sustained during gagging and oral rape; fractured teeth, swelling of the jaw or cheekbone and eye injuries from being punched or slapped. Non-visible injuries may include stiff or sore muscles in the shoulder, neck, knee, hip, or back areas -caused by restraint in postures that allow forced sexual penetration.

Notes on the condition of the victim's clothing are made and she is asked to disrobe on a piece of cloth or clean paper sheet; each item of her clothing is preserved in separate paper bags. The cloth or paper sheet is bagged separately. (Plastic bags are not used due to the possibility of mildew contamination.) In this manner, particle evidence from the crime scene, such as soil, and other evidence such as fibres and hairs from the rapist are preserved intact. Bodily fluids from the rapist may be present on the victim's clothing and may be useful in determining a DNA<sup>2</sup> profile. Once all bags are sealed by the victim, medical personnel may handle and label them.

The victim's thighs, abdomen, buttock and facial areas are examined for evidence of seminal fluid or sperm. Specimens, if any, are collected, stored and labelled.

The victim is given a hospital gown to wear. Blood is drawn from the

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<sup>2</sup>DNA or deoxyribonucleic acid and blood grouping techniques are explored in chapter thirty-eight.

victim for blood typing, DNA analysis and testing for Sexually Transmitted Diseases (STD's). An oral examination is conducted to both determine any injuries and collect saliva for DNA and secretor status -a blood grouping determination. Sexual assault kits contain cotton-tipped swabs and tubes for saliva collection. Saliva swabs may succeed in absorbing any seminal fluids -trace evidence- in areas where the gums meet the teeth and cheeks.

The victim's nails are scraped and clipped, and any materials around and/or under the nails is collected. Such samples may reveal skin traces, blood or other secretions, and fibres or hairs belonging to the rapist.

Genital, pelvic and rectal examinations are performed. The doctor will perform the examinations slowly and gently. If the victim suffers flash-backs of the rape, the examination is suspended until she has recovered and is ready to continue.

A large paper towel is placed under the victim and, using a comb supplied with the sexual assault kit, the victim's head and pubic hair is combed. The towel, comb and loose hair is sealed and labelled for later forensic examination. Samples of the victim's own head, body and pubic hair -about 20 of each- are plucked at the root and stored for comparison.

The victim's vaginal area is externally inspected for injury and, in particular, for any particles and traces of fluid evidence foreign to the victim's body or her possessions at the time of the attack. Trauma to the vagina may include small tears, abrasions and bruising and is accompanied by pain and bleeding. In sexually active women, internal lacerations may occur in the upper area of the vaginal wall. In the case of young girls or adolescents, vaginal wall lacerations usually occur near the entrance of the vaginal canal. If anal rape has occurred, bleeding, tears, and sphincter damage may be present. A surgical gloved digital examination is necessary -an uncomfortable procedure that is explained to the victim prior to the examination. A saline solution is used as a lubricant.

During vaginal and anal examinations, cotton swabs are used to collect samples of seminal fluid and sperm, if any.

Near the end of the examination the victim is asked to provide a urine specimen for forensic analysis, and pregnancy and/or drug testing. The specimens are sealed and labelled.

The victim is advised of testing and preventative measures for STD's; necessary and preventative medications are administered and prescribed. Due to the incubation period of some STD's, an appointment for further testing

and re-testing is discussed. The victim will be advised of the need to protect her partner, if any, from possible STD's until all tests are completed and the victim is advised of the results. The need for abstinence or the use of a prophylactic is advised.

The Sexual Assault Centre counsellor will provide the victim with information on obtaining emergency care and schedule an appointment to discuss possible therapies.

Now it's time to meet with police investigators.

## CHAPTER FOUR

Ten days later Bernardo struck again.

On 14 May 1987, Laurel Aister spent an evening out with friends in a downtown Toronto pub. Travelling together, they left at 12:45 a.m. After a quick subway ride, the threesome transferred to a *TTC* bus that led them to east Scarborough. Fifteen minutes later they were on another *TTC* bus making the last jaunt to their home neighbourhood. Exiting the bus, they walked the familiar streets together. Reaching Laurel's street, the three stopped to chat before parting ways.

As Laurel walked, she had a strange feeling but wasn't sure why. A crack sounded; it reminded her of the sound of someone travelling through bush. A quick look back revealed nothing. Reaching home, she walked up her driveway and reached half-way between the sidewalk and her house before Bernardo grabbed her from behind and encircled her in a bear hug hold. Holding her shoulders, he began to pull her backwards.

Laurel kicked out and screamed; her screams, unfortunately, failed to pierce the dark night. Bernardo dragged her to the side of her house. "Shut up," he demanded, aiming punches at her face. "Shut up!" He drove a fist into her stomach, knocking both the air and screams from her. "Just shut up." Bernardo twisted her around and dragged her into her backyard; he forced her to the ground. "Don't move," he ordered, digging a knee into the small of her back. He grabbed her hair and ground her face to the dirt.

"I watched you ... followed you down the street. I watched when you looked back. What's your name?"

"Laurel."

"Laurel. How old are you?"

"Nineteen."

"Do you live with your family here?" Laurel remained truthful and told him she did.

Bernardo looked at the house as a timer lit aquarium switched off.

"They've gone now and didn't hear you scream," he declared, believing the light to have been a television set turned off by someone retiring for the night.

Laurel tried to get up. Bernardo brought a knife to bear against her side. "Don't move," he spat. Again she attempted to free herself. He slid his knife up against her neck. "Stay down and keep quiet or I'll slit your fucking throat!"

Producing a length of black electrical cord, the former boy-scout formed a slip-knot and looped it around her neck; he tightened it each time she attempted to move and allowed it to loosen when she relaxed.

"If you move I'll just keep pulling it tighter," he said, keeping his knees pressed against her back for counter pressure.

"Let me see that," Bernardo said, taking a ring from her index finger.

"Your boyfriend must have given you this."

"No."

"I didn't want it anyway," he said, replacing the ring on Laurel's finger.

"Tell me you love me," he demanded.

Laurel tried to use her chain of keys to fight him off. He took them from her hand. "I'll just throw these and you can find them." Bernardo pocketed her keys; he took her purse and emptied it on the ground. Looking at her credit cards and money, he discarded both. "Don't want either," he said. Discovering personal identification and pictures of her girl friends he began pocketing items. Along with the pictures he stole a gold chain, her Ontario photograph age of majority card, TTC identification card and other cards that bore her name or photograph.

Bernardo, for some unknown reason, slipped on a pair of gloves. "You can call the police but they'll never find me," he said. "They don't have my prints anyway. I'm going to tie you up until I'm gone."

He ran into trouble trying to secure her.

First trying to tie her hands with the electrical cord, he declared escape would be too easy.

"I just need enough time to get away."

Using his knife, he cut her undershirt into strips and tried binding her, but again said she'd easily escape from them. Tying the black cord around her wrists and looping it through a bracelet on her right wrist, he was finally satisfied. Removing Laurel's cloth belt he wrapped it around her neck and tied it to her backyard fence.

"Don't scream," he warned her and, over one hour after the attack began, Bernardo retrieved her keys and threw them into the yard. He disappeared into the shadowy dark night from whence he came.

Freeing herself, Laurel hurried into her house, calling for her parents. When police arrived, and searched the area of the attack, the black electrical cord, along with some of her personal effects, was recovered.

Despite red swelling to her hands, wrists and forearms, and bruises to both of her eyes, Laurel refused medical attention.

Although Laurel admitted to being sexually assaulted, telling police her attacker had tried to touch her "private parts," she remains adamant that she was not raped. Five years later, however, police would recover a *Toronto Star* news-clipping report of the attack; on it, in Bernardo's hand writing, were the words: "*Note on earlier rape. Tied to fence with rope. Almost strangled to death.*"

The man in charge of 43 Division and commander of 4 District Criminal Investigations Bureau in which both attacks had taken place, then Inspector Joe Wolfe, immediately realized there was a link between the sexual assaults.

Although not all victims reported the full extent of their being brutally raped, Insp. Wolfe tracked each successive rape via the *Scarborough Rapist's* modus operandi. The victims, all young, were stalked, attacked in a blitz style, threatened with a knife, repeatedly raped in all manner and they were forced to repeat certain dialogue. As police investigators refined their approach in interviewing victims of rape and sexual assault, the reports became increasingly descriptive and so became more helpful for investigative purposes.

In 1995, one of Bernardo's survivors would comment that her initial contact with police officers was awkward; the officer's being uncomfortable with interviewing a rape victim made her feel awkward. Other s

would report police investigators as having been accusatory and demeaning, while another said her first contact was terrific. *"They seemed to know how to deal with someone who had been raped. They reassured me it wasn't my fault; that was important."* **Another said she felt abandoned.** *"At the hospital there were two female officers. Apparently it was too long for them to stay and there was no authorized overtime so they had to leave. I asked what was the point of them coming if you just pull them off."*

**Early survivors of the Scarborough Rapist felt they dealt with too many officials, leaving them without a bond with those investigating their attacks.** *"I felt I told my story 83 times," one survivor would later say. "There were so many interviews for pictures, lineups."* **Another would comment:** *"Someone should take charge. I never got the impression that someone was in charge. No one was really in charge. I would have had one person in charge to organize the investigation, one person who has the experience to organize this, someone who is trained. The whole thing never seemed to take shape until the very end. Things seemed to change hands so much. After about a year we had a feeling that it was really piecemeal. There were so many people involved, we kept wondering where these people were coming from. The whole investigation wasn't being tied together and analysed. A central contact officer should always be the one officer to contact the victim. One constant officer is very important because you build a relationship with that officer."*

**In contrast to their contact with uniformed investigators, survivors would report their dealings with detectives were respectable.** *"After a sex assault you have no control but you need some control. Only the police know, so when they tell you what's going on you feel like you have some control. It made me feel good because I always got straight answers. It was nice to see that they are human."*

**The survivors of Paul Bernardo would later contribute to the largest police service revitalization in Ontario history. In the future, all police officials will have been trained to properly support and interview victims of rape or sexual assault.**

## CHAPTER FIVE

One Saturday evening, in the Summer of 1986, Paul stopped at the Coltin residence and picked up Dayle. He drove to the back of a Scarborough factory that the couple regularly used as a make-out spot. At the time, Paul drove a spacious Mercury Capri with a burgundy interior.

"In the back," Paul coldly ordered. Removing her clothes, he commanded, "Get down." He pushed the middle of her back, forcing her face to the carpeted floor, arms splayed in front of her. "Arch your back." He took a two foot piece of tan twine and pulled it around her neck. "Fucking hair," he cursed, before yanking her backward, neck and hair together, leaving a red ligature mark to circle her throat. Paul loosened the twine so as not to strangle her to death, and held her with mild pressure.

Head to the carpet, Dayle tried to ignore the irritation of the twine and the pain of his penetrations. Paul rammed himself into her vagina. Ignoring her moans and pleas for him to stop, he withdrew from her vagina and penetrated her anally. Uncomfortable, sweaty and feeling a need to defecate, Dayle endured the attack. *I'll just please him, she thought. Make him happy; I can deal with this. Survive. Face another day. If he's happy I'll go on to face another day.* "You know you deserve this," he told her. "You're my little servant girl: I'm the king." The combination of his furied attack on her anus and her cries brought him to an excited peak. "I'm great," he declared, "I'm the best." Letting the twine fall free he climaxed within her.

Fifteen minutes after the attack began, he withdrew from her anus. "You're great. C'mon, I'm going to take you home."

Paul turned on the radio and listened to music while Dayle dressed. When she climbed into the front seat, he looked at her, acting for all the world as if nothing out of the ordinary had occurred.

"You look like shit," he said. "Put on some make-up." Dayle sobbed, but, knowing she was on her way home to face her parents, she tried to keep tears from falling. "You look awful and stop crying," Paul yelled. "Stop fucking crying."

Hours later the ligature mark had faded from Dayle's neck. Even

though Paul's attacks would occur more frequently and grow in brutality, she dutifully remained by Paul's side.

There were more trips to the factory over the next year. Sex became increasingly brutal as Paul's volatile sadistic nature matured. The sex -or rape- included Dayle being entrapped in handcuffs behind her back. Dayle being strangled unconscious and raped at knife point. Dayle being raped , both vaginally and anally, with wine bottles.

Dayle learned to feign fear, pain and unconsciousness. Only thus could the hunger of Paul's sexual appetites be filled. *"It was like one thing wasn't good enough for him, he just had to get more violent -he was just getting more weird,"* Dayle would later tell police investigators. Dayle feared a meeting with death as Paul constantly threatened to kill her. *"I had to be his slave; he wanted a slave."*

## **CHAPTER SIX**

Karla Homolka began grade nine, attending Sir Winston Churchill High School in September of 1984. In her first year there she met and became good friends with a young man, Doug Liddel. The pair remained friends and began dating during the Spring of 1987.

One of Karla's childhood<sup>3</sup> friends recalls two things about this relationship. a close friend of the preppy Doug Liddel, she recalls that Karla, a rebellious non-conformist, was an unlikely match for the boy. She also recalls Karla's claims that Doug frequently tied her in bondage, beat her and spoke of a loss of respect for her allowing these events to occur.

That same Spring, Doug and his Mother moved to Manhattan, Kansas, in the United States, but the relationship wasn't quite over.

Despite her claims of abuse, Doug would be Karla's first sexual lover. Without her parent's knowledge, Karla began taking birth control pills. When Doug moved, the couple kept up a long-distance relationship. They spoke to each other on the telephone, wrote each other loving letters and Doug even returned to visit St. Catharines.

In the Summer of 1987, Karla decided to visit Doug in Kansas: Her parents forbade the trip. Karla, determined, used money earned from work and arranged to make the trip anyway. An airport limousine delivered her to the airport and she flew to Kansas. Once there she called her parents, advising them she'd arrived safely and was staying with Doug and his Mother. Over the ensuing two weeks Karla revelled in freedom from her parent's rule -though she called them regularly- and surrendered herself to the enjoyment of her first lover.

Upon her return, her parents picked her up at the airport and, although she wasn't punished, they made it clear they didn't approve of her wanton behaviour.

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<sup>3</sup>Information regarding the recollections of Karla Homolka and Paul Bernardo's friends, as quoted in this book, are, in large, the result of interviews between the author and Alan Cairns, co-author of *Deadly Innocence*. Mr. Cairns and partner Scott Burnside interviewed these persons directly.

## CHAPTER SEVEN

Paul Bernardo's next random attack, a sexual assault without rape, garnered little attention and wasn't immediately attributed to the *Scarborough Rapist*.

On 27 July 1987, Erin Calister had exited a *TTC* bus and was walking alongside a garden park when a masked man attacked her. This was the first time Bernardo, though he carried nylon stockings among his rape tools, had attempted to cover his face.

Bernardo, using his established blitz style attack, grabbed twenty-one year old Erin from behind and forced her to the ground. Seizing her head with his gloved hands he brutally and repeatedly smashed her skull into the pavement in an attempt to silence and gain total control over her.

Erin maintained consciousness and struggled, kicking out at Bernardo. When he began punching her in the face she opened her mouth and bit down on his fingers. Perhaps realizing he was fighting a losing battle that would attract attention, Bernardo abandoned the field and fled.

One day after the *Scarborough Rapist's* latest attack, and with at least two other rapist's being sought, Metropolitan Toronto Police announced the formation of a ten person sex attack investigation unit. The special temporary unit began operating under Staff Sergeant Anthony Warr out of 33 Division in North York.

The announcement, made by then Staff Sergeant Margo Pulford, sexual assault coordinator, also mentioned that police were attempting to identify trends and patterns -a reference to serial predators. Police also required and requested public assistance.

"To keep people informed and to identify suspects, we need an increase in reporting of suspicious people."

In 1987, at the Scarborough campus of the University of Toronto, Kourtney Hatcher met and began dating Paul Bernardo. As related in *Deadly Innocence* by Scott Burnside and Alan Cairns, "*She fell completely head over heels in love with Paul and was extremely jealous of the attention Paul received*

*from other women."*

According to friends of Paul, Kourtney was strong willed, resisting his attempts to control her. their relationship didn't end until she caught Paul with Dayle. On 29 September 1987, in a violent outburst, crying, circling the house smashing windows, Kourtney threatened to burn down the Bernardo home with Paul and Dayle inside.

Paul, not answering her screams, called police and a mischief report was filed.

Friends say Paul treated Kourtney with respect -as he'd done with a previous girlfriend, also strong willed- and he did not abuse her. Still, their relationship was characterized by violence. Paul, as was always the case, was intimidated by her non-virgin status when they began dating. When Paul questioned or complained, Kourtney would strike Paul: He'd retaliate in kind.

Until that final incident, Dayle and Kourtney knew not of each other.

Psychiatrist, Dr. Steven Hucker, later interviewed Kourtney. She told Dr. Hucker that at the beginning of their relationship, Paul treated her with respect. It was over a period of time, she said, that he became obsessed with the fact that she was not a virgin when they first met. Paul demanded she telephone him regularly and let him know what she was doing or where she might be going. Paul once locked her in a closet, she said, to ensure no other men would meet her. She said he threatened to do so again.

## **CHAPTER EIGHT**

If the victim of a rape or sexual assault is reporting the attack to police, the police interview is another in a string of cold clinical processes the victim will endure.

Police will ask intimate detailed questions regarding the attack. These questions may seem cruel, harsh and invasive, but every detail -no matter how insignificant it may seem to the victim- is necessary if police are to apprehend and successfully prosecute the rapist. It is vitally important that the victim give a full and factual accounting of the attack, and stress any areas in which the victim is unsure of the answer. It is equally vital that police conduct a thorough competent interview. In a rape investigation, police should look for stimuli such as sight, sound and voice stress, putting as much emphasis on these stimuli as on possible eyewitness accounts.

If the interviewing investigator avoids asking questions that may embarrass the victim, or allows the victim to choose which questions she will answer or concentrates only on the rapists physical identity, the investigation is doomed to failure. The investigator must remain detached and the interview must be painstakingly thorough. If not, psychiatrists and profilers cannot do their jobs.

During the hunt for a serial rapist police turn to an area of law enforcement know as psychological profiling. A forensic psychiatrist can analyse statements from the rape victims and provide police with a profile of how the rapist may act in future attacks. With the assistance of behavioural scientists, and using the same victim statements along with other investigative information, police may be provided with a profile of the type of rapist they are looking for and, perhaps, characteristics of behaviour unique to that rapist. They may even ascertain the probable motive for the rape.

Investigators will ask the victim basic questions, such as age and race. They will ask about the victims actions immediately preceding and following the attack. If actions preceding the attack are a regular occurrence -a pattern or habit- they will need that information. They will also ask for a physical description of the rapist, including any scars, tattoos or other identifying factors distinctive to that rapist.

Rape is not just a sexual crime, rather it is a personal attack that includes physical and psychological cruelty. Thus, crucial information investigators must ascertain is the rapist's behaviours, his physical, verbal and sexual mannerisms -the psychological imprint he left with the victim and at the scene of his crime.

The competent investigator will determine exactly how the rapist first approached the victim. Some con their victims, presenting themselves as police officers or doctors or offer something to the victim. Once conned, the rapist leads the victim to his crime scene. Some rapists simply assault the victim in an intense and swift overpowering attack -referred to as a "blitz". Others stalk, following the victim while concealed, then surprise and forcefully subdue the victim. The investigator needs to know which type of attack occurred.

Once the rapist has struck he must control the victim. He may do this by brandishing a weapon, verbally threatening the victim or he may immediately assault her. In control, he may bind and blindfold the victim. He may conceal his identity. Investigators need this information. They must know if his identity was concealed, if at all, before or after he gained control. He may have had a rape tool-kit with him or he may have improvised and used whatever was readily available to hide his identity or bind and blindfold the victim. This information reveals whether the rapist is experienced or a new offender, whether he has an organized or disorganized personality. All of this information can help profilers determine even such matters as the type and condition of car he drives or home in which he lives.

In total control now, does the rapist use any force? Is it mild such as a slap, moderate such as a bruising punch or severe such as the breaking of bones or mutilation of the victim? Did his attacks come in response to anything the victim said or did, or refused to do or say or was the violence a punishment? Did he tear away or remove the victims clothes or did he demand and force her to remove her own clothes?

If the victim resisted, the investigator must know to what degree and when, in relation to the time-line of the assault, she resisted. Was the resistance verbal or physical? In the face of resistance, did the rapist abandon the attack and flee, allowing the victim her will, compromise with her, threaten her or did he use violence to compel her obedience?

Investigators need to know exactly what type of rape occurred. Was it vaginal, oral or anal or a combination of these rapes? Did he degrade the victim, assaulting multiple orifices and if so, in what sequence did the rapes occur? Did he fondle and kiss her? Did the rapist speak during the rape or

did he command the victim to speak? What, exactly, were the verbal exchanges? Did he verbally degrade and abuse the victim? Was the victim raped with any foreign object and if so, what and how? When, during the course of the rape was a foreign object used? All of this information assists profilers in determining if the rapist was motivated by rage and hatred or by a misguided need for love.

Did the rapist have any sexual abnormalities such as the inability to reach an orgasm. If the offender reached an orgasm, where did he ejaculate and what was the sequence of events that led to an orgasm? This can help determine if any multiple orifice rape was a punishment and degradation or if the rapist required a high level of control over the victim before he *could* climax.

If the rapist robbed the victim the investigator must know exactly what was taken. If the rapist took cash and valuables, he may be unemployed and in need of money. If he took photographs and identification he probably did so in memory of the rape and to use the items in fantasizing about his next rape.

The rapist may also rob the victim of her clothes or remove them because they contain trace evidence such as sperm, hair or fibres from his own clothing. In combination with other details, profilers attempt to determine if he did so in an effort to remove evidence, further degrade the victim or as another memento of his rape. In that vein, investigators need to know if the rapist only removed items he came in contact with or was his choice of items random? Did he clean up after the rape, using an item of clothing to wipe away bodily fluids and fingerprints, then take the item used?

When he finished his rape did he continue to punish the victim or did he attempt to apologize? This can mean the difference between the type and class of rapist that he fits. Was the rapist's escape rushed and confused or did he flee in a pre-planned direction, quickly vanishing from the victim's line of sight? This can help profilers determine aspects of experience and personality.

In summary, anything and everything -psychological, verbal and physical- that occurred during the course of the rape is vitally important to investigators. This information will assist police in determining what evidence to look for at current, previous, and future crime scenes, and is, in effect, an identity print of the rapist.

## CHAPTER NINE

Karel Homolka immigrated to Canada, leaving behind Czechoslovakia and the Soviet Empire: He first settled in the Toronto area and on 11 December 1965, Karel married Dorothy Seger, daughter of Valerie and Allan Seger of Mississauga.

While the couple would soon take up residence in a small Toronto apartment, it was in Mississauga, on 14 May 1970, that their first child was born. That child, Karla Leanne Homolka, was destined to form one half of an extremely rare breed of husband and wife serial sex murderers.

Around 1970, Karel settled in the lighting sales business in which he still works nearly three decades later. The Homolka marriage would bear no sons but on 2 June 1971 their second daughter, Lori, was born. On 1 January 1975, Dorothy gave birth to a third daughter, Tammy Lyn Homolka. The Homolka family moved to the Niagara area in 1974. In 1978 they settled in a semi-detached home at 61 Dundonald Drive in Merriton, a St. Catharines' suburb. A home in which the family still live. Dorothy eventually began work as an administrative secretary at the Shaver Memorial Hospital in St. Catharines, propelling the Homolka's into the financial status of the middle-class.

While the Homolka family moved about the Niagara area, Karla attended grades one through eight in a variety of elementary schools. Still, she managed to participate in track and field and gymnastics and was a member of one school choir. Karla graduated from grade eight as an honour student with an average above 83%. Outside school, Karla's early activities included figure skating and she was a member of a church organization, the *Pioneer Girls Group*. Karla is remembered as a wilful child with a stormy temper. In particular, she is remembered for her fiery determination to win any argument in which she'd become embroiled. Karla did not back down from friends, teachers, nor from her own parents.

Karla's only physical affliction was asthma and a *Ventolin* inhalator helped her as she grew out of it.

In their neighbourhood the Homolka family is remembered as congenial, always taking the time to stop and greet neighbours. They had a loving relationship with their three children and always supported and backed each

other up if trouble arose. Mr. and Mrs. Homolka were never separated, their marriage always intact. Once their children were grown, Karel and Dorothy began celebrating each wedding anniversary with a trip to New York.

At home, Karel was often heard calling his wife a bitch, but only in a teasing manner. "Hey bitch?" he'd call. Dorothy would laugh, calling back, "Hey. What do you want?"

The Homolka family welcomed neighbours and friends into their home. When the girls were older, they'd allow them to smoke and drink in the basement recreation room or as they lounged around or swam in the backyard in-ground pool. Dorothy explained her leniency with simple logic. Kids are always going to be kids. Dorothy liked them in her sight and happy rather than off in unknown danger, brooding about how tough it is to be young, and smoking and drinking anyway.

"We were always allowed to have friends over. More often than not our friends would come to our house rather than going over there. My parents welcomed our friends," Karla says of her childhood.

Tammy Homolka quickly established herself as the athlete of the family. She was only six years old when she began playing soccer and at Ferndale Public School, she was active in gymnastics, track and field and cross-country running.

A St. Catharines' soccer all-star, Tammy played in 1989 and 1990 with the *Cobra's* and *Dance Musik Bruisers*, respectively.

Friends recall many things about Tammy but all talk leads to soccer. A neighbour and friend, Matt Troyan, recalls the many days he spent playing soccer in the field behind Dundonald Drive. "She just never slowed down," recalls Matt.

Tammy is described as liked by everyone. Athletic. A good person. Energetic. Bubbly. Social. Fun to be with. Tammy liked to spend a great deal of time with her close friends. Matt said, "She was a real good person; she had a lot of real good friends."

Corey Coakley is another friend and neighbour who also tried to match his soccer skills against Tammy's. He said she was: "Really athletic, outgoing and popular."

Tammy, young and innocent with her whole life ahead of her, brought

great pride and joy to her family. One of Tammy's soccer coaches, John Fisher, reflected on her skills. "She was extremely good; she had speed. That was her biggest asset. She was passionate about the game, always giving one hundred and fifty percent. She just played flat out; she was a tremendous player," he said.

In September of 1984 Karla began grade nine at Sir Winston Churchill Secondary School: She finished with a 72% average. All informed accounts say Karla was her own woman. Karla shrugged off the preppy style of dress prevalent at Sir Winston and wore what Karla wanted to wear. She dyed her hair bright colours, tied bells to her shoes and pranced down school hallways, playing a feisty filly.

A friend Karla found in a grade nine voice and singing class, Kevin Jacobi, said Karla was an animal lover. "She would get mad if anyone tried to kill a fly. Or, if anyone tried to hurt an animal, she was fanatic about that." It was watch out for Karla's wrath. Yet she had a shy streak. "She was not one to sing by herself. In singing tests, we had to do them in front of the class by ourselves and she'd get really upset. She'd ask the class to turn around so we wouldn't watch her sing -and she had a good voice." Perhaps not so shy, for even the students bent to her will. "She said what was on her mind which a lot of girls didn't," recalls Kevin.

Karla finished grade ten with a 77% average. A teacher who'd taught Karla for two years said: "She wasn't a cheerleader, she wasn't a star athlete, she just wasn't the athletic kind. What she was, was just a regular kid, nothing outstanding."

Outspoken. Independent. Willful. Karla, according to Kevin, "never did anything halfway". Life, like her choice in clothes, was all white or it was all black. People could accept or reject Karla Homolka as she was. It was all the same to her. In school she kept to the friends she'd grown up with, adding a few male friends along the way.

In grade eleven, Karla finished with an average mark of 75%.

While attending school Karla worked at a number of part-time and Summer jobs. In particular, her Mother points out, she served as a Nanny for two boys aged two and four. Along with other baby-sitting jobs, Karla spent a short period working as a telephone solicitor for a photography company.

In April of 1986 she joined her sister Lori and began work at the

Number One Pet Centre in the Penn Centre Shopping Mall -the largest shopping plaza in Niagara Peninsula. Through school and after graduation, she worked there regularly until September of 1988; then she worked as seasonal help in December of 1988. Usual work hours were from 3:30 p.m. until 9:30 p.m. at least three days a week. She worked all day on Saturdays and a few hours on Sundays.

Karla brought her work home with her. She boasted she'd cared for a bevy of pets including two cats, two rabbits, a bird, a rat and various fish.

In her school yearbook Karla listed her activities as being a member of the dance club and choir and as having participated in musicals and variety shows. Karla says she also acted as a peer tutor in the French-Canadian language.

Karla's teachers don't recall these activities though. They recall a teenager who surrounded herself with a pair of close girlfriends who wore diamond rings similar to her own. Diamonds of promise and engagement. *The Exclusive Diamond Club*. "When they marry, they'll marry rich," explained a naïve Kevin Jacobi. What it meant, according to Karla, was that the girls were engaged or promised to be engaged. "It was more like a joke," she said. Teachers do remember Karla shirking scholastic activities to pursue a long distance boyfriend.

On 4 May 1987, Karla Homolka celebrated her seventeenth birthday. That same day, a man she had yet to meet attacked his first random victim. A surging onslaught on innocent young woman would follow -even after the sadistic *Scarborough Rapist* met his future partner, in both marriage and crime, Karla Homolka.

In September of 1987, Karla began grade twelve classes at Sir Winston Churchill. Deciding she wanted some time away from school she dropped out and went to work full-time at the Number One Pet Centre. When the second semester began in January of 1988, Karla returned to school to resume her education.

In the Summer of 1988, Karla began to make up for lost time, enrolling in a grade thirteen English credit course. She attended school weekday mornings for four hours, then worked until 9:30 p.m., completing home assignments after work. She passed that course with an average of 86%.

Karla entered grade thirteen in September of 1988. It was her last year of high school and she achieved an average of 78%. While attending grade thirteen, her boyfriend advised her to stop working and turn her full attention towards her studies. Ready to herself for post secondary education, marks were extremely important, he told her. During the last two years Karla had decided she'd go to university and study criminology; she wanted to become a police officer. Having achieved an overall average of 78%, in June of 1989, Karla received her Ontario Secondary School Diploma.

Her boyfriend suggested that a business degree was the only thing worth pursuing. Karla applied to two universities, seeking entrance into their business programmes. She was accepted by both schools: York University and the University of Toronto.

Karla and her boyfriend were talking marriage by this time. They decided that by the time Karla finished school they'd be married with children. She was planning on being a stay at home Mother, so her boyfriend advised her that there was no point in going on to university.

On 25 September 1989, Karla began work at the *Thorold Veterinary Clinic* in Thorold, a small city adjacent to St. Catharines. She worked in Thorold until 4 December 1989. Karla said neither she nor the animals were treated properly at the clinic. "I didn't like the way that the veterinarian was treating the animals and second of all I wasn't being allowed to perform the duties that I was told I would be performing when he hired me." Karla says she quit, offering to give two weeks notice, but was immediately released.

Karla later acknowledged she was suspected of stealing drugs from the clinic in Thorold but maintained she quit because of the way animals were treated. "He was very cruel to them. I would not work for a man like this," Karla said of her boss. In a letter to a girlfriend, Debbie Purdie, Karla complained about a veterinarian, Janet, saying she was bitchy. "I bitched right back at her and she apologized. She's dammed lucky she did!" Karla was also accused of robbing the clinic of an anaesthetic used on cats. In humans the medication can produce effects such as hallucinations and is considered similar to phencyclidine (PCP) -commonly referred to as Angel Dust.

The following day, on 5 December 1989, Karla began work at the *Martindale Animal Clinic* on Fourth Street in the Ridley Heights Plaza in St. Catharines. She was hired as a health technician, working weekdays from 8:30 a.m. to 5:30 p.m. Karla prepared animals for surgery, administered

medication and assisted with surgery. Karla was also charged with the duty of maintaining and controlling the clinic's drug inventory register.

Karla said her relationship with her sister Tammy was good but that Tammy rejected and disagreed with her advice. She had found a boyfriend, Elton Allan, that captivated her attentions.

"Tammy was fifteen. She was starting to rebel against authority. We were close and she was starting to pull away from older people, from her family. She wanted to be with her friends because she was fifteen and that's the age when kids start to do that sort of thing. Normal for that age."

Tammy later followed Karla to Sir Winston Churchill Secondary school, where she reached grade ten. A friend of Tammy's said all three Homolka sisters were close. Of Karla, he said: "She loved her sisters. Tammy got on her nerves and everything, but she loved her."

# CHAPTER TEN

Adopted by Elizabeth and Lieutenant Colonel Gerald Eastman, Q.C., Marilyn grew up in an upper class family of the Anglican faith. Marilyn Eastman would later marry Ken Bernardo, the son of Eastman family friends<sup>4</sup>. The two families lived in Kitchener, Ontario. Ken, on course to becoming a Chartered Accountant, was, for the Conservative Lieut. Col. and lawyer, quality stock for marriage to his daughter.

Marilyn's true love, though, was a high school sweetheart. He, however, didn't meet the standards of the high class descendant of British Empire Loyalists. He drank, caroused and had no plans for higher education. Instead, he was ready for an immediate entrance into the world of Canadian business.

Ken Bernardo, the son of a Portuguese immigrant, has described his childhood as troubled. He was the youngest son of parents Frank and Mary, whom Ken said were in an abusive relationship until he was five years old. His Father, Ken said, "Was intelligent but domineering. He was not affectionate, was cold and didn't show any emotion."

Kenneth Walter Bernardo married Marilyn Joyce Eastman in May of 1960. They moved to a Scarborough, Ontario apartment where they would remain until they could reap the financial benefits of Ken's schooling. Ken would sire two children with his wife. In 1962, David was born. In 1963 Ken became a Chartered accountant. Ken and Marilyn, in 1963, also celebrated the birth of their daughter Debbie. Shortly after Debbie's birth, Marilyn tracked down her two biological sisters and began visiting them in Kitchener.

Around the first weekend in December of 1963, Marilyn made one of her visits to her home town. In Kitchener, Marilyn met with her high school sweetheart and they had an affair. In their illicit love a child was conceived.

Ken Bernardo said he never blamed Marilyn and he agreed to accept

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<sup>4</sup>In this chapter, as with chapter nine, some information comes from court testimony, some from various southern Ontario media outlets, some from documented research. The balance comes courtesy of a pair of Toronto investigative journalists whose unwavering journalistic integrity honours their profession, A.C. and S.B.

her child as his own. Other accounts say Ken very much blamed Marilyn. He responded, they say, with a never ending barrage of verbal assaults, forcing her to take refuge in a basement bedroom. Ken would visit her only when he wanted sexual intercourse. His wife, though, wasn't Ken's only sexual outlet. Ken Bernardo was a neighbourhood Peeping-Tom. His deviance knew no limits. He stooped, even so low as to peep into the windows of his own home.

On 27 August 1964, in the Scarborough General Hospital, evil was unleashed upon the world: Paul Kenneth Bernardo was born. On Paul's birth records, Kenneth and Marilyn Bernardo appear as his biological parents.

Marilyn's sweetheart stayed in Kitchener and did succeed in his business ventures. He went on to own an insurance brokerage firm with offices in Kitchener and Cambridge, Ontario.

In 1965 a new community was forming in Scarborough: Guildwood Village. Ken and Marilyn purchased a newly built two-story home, and, with three children in tow, moved to 21 Sir Raymond Drive. Ken and Marilyn remain together in that home.

Ken Bernardo forged an accounting career with Angus Fire and Armour Limited -manufacturers of fire fighting equipment- in Scarborough. Ken though, was forced into early retirement after a 1993 conviction for indecently assaulting a female. The offence occurred during the period of 1 January 1969 through 30 June 1974. In exchange for his guilty plea, a charge of gross indecency occurring in the same period was withdrawn. A charge of sexual touching, allegedly occurring in December of 1991, was also withdrawn. A court ban, a common stipulation under Canadian law, prohibits the publication of the details of Ken Bernardo's sex crimes. This law protects the identities of victims, especially if the victim was a family member such as a daughter.

Ken, at work and home, isolated himself. A company manager at work said, "This was the place he worked. He did not come here and spill information about his private life." At home, neighbours said he was passive and submissive. A psychiatrist, Dr. Ruth Bray, described Ken as having "significant discomfort in social situations." Ken himself would later say, "I prefer my privacy. I don't like people getting in my face and I try not to get in anybody else's face."

A consensus suggests that Paul was an adorable baby. Blond haired, blue

eyed, he always sported a cherubic smile. There is, though, at least one challenge to that general opinion. A report carried in Toronto's *Globe and Mail*, related: "As early as 1966, his Mother noted that Paul was a child who was wholly lacking in affection. He, instead, was remarkably selfish, stubborn and certain of his own superiority."

As Paul grew, neighbours, watched him play on the streets of the middle class neighbourhood. One neighbour, Mrs. Barbara Boorman, said she watched Paul grow up playing street hockey with other neighbourhood children.

Mrs. Boorman's daughter, Kim, would become a confidant to Paul's elder sister, Debbie, when she sought to escape her Father and the asylum inside 21 Sir Raymond Drive. Seeking refuge from her own asylum, Marilyn often turned to Barbara as her confidant. Paul's brother David, also older, is, like his Father, considered somewhat of a recluse.

Paul suffered a minor physical affliction as a young child. His speech development was retarded due to a tongue deformation at birth; he was tongue-tied. As a result he stuttered. Corrective surgery released membrane under Paul's tongue and speech therapy remedied the problem.

While Ken worked, Marilyn Bernardo served as a local *Girl Guide* leader. The Bernardo children, most Summers, attended *YMCA* camps. As the children grew, camping grounds gave way to family trips to the United States and western Canada.

Paul, at an early age, distanced himself from his family and discovered neighbours Steve and Van Smirnis. Described as geeks by neighbour Ian Murphy, Paul called them best friends. As Paul grew, and life inside 21 Sir Raymond Drive deteriorated, the Smirnis family came to welcome Paul as one of their own.

Paul and Steve Smirnis joined the *Boy Scouts of Canada*, learning survival and social skills including helping elderly and disabled persons. Paul eventually earned the highest rank of Chief Scout.

Steve Smirnis would later speak of the Bernardo family as having lived in hiding behind a façade of normality. "You could hear them arguing and screaming," Steve said. "Everything wasn't rosy, but they tried to make it look like it was." Ken Bernardo rarely allowed visits from neighbourhood kids, but Steve does recall Ken as a male chauvinist. "He always said things about man's superiority over women."

When Paul began school, a rivalry erupted with his sister Debbie. Paul complained to friends that his parents favoured Debbie, praising her achievements and never acknowledging his. Barbara Boorman, though, recalls a different version of the Bernardo parents and Paul's academic career. She said his Mother bragged of his accomplishments. "They were very proud of him," she said of Ken and Marilyn. "He was clever in school."

Paul attended kindergarten to grade six at Elizabeth Simcoe Junior Public School. He graduated grades seven and eight at Jack Minor Senior Public School then attended secondary school at Sir Wilfred Laurier Collegiate, where he graduated from grade thirteen. He attended Albert Campbell High School for one semester, gaining a senior credit in calculus.

His grade two teacher said Paul was a happy and social boy, but by grade four, a report said he was, "Inclined to be thoughtless and disturbed others." Ian Murphy remembers Paul as a loner with few friends who, in solitude, played his drums. When he did venture outside it was usually straight to the Smirnis home. Steve Smirnis said, "He was a loner in the sense that he didn't let anyone get close to him. He would never let anybody know too much."

In all, Paul found school easy. He garnered average to high marks and even skipped a grade.

Arguments continued to rage inside 21 Sir Raymond Drive. Barbara said, "Marilyn always tried so hard to please everyone. She would say she didn't want to get Ken riled up. Ken had a temper when the kids were young."

Other neighbours also remember the yelling and screaming that emanated from the strange home. One neighbour and schoolmate recalls Paul spending a great deal of time with the Smirnis brothers, but, not often at the Bernardo home. "All the kids played together on the street; the Bernardo's were losers; they didn't always play with us," says the former neighbour. "No one wanted to go to their house to play. We rarely got invited into their house and when we did, it was dirty." Marilyn, the former neighbour said, was cruel to her children. "She never talked nicely to them or about them. You could hear the Mother screeching, twenty houses away, for her kids."

Barbara said she never observed Ken physically abuse the Bernardo children. "I could hear him yelling at the kids, and grabbing them a little roughly, but I never saw him strike them." Ken Bernardo would later admit he was overbearing and much less than a perfect parent. "They were so

bloody hyperactive, but I never beat my kids," Ken later said. "Yelled, yeah. I think the one thing we did in our family a lot was yell. Nobody really knows us, but they used to hear a lot of yelling. I was a hot tempered person when my kids were young and I don't deny it."

"He had a pretty loveless upbringing," Steve said, recalling Paul's rearing by Ken and Marilyn. "It's not that he went without, he had nice things, a nice bicycle. They would buy him things but they just weren't very loving and caring. He was jealous of my closeness with my brother. He wished he'd had more love like that in his life. He felt like he'd missed out."

It was without love that Paul spoke of his Mother. "He didn't like how she cooked and how she treated him. Paul made it clear that he didn't like her," said Steve.

Paul's bedroom, inside 21 Sir Raymond Drive, was a shrine to money and power. The usual bed and drawers sat among a work desk and banker's lamp. An aquarium and cacti testify that some life existed in his untamed temple of moral gluttony. The bedroom walls, though, surrounded and smothered everything else in the bedroom. In Paul's own hand writing, carefully placed and posted, were phrases that glorified ultimate power.

Greed, money and dominance are necessities, claim these walls. "Expect the unexpected;" "Those who have nerves breakdown;" "The facts don't count when you have a dream;" "There are winners, and there are whiners;" "Change the input and you'll change the output;" "Nice guys finish last;" "Every battle is won before it's fought." One phrase, culled from the movie *Wall Street*, reads: "Greed is good, greed is great, greed works. Greed clarifies, cuts through and captures the essence of the evolutionary spirit. Greed, in all of its forms; greed for money, for life, for love and knowledge has marked the ground upsurge of mankind. And greed will do it for you."

"The illusion has become real."

As a teenager Paul worked various jobs, including delivering newspapers for *The Toronto Star*, and by the late 1970's, he served as a waiter at the Smirnis' family restaurant. Polite and exuding a carefully crafted sense of self-confidence, he attracted large tips. He attracted female attention too.

This was, perhaps, a period in Paul's life during which a map of destiny evolved. Around the time Paul began dating Nadine Brammer, the Bernardo home began disintegrating. Paul's own world would soon dissolve in a pool

of his mother's anger.

Though some claimed Ken Bernardo was a beaten man doing his wife's bidding, he ruled 21 Sir Raymond Drive with an iron fist. Of his children he said, "If they didn't like it at home they could always leave." They began to do just that. In 1980, at age eighteen, David Bernardo threw in the towel, packed up and moved away. The following year Debbie Bernardo dropped out of school, married and moved to Kirkland Lake in northern Ontario, escaping the madness of her parents home. As for Paul, he came and went as it pleased him.

It was also around this time that his Mother told him that the man he'd called Dad for sixteen years wasn't really his Father. Marilyn dropped the bomb on Paul, showing him a yearbook photograph of his biological Father, then refused to discuss the issue evermore. She didn't hesitate, however, to throw it in his face when angry. Marilyn called her son, "The Bastard From Hell." Paul, after that, returned the favour, mimicking Ken and calling Marilyn, among other things, a "fat cow," "bitch" and "pig".

Marilyn, driven to live in her basement bedroom, hid food under her bed. Overweight, she'd pretend to diet and eat in solitude. Ken Bernardo would later agree Marilyn hid food, but blamed himself, saying he was cheap and Marilyn was attempting to stretch the grocery budget.

Paul told Van of his mother's revelation. At that point, Van said, Paul began to change. Paul insisted that his *real* Father was a rich and successful Canadian businessman. Paul, he said, strove to project that image in himself. He began dressing the part of a successful businessman. Paul related to Van, his mother's confession that she'd returned to Kitchener with Paul, eating at a McDonald's Restaurant while his biological Father watched. His Father, a married man, wanted only to see his son.

If Paul hadn't yet fully rejected his family, he did then. Still, though, he cloned Ken Bernardo's demeaning attitude towards women, and it appears he also rejected the world.

Van said, by that time, "I don't believe he had a great respect for women in general."

Paul believes that, Van said, "We are all organisms and one organism overpowers another. He had a little spiritual guy he talked to within himself. It seems like an evil force was driving him."

A psychiatrist, Dr. Peter Jaffe, would later say, "The parenting that Paul received was harsh, incompetent and inadequate." Another, Dr. Angus McDonald, said, "Paul Bernardo clearly hates his Mother intensely and this may have played some role in his extremely negative attitude towards women."

Paul's first true love walked into his life when he was sixteen. Like his Mother before him, he found a high-school sweetheart. Nadine, at sixteen, was the same age as Paul, and both, she said, were virgins.

Paul and Nadine began dating in June of 1980. Nadine speaks of Paul as a kind and gentle lover. "He bought me roses and diamond earrings and was very kind and gentle. He was the least pushy guy I knew sexually and he was very caring and kind." Nadine, who went on to become a legal secretary, said she and Paul dated until the Spring of 1981. They separated, she said, because both felt they were too young for such passionate love. "It was a real nice friendship," she reminisced. "It was our first love. It was our first relationship. It was his first love too."

The 1981 split, though, wasn't about fierce young love.

Steve Smirnis, assured by Nadine that she and Paul were no longer dating, invited Nadine on a date with himself. It was a date that meant another female betrayal in Paul's short life and would loosen the bond of his friendship with Steve. Nadine was trying to make Paul jealous. Steve was attempting to make his own girlfriend jealous. Paul, as far as he knew, was still Nadine's sweetheart. The date ended with a passionate kiss between Steve and Nadine. "I felt so bad," said Steve, "that we stopped it right there. But even before I had a chance to tell Paul, she had called him. He was so furious."

"I think that he was obsessed with women," said Steve. "He could just about have any woman he wanted."

The friendship between Steve and Paul never recovered. Steve would later say, "We went our ways. He was kind of immature. He wanted to party and hang out with younger people. I wanted to get on with life."

In short order, Paul had loved and lost -both a girlfriend and best friend. He'd learned he wasn't Ken Bernardo's son and believed his Mother a whore. Also, his siblings, whom he wasn't sure if he loved or hated, had abandoned him to Ken and Marilyn Bernardo and 21 Sir Raymond Drive.

In the Fall of 1983, Paul began Business and Commerce studies at the Scarborough campus of the University of Toronto. He, along with 450 other students, graduated in the Fall of 1987. Earning a Bachelor of Arts, he returned the following year and completed one course. Paul then registered for the student Chartered Accountant Programme run by the *Institute of Chartered Accountants of Ontario*.

In September of 1987, Paul began work at the Scarborough offices of the internationally renowned *Price Waterhouse*. He planned to article and prepare for his Chartered Accountant examinations. Citing long hours, Paul decided he would be better suited working in a smaller firm. Paul wrote his CA certification examinations in 1989 -he failed. He left *Price Waterhouse* in December of 1989. In January of 1990 he began what would be a short stint with the accounting firm *Goldfarb, Shulman, Patel and Company*, located in Toronto.

## **CHAPTER ELEVEN**

On Friday 16 October 1987, Karla Homolka and close friend and co-worker, Debbie Purdie travelled to Scarborough for a pet food convention. Accompanied by store manager, Christie Mann and assistant manager, Jennifer Cable, Karla and Debbie checked into a hotel room the two would share. Then Karla and Debbie left the hotel and went dancing.

They met two men with whom they danced away the evening. When they were ready to leave, the men drove them back to the hotel. It soon became obvious the men wanted more than a drink for a nightcap and they wouldn't leave when asked. Debbie, on the pretence of getting ice, left the room. She went to Christie Mann for help. Debbie in tow, Christie returned to the room and escorted the men out.

Around 1:00 a.m. on Saturday 17 October 1987, fate played a cruel trick. In the Howard Johnson's East Hotel Restaurant in Scarborough, Ontario, Karla Homolka and Paul Bernardo were about to meet. The death of innocence would be born as they formed a lethal bond.

According to Karla: "Debbie and I were hungry and so we tried to call room service but they were closed and so we decided to go down to the restaurant because it was still open. So we went down to the restaurant and we came in through the hotel entrance and Paul and Van Smirnis were coming ... they were coming in through the out-door exit. We started talking and we sat and ate together."

Paul said: "I thought she was a real different person and I liked that at the time. And I thought she was real strong willed, independent and a little weird."

They ate in leisure, spending an hour or two at the table.

Karla was seventeen years old, five foot one and weighed about 110 pounds. Paul was 23 years old, stood six feet tall and weighed 180 pounds. She still lived at 61 Dundonald Drive in St. Catharines. He still lived at 21 Sir Raymond Drive in Scarborough. She was a high school student. He was a junior accountant. She had a boyfriend, Doug Liddel. He had a girlfriend, Dayle Coltin.

"After that, Paul and Van came up to our hotel room to watch a movie," said Karla. "Paul and I were intimate for the first time."

The appropriateness of having sex with Paul while Debbie and Van were in the same room later became an issue of character. Karla said: "The room was kind of separated into a sitting area and a bedroom area. Paul and I were in the sitting area with the lights off and Van and Debbie were in the other area with the lights off." You have to understand, Karla demanded, "This is someone who has an incredible magnetism and I'm not the only one who's been drawn to him like this. I have never met anybody like Paul before in my life. It's like this power he has over women. He just draws them to him."

Paul said the sex was so hot, Karla grabbed, literally, a glass of water and poured it on him.

"It was a pull-out bed and we engaged in sex for three hours right there in front of them," Paul said of Van and Debbie being in the same room as Karla and himself.

When the sex was finished Paul and Van readied to leave. Karla gave Paul her telephone number, address and a map leading to her home.

"We exchanged phone numbers and addresses and talked about seeing each other again," said Karla. "I called him the next day, which was the Sunday, and invited him to my parents home for the following Saturday for a little party that I was having with some friends," Karla recalled.

The next weekend Karla and Paul double dated with Van and Debbie. They went to a movie theatre to watch *The Prince of Darkness*. Afterwards they returned to 61 Dundonald Drive and partied in the basement recreation room.

While Debbie and Van were in the den, and Karel and Dorothy Homolka were upstairs, Karla led Paul to her bedroom.

"She had handcuffs on the bed posts of her bed and the first thing that she wanted me to do was handcuff her [hands] behind her back. And she told me I could do anything with her. And she was the prisoner and stuff like that," Paul later testified.

Girls were attracted to Paul, Ken Bernardo said. He said Paul changed, though, when he met Karla. "He kowtowed to her. Paul was usually the boss but when she called he went." Paul drove from Scarborough to St.

Catharines, and back, three times a week. Karla's Mother said, of the time, "The couple looked bubbly and happy. She had a glow."

"The night I met him was the night I knew I was going to marry him," Karla said. "I saw him regularly after that. In the beginning of the relationship he would come down every Wednesday. He would come on Friday and drive home -and on Saturday, drive down and then back home. And I would come to Scarborough."

"At the beginning he treated me very well. He treated me just like a princess. Like I was the only girl in the world. He would be nice to me, open doors for me; be respectful to my parents and just really nice. He brought me flowers."

"We would go out for dinner. He'd take me out for dinner and to the movies and things like that. We would go out with my friends sometimes as well." They began with vaginal sex; Karla had no complaints early on. "It was very good. We would usually go to a parking spot by Lake Gibson," she said.

Paul agreed.

"I liked it. I thought it was really, really neat," he said. "All we'd do when I went down there is we'd drink and we had sex; it was worth the drive down."

Paul soon wanted Karla to add fellatio to their sex life. Karla says she was only seventeen and was stupid to do so.

"In the beginning it was vaginal and then it changed. He wanted me to perform fellatio on him. I didn't want to. It was the first few months that he wanted it. I was afraid to and I told him I didn't want to but he said 'yes you're going to do it' kind of thing, so I did. Very quickly, it became one of his preferred things." Then, she said, he wanted her to repeat certain phrases while they had sex.

"He wanted me to say certain things about myself. He made me call myself 'My name is Karla. I am seventeen years old. I'm your little cock sucker. I'm your little cunt. I'm your little slut.' And I would have to repeat that until he told me to stop."

Paul, Karla said, was obsessed over the fact that she wasn't a virgin when they'd met. He was jealous of her previous boyfriend.

"He used to make me say 'I hate Doug' during sex, frequently in the

beginning. He was very upset and jealous." Karla said she wanted to remain friends with her former lover, for Doug's benefit. "We had been friends for so long. And Paul said 'No Way!'"

It was near the beginning of their relationship, in 1987, that Paul hinted that he was the *Scarborough Rapist*.

"What would you say if I were a rapist?" he asked: He told her that he'd committed dozens of rapes.

Karla later said she thought he was teasing her.

Karla sent Paul many cards and letters throughout their relationship: she also ran up hundreds of dollars in telephone calls, as high as three hundred dollars in one month, most of which Paul paid. Karla was called demanding, a whiner. Karla, defence lawyer John Rosen<sup>5</sup> would later say, was the one who controlled the couples relationship. Karla claimed Paul was in control and that he'd demanded she become sexually aggressive. She claims she accomplished that by sending him the cards and letters.

Karla would testify that her relationship with Paul was great and it was months into the relationship before Paul became demanding. Her cards and letters, though, date to the beginning of the relationship.

Paul's past record with girlfriends and the fact that he is a serial rapist, combined with the early timing of Karla's cards and letters, suggest, perhaps, John Rosen is correct.

Though Karla claims she acted aggressive at Paul's request, Paul was controlling. He demanded control and he forced control. It seems unlikely that Paul would choose to assume the role of being a submissive partner. Then, Paul, perhaps, had fallen hard for Karla and, for once, for awhile, he was willing to follow Karla.

Only ten days after they met, Karla's cards and letters began. She sent ten letters and cards over the next month.

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<sup>5</sup> John Rosen, accompanied by associate, Tony Bryant, would act as Paul Bernardo's defence counsel when he finally came to trial in 1995. Mr. Rosen, who defended over one hundred murder cases, retired from his criminal law practice shortly after completing Paul Bernardo's defence.

On 27 October 1987, she sent a card with a bunny on it. "You are always on my mind. I miss you. Karla." On 6 November 1987, "Call me anytime. To my Prince. Love, your Princess." 12 November 1987, "Dear Paul. How I miss you. I bought this card for you awhile ago but forgot to give it to you. Sorry. I guess better late than never. Oh, what can I say. I miss you a lot. I like you a lot. I care for you. I'm really starting to fall for you etcetera. Can't wait to cuddle. Love Karla" On the other side she wrote: "Don't believe that's all I want to do with you for a second!"

The next day, 13 November 1987, a pre-printed verse on a card read: 'Roses are red, violets are blue.' inside the card the message continues: '... there's nothing more fun than a pervert like you.' Karla added: "Sorry I've been such a downer lately. Thanks for coming down tonight."

On 20 November 1987, she sent two cards. One featured a kitten climbing on a man's hairy chest: 'Grrrrrrrrr' read the pre-printed message. Inside, Karla wrote, 'A promise of things to come.' The second card, depicting a crazed sex maniac, read: You're a vulgar disgusting sex maniac ... I like that in a man.' Karla added: "Thanks for making me happy." Near the bottom of the card, a woman is depicted on her hands and knees. A message read: 'Let's do that again!'

## **CHAPTER TWELVE**

Officially, the relationship between Paul and Dayle was over on 19 August 1987. In reality, Paul had unfinished business with her. Three years and three months after he'd so boldly taken Dayle as his sex slave, the relationship came to a brutal end.

On the night 20 November 1987, the pair were on a date when an argument erupted. Paul, in another of his endless psychotic moods, began to beat Dayle. Threatening to kill her, he locked the car doors and drove to a secluded area behind a factory. When he came to a stop, Dayle unlocked her door and tried to flee. Paul caught her. He punched and kicked her -then dragged her through a mud puddle and back into his car.

Tearing at her clothes, he tried to rape her. Failure. He grabbed a clump of her pubic hair.

He continued to rain blows, punching Dayle in her face and on her head. Seizing her hair he battered her head against the car window. Pulling on her hair, he used his other hand to hammer a fist into her back. Dayle yanked free, leaving Paul with a fistful of her hair.

"I'll kill you," he foamed. While he began a frenzied search for his knife, Dayle watched in terror. Paul began banging his head against the steering column and talking to himself.

"Why do I do this?" he ranted, "Why?"

Dayle seized the moment, tried the door again and escaped. Fleeing for her life, Dayle hid while Paul searched the area for her. He called out promises of change and screamed threats of death. Dayle began running, eventually reaching the home of a friend where she found safety.

Dayle carefully avoided Paul after her last minute escape. Paul, after a few feeble attempts to contact Dayle -with further death threats- suddenly quit pursuing her. Dayle would not see Paul again until she took the stand to testify against him on 31 July 1995.

Inside another card, on 26 November 1987, this time Paul sent Karla a

message: "Fantasies can come true, even for you and me."

Karla, on 29 November 1987, wrote Paul a letter.

"I'm sitting in bed listening to my ultimately depressing songs tape, loving every minute of it. *I Can't Help Falling In Love With You* is on now. I think that's the way it was for us. Some things were meant to be. I only hope you think so. You know, I trust you completely now. I'm only afraid you [may] take my trust and fuck me up. I can't believe it. This is amazing. I only hope we're not going too fast. But I'm not. It just feels so right. I just love you. I read your card again. Thank you. You're wonderful. You're the best. You're my Prince. I love you. Always, Karla."

On 2 December 1987, *Price Waterhouse* held a Christmas party at the same Howard Johnson hotel where Paul and Karla first met.

Karla accompanied Paul and the two slipped into a public stairwell for a daring session of exhibitionistic sex.

That same day, Karla gave Paul another card. She wrote: "I love you. Please don't stop loving me." Two days later another pre-printed card read: 'Did you ever have one of those mornings when you didn't want to get out of bed -want to have one soon?' The next, another card. The verse read: 'Oh please, don't rip off all my clothes, throw me on the bed and ravish me for an hour -do it all night.'

## **CHAPTER THIRTEEN**

A fount of innocence, Shari Sykes, had just celebrated her fifteenth birthday. With the immortal dreams of a teenager, and with eight years of competitive figure skating behind her, Shari was a future Olympian. Though not overly emotional, in an elite school for athletes, the grade ten student was known as the girl who always had a smile on her face.

Then came Paul Bernardo.

At 8:30 p.m., on 16 December 1987, Shari exited a *TTC* bus and began a short walk towards her home. Hearing footsteps behind her, Shari turned and glimpsed Bernardo coming at her like a freight train out of control. She let out a scream that ended with Bernardo's hand reaching around her neck and covering her mouth and nose. His other hand moved and Shari felt his knife against her throat.

"Shut up. Shut up! I have a knife. Now if you're smart shut up. Don't say a word, I'm not gonna hurt ya, I just want to talk." Shari struggled and tried to scream. "Shut up. Don't say a word. If you want to see Christmas just shut up."

Bernardo forced Shari up the driveway of the house in front of which they struggled. He stopped her between a parked trailer and a fence.

"How old are you?"

Thinking her attacker would pity a child, she lied: "Thirteen."

"What's a little girl doing out so late?"

Shari knew her attacker had no pity. She began to pray aloud.

"Please, Dear God, don't let this be happening."

"Shut up," Bernardo demanded. "Shut up. Just let me have my fun!"

After asking her name, Bernardo forced her onto her knees, pushing her face down into the dirt. Removing her jean pants he moved behind her and forced his penis into her vagina, tearing her hymen. Withdrawing from

her bloody vagina, he penetrated her anally.

He began rubbing his knife up and down Shari's back, he continued his attack, alternating between vaginal and anal rape, twice causing two inch tears to her genitals and twice causing tears to her anus.

"Do you have a boyfriend?" he asked, and without waiting for an answer, asked for her boyfriend's age. Shari, in agonizing pain, answered his questions.

"Do you do this when you're ... with him?"

"No!"

"Oh, so we're pretty special then. Tell me you love me," he demanded. Shari remained silent. Enraged, Bernardo grabbed her hair and began pounding her head against the ground.

"I love you," Shari said, ending the pounding of her head.

"Do you really mean that?"

"I do."

"Tell me how good it feels; tell me what a slut you are."

"It feels good," she answered, "I'm a slut."

"Now wish me a Merry Christmas!"

"Merry Christmas," she answered mechanically, only wishing to survive the attack. Searching her bag, Bernardo pulled out a make-up bag and stuffed it in her mouth.

Holding her head down, he positioned his groin above her face. "Close your eyes. Close Your eyes." He removed the make-shift gag. "Make sure they're closed tight."

"I can't see; I lost my contacts," she countered.

"Well, just keep them closed."

"Put my fucking dick in your mouth but don't bite because I can't live with that pain. He pushed his penis into her mouth. "Don't even try to bite."

Never having experienced sex of any type, Shari listened to his directions, still praying she'd survive his attack.

"Hold it with your hand," he ordered. "Squeeze tighter." He pushed himself closer to her face. "Deeper," he demanded. "Harder," he ordered.

"Talk to my dick. Tell it you love it. Lick it. Merry Christmas," Bernardo callously uttered. "Wish my dick a merry Christmas."

"I love you. Merry Christmas," said Shari, licking his penis as ordered.

"Ow, it's killing me. Take it off," he complained when a ring she wore caused friction on his penis. He took the ring. "Don't worry, I'm not taking it. I'm just putting it on top of the trailer."

Re-positioning himself above her face he said: "Put it back."

"I don't know how," Shari said, and began to put his penis back into his pants.

"Not in my pants ... in your mouth. You're so funny, oh, you're really funny. We're not stopping until it happens," he said as he obscenely pumped his hips, sliding his penis back and forth in her mouth.

Shari tried to do as he ordered but began gagging. He stopped: "Are you okay?" he asked, running his knife through her hair, before resuming his rape and ejaculating in her mouth.

"What did you say your name was?"

"Shari Avery."

"You ... you lied. You're a liar ... you just ... you said it was Shari Sykes before."

Bernardo rifled through her purse. He removing an identification card. "Here, it says Shari Sykes, well I have one of two choices, Shari Avery and Shari Sykes."

"I'm not going to hurt you," Bernardo told her, completely uncaring that he'd already done the damage, "because you are ... you cooperated so well and you were a sweetie."

"I want you to crawl under that trailer and stay there for twenty

seconds," he said. As she crawled, his mood swung foul once more.

"I don't care if you go to the police. I don't care cause I'm not gonna get caught. It'll just humiliate you and embarrass you ... and your boyfriend won't like it too much. Your friends 'll make fun of you. I don't care; you can do that to yourself. If I'm not gonna get caught, go tell the police."

Bernardo fled on foot.

One hour after the brutal attack began, Shari, her childhood now over, crawled from beneath the trailer and ran home. Her angry and frightened parents called for police help. Shari described her attacker to police; she was transported to the Scarborough *Grace Memorial Hospital* for a post rape kit examination.

The next day the nightmares and flash backs began, haunting Shari in wake and sleep. Within a month, suffering attacks of pure terror and panic, she sought professional mental health care. Social workers, psychologists and psychiatrists became her life-time friends. Eight years of skating were erased by lost confidence, self-esteem and concentration. Emotional stability became but words. Suffering mental torture, academic skills and grades zeroed out.

Fearing her terrifying panic attacks may be caused by a chemical imbalance, something she was eating, Shari stopped eating at night.

With Shari's rape, police knew they had a dangerous and violent serial rapist on the loose. Shari worked with investigators, her only means of revenge, meeting with detectives, hypnotists and other specialists. She assisted, over the ensuing six years, in any way she could, hoping and praying for the arrest of the animal who stole her life away.

Five years after being raped, Shari was finally diagnosed as suffering Panic Attack and Post-traumatic Stress Disorder's. Knowing, now, what causes her panic and flash backs still gives her no control over the problem. Eight years later, flash backs and panic attacks occur, uncontrolled, even when simply watching television with her family.

Now very much an overly emotional, insecure person who has an extremely difficult time trusting anyone, Shari doesn't see an end to her suffering. *"This horrific nightmare I am now living with will never go away and it is something I have been with and [am] still forced to deal with every day of my life."*

On 17 December 1987, Metropolitan Metro Police issued a warning to Scarborough women travelling alone at night, especially those using the *TTC*.

Sexual assault coordinator, Margo Pulford said: "Women should be extremely cautious. We're appealing to the community to be on the look-out and give us information so we can prevent another occurrence. If you have to go out at night, stay away from unlit streets and out of parks." Pulford also urged women to remain hyper-vigilant, protecting their personal space from invasion.

Police linked the 16 December 1987 attack to the 4 May 1987 and 14 May 1987 attacks. They issued a description of a male white in his twenties, approximately five foot ten inches tall with a medium build and dirty blond or light brown hair. He was last seen wearing a dark green or blue jacket, dark pants and dark gloves.

## CHAPTER FOURTEEN

Victim's of the *Scarborough Rapist*, after surviving the fear of death at his hands, suffered many invasive and uncontrolled emotions. Unfortunately not all victims identified the source of their emotional break-downs and failed to make the shift into becoming, psychologically, survivors. The one thing all survivors of the *Scarborough Rapist* suffer is *Rape Trauma Syndrome (RTS)*.

*RTS* is the devastating response to a terrifying and violent attack, not just a sexual attack, but a brutal psychological attack. *RTS*, not unlike *Post Traumatic Stress Disorder (PTSD)*, is a delayed reaction to the survival of a life and death situation.

Identified in the 1970's by Ann Wolbert Burgess, RN, and Professor Lynda Lytle Holmstrom, Ph.D., Brandeis University, *RTS* occurs in semi-ordered stages (that may overlap) and while each case of *RTS* is unique, all share some basic expected responsive components.

The victim's first reaction is likely a disbelief that she actually survived the attack. Hours and days after the attack the victim may feel shock, anger, disbelief and may struggle to understand *why* someone would have raped *her*. She may laugh or cry, joke or swear or be overly emotional: she may display no emotion at all, appearing calm and composed. Any of these or other responses are normal and appropriate because *she is feeling them*.

The victim's life will be in complete disarray at this point.

Responses from victims are categorized as *expressed*, which is openly emotional or *controlled* which is detached and devoid of emotion. Either response is normal. In both cases, fear is a dominating factor. Fear of her attacker returning; fear of the night and darkness; fear of anyone that reminds her of her attacker; and fear of any stimuli that may cause flash-backs to the rape.

She may feel humiliated, confused, dirty, degraded and vengeful -or a variety of these and of other personal feelings. She may be openly hostile towards anyone physically close to her. Mood swings and depression are experienced. Anxiety attacks occur without any apparent stimuli.

Nightmares, often of her rape and rapist, cause eating and sleeping disorders. Nightmares of her rape may occasionally plague the victim for the rest of her life.

Rape or sexual assault victims may experience phantom or psychosomatic pains in and on their bodies. Other pains are real. These are normal reactions.

At this point the support of family and friends is vital. The victim may wish to talk about her rape. The victim may decide not to talk about it, feeling like she's intruding in another's life. The victim may wish close physical contact or shun contact altogether.

As days pass the victim will make changes or adjustments in her lifestyle. These may be simple such as wishing the company of many people, or drastic such as quitting a job or school or changing her place of residence. If anger turns inward, the victim may over-eat or under-eat, she may begin using harmful illicit drugs or abuse alcohol. *She may attempt suicide.*

Alternatively, the victim may continue her life, denying she was raped. Long-term denial is detrimental to the victim's recovery. Eventually the reality of her rape will come crashing down upon her and she will begin to feel the common aspects of *RTS*.

Once the reality of having been raped is acknowledged and accepted, the victim becomes a survivor. Having been raped will never be forgotten -it is a part of the survivor's life- but life does and will go on. *Such survivors are then in the RTS Reorganization Phase.*

Returning to pre-rape social patterns may be difficult or may never be fully accomplished; the survivor may not trust people, men in particular, in social settings anymore. Her temper may be short-fused and she may have spontaneous outbursts of crying.

Sex may be difficult for the survivor. Sex was used as a weapon and punishment on her. It will take time, and probably therapy, for the survivor to differentiate between rape and consensual sex. Sexual acts that she was forced to perform will be especially difficult to return to.

*On the other end of the sexual aspect of recovery, the survivor may have a constant desire for sex.*

If the survivor is returning to a pre-rape relationship, her concern's

in returning to sexual relationships will include the reaction of her partner to her. In the case of one half of rape survivors, pre-existing relationships will end within a year.

Family and friends of a rape survivor may feel victimized themselves: in fact they were. They may wish revenge. They may wish to avoid the reality of the rape. They may wish to protect the survivor, not allowing her from their sight. They may feel guilty, believing they should have been there to stop the attack. Like the survivor, they must realize the only person deserving blame is the rapist himself.

Family and friends can turn their emotions towards assisting the survivor recover. The survivor needs reassurance that she is still loved and that she did not do anything wrong -in particular, during the actual rape. *That she has physically survived the rape is evidence that she did do everything correctly: Emphasize that fact to her.*

If the family member or friend is too angry, violated or otherwise vengeful, the survivor may put her own well being aside and attempt to help that person. If this situation arises, the family member or friend should seek counselling themselves and find another person to assist the survivor.

The survivor should know that family and friends are available to listen to her, but only when she is ready to speak. She must be allowed the freedom to recover at her own pace. Keeping in mind that her rape may well have been most damaging psychologically, rather than physically, family and friends can better understand her current mental state. Family and friends may best understand the way the survivor is feeling by imagining a prior situation in which they themselves have felt trapped, powerless and afraid.

*In the case where the rape victim was a virgin, the main problem will be her first consensual sexual relationship. In addition to professional therapy, preferably with someone who has had the same experience, female support is important. Having a Mother or sister explain the pleasurable aspects of sexual relationships may help. The virginal survivor should also have the fact that she will choose her sexual partners explained and reinforced.*

Though family and friends feel a need to understand the rape in order to assist the survivor, specific probing questions should be avoided or saved for a trained therapist. Questions regarding her feelings and what she may wish in assistance are most helpful.

Finally, keep in mind that the survivor does not wish to dwell on her

rape. Encourage and allow her to discuss and interact in other functions not connected to her rape.

## **CHAPTER FIFTEEN**

One week later the *Scarborough Rapist* is stalking the streets again, his prey, young girls. Tonight Paul Bernardo is the *Grinch* and while he won't steal Christmas, on this night he will steal innocence. In a one hour attack he'll destroy another young life. In his most cruel and heinous rape to date, he will snuff out the flame of another future.

On 23 December 1987, accompanied by a male escort, Erika Paxton left a friend's house and walked to a nearby *TTC* bus stop. Waving goodbye she boarded the bus and travelled alone to her own neighbourhood elsewhere in Scarborough.

Exiting the bus, the seventeen-year old began the short walk home. Hearing the sound of someone running behind her she began to turn and look ... Bernardo raced forward and grabbed her from behind. He covered her mouth and nose with a gloved hand. His other hand rose with a knife which he held against her throat.

"Shut the fuck up or I'll kill you!"

Pushing her, Bernardo forced Erika to walk up the driveway of a nearby house. Still holding his knife to her throat he warned her against attempting to cry out.

"Shut the fuck up or I'll kill you. If you open your mouth and scream, I'm going to kill you -slit your throat!"

Erika, likely hyper-ventilating, and certainly smothering, was only trying to breathe around the glove that still covered her mouth and nose.

"Shut up," he again demanded, punching her on the back of her head and side of her face, leaving a welt under her right eye.

Tearing into her hair, he forced her to the ground, grinding her face into the dirt. Erika was on her knees. Bernardo kept the knife against her throat as he pulled her pants, long-johns and underwear down to her knees. Tears poured from Erika's eyes and gasping cries burst from her mouth.

**"I said shut up bitch. Shut up or I'll kill you!"**

**Bernardo forced her legs apart. "Slut," he said as he entered her vagina from behind. As he raped her, he ran his knife along her back. In an obscene gesture, he brought the knife to her face, lifted her pony-tailed hair and caressed her throat and cheek with the blade. He sliced into her neck and jaw, leaving small lacerations.**

**"If you scream I'll scar your face forever."**

**When she brought up her right hand to protect her face, he sliced at her wrist, leaving another thin laceration. He seized her wrist in a vice-like grip and forced it back down.**

**"I'm a bitch," she repeatedly cried, as Bernardo ordered, "I'm a cunt."**

**Erika cried out in pain as he withdrew from her vagina and forced himself into her anus.**

**"Shut up. Shut up or I'll kill you," he again warned her.**

**Erika bit down on her jacket to stifle her own screams of pain. Bernardo began alternating between vaginal and anal rape.**

**"I love .. you. Merry Christmas," she complied. Bernardo, excited by her words, not caring that they were coerced, began his attack with a new frenzied fury.**

**Paul told her he was going to rape her with his knife -and he did. He clamped a hand over her mouth and slid his knife into her vagina, slicing her uterus. In mortal fear, Erika bore the pain in silence. He pulled the knife out and rammed it into her anus then began alternating between her vagina and anus. Tiring of his knife assault, he ordered her to talk to him again.**

**"Merry Christmas," she cried as he forced his penis into her vagina again. While raping her vaginally, he reached for her purse and emptied it onto the ground. He searched her jacket pockets and rummaged through the bundle of personal belongings he'd emptied from her purse.**

**"I'm a bitch, a cunt," she repeated. He withdrew from her vagina and began raping her anally. Knife in hand again, he cut her brassière and fondled her breasts; withdrawing from her anus, he, again, began raping her vaginally.**

"I've taken your I.D. and I know where you live," he told her. "If you call the police or I see it in the papers, I'll rape and stab you to death. I have my gloves on so they're not going to know it's me."

Ordering Erika to close her eyes, Bernardo twisted her head, forcing her face to his groin.

"Suck me off," he ordered. "The sooner I come, the sooner you can go. If you try anything funny I'll stab you right now."

Moving her legs so she was sitting, she felt him take her hands and wrap them around his penis. "I'm doing this because I hate my boyfriend," said Erika, as ordered. He pushed her head down, forcing his penis into her mouth. As she was forced to perform oral sex on him, she paused several times at his behest.

"Merry Christmas," she said. "This is my present to you."

"If you open your eyes I'll slit your throat," he warned, then ejaculated into her mouth.

He withdrew from her mouth. "Swallow it all," he commanded.

Bernardo grabbed her pony-tail and, pushing her head, he ordered Erika to lay face down in the dirt. He pulled off her underwear and pants, then used her underwear as a gag. He wrapped her pants around her eyes and face; letting the legs fall behind her, he used the pant legs to bind her hands behind her back. He cut a lace from one of her boots and used it to secure the pants to her wrists.

Bernardo gathered her wallet, identification documents and photographs, and fled on foot.

When police arrived on the scene of the attack, they retrieved a mould of Bernardo's shoe print. The print would be matched to one left on the scene of another sexual assault one year later.

In the weeks that followed, Erika suffered great pain as a result of cuts to her vagina, anus, neck, back and bruises that covered most of her body. She began, and continues, to suffer migraine headaches, possibly as a result of the trauma to her head.

Nightmares began and sleep became difficult. The physical scars of Bernardo's assault would fade, but the emotional scars were forever

branded into Erika's mind. Growing depressed and fatigued, she lost her appetite.

Anger, fear and distress led to a pattern of self-isolation. Erika became distrustful and anti-social. Frightened at the thought of meeting new people, especially men, she was forced to move into an all female, government assisted high security dwelling.

Erika remains frightened at the prospect of travelling after dark: Footsteps behind her cause uncontrolled flashbacks and panic. Eight years after being raped by Paul Bernardo, Erika said: *"In every aspect of my life, this assault has had, and still remains a dramatic effect on everything I feel and do. Nothing in my life has ever been the same since it occurred, and I doubt if it will ever change. I feel that this nightmare will never end."*

The day following Erika's rape, *Police appeal to rapist to surrender and get help*, was the headline of a *Toronto Star* newspaper article. Insp. Wolfe said police suspected the same man was responsible for at least four known sex attacks. "He obviously needs help, and if he surrenders we can see that he gets it." Insp. Wolfe also warned women against walking alone at night. "It is unfortunate that a woman cannot walk the street in safety, but caution is needed." Insp. Wolfe and Staff Sergeant Wilson Mercer asked that anyone with any information regarding the sex attacks call police, even anonymously.

Police issued *Neighbourhood Watch* programme coordinators hundreds of copies of a bulletin describing the rapist. Women were also warned to arrange for someone to meet them at bus stops if they had to travel alone after dark.

To the media, Paul Bernardo was now known as *The Scarborough Rapist*.

At the actual crime scene, investigators, assisted by a detailed statement from the victim, will collect evidence such as clothing fibres, hair, skin or blood and other body fluids. Other evidence might include finger or shoe prints and impressions.

The crime scene itself is another clue to the personality and class of rapist. Investigators will assess the condition and location of the crime scene to determine if the attack was planned or spontaneous. Did the rapist remove the trace evidence they are seeking or simply flee, uncaring of

evidence left behind.

Crime scene investigators then send information and evidence to crime specialists for further analysis.

While criminal profiles of the rapist are prepared based on a variety of written reports, physical evidence is examined by scientists. Hair and body fluids will be used to form a *DNA* pattern (a genetic blue-print, unique to all persons except identical twins). The *DNA* pattern will, later, be compared with the *DNA* of rape suspects.

In order for the required tests to be completed with success and with all haste, investigators must work closely with forensic scientists. Investigators can assist by speaking to the scientists before they begin collecting evidence. They should know exactly how the scientific investigator prefers evidence to be collected, stored and submitted. A complete verbal and written report should accompany the evidence. The scientist should be informed of the importance of the test results and, if any, the need for immediacy. An intimate relationship between crime scene investigators and forensic scientists will ensure the scientist is fully informed of progress in other areas of the investigation -including the level of apprehended danger posed by the rapist being hunted. A fully informed forensic scientist can prioritize tests based on the critical need of investigators and the immediate dangers to public safety.

When investigators have actual suspects, they will attempt to obtain samples of the suspect's blood, saliva, and twenty samples each of the suspect's head and pubic hair.

Again, when submitting these samples to forensic scientists for comparison with samples obtained from victims and crime scenes, full and open communication must be maintained. Only then can the scientists prioritize the required tests.

## **CHAPTER SIXTEEN**

Karla's next writing to Paul was her *Christmas Wish List*. She asked for *Giorgio* perfume, a gold watch, a jacket and a stuffed animal -a bear she named Bunky.

Her final wish was "A life time commitment."

"He bought me all kinds of stuff. A three hundred dollar Christmas dress, a gold chain and an expensive stuffed animal ... all kinds of things and just totally swept me off my feet."

The rest would come later.

Karla gave Paul a Christmas coupon. It stated: "Upon presentation of this coupon, Karla Leanne Homolka will perform sick and perverted acts on Paul Kenneth Bernardo. These acts may be chosen by the recipient of the coupon. This coupon expires midnight on January 2, 1988."

## **CHAPTER SEVENTEEN**

In January of 1988, Dayle Coltin sat across the table from Metro-Toronto police Sergeant Kevin McNiff. He is the Father of one of Dayle's friends and Dayle was seeking his advice on the return of monies owed to her by Paul Bernardo. During the conversation, Dayle told Sgt. McNiff that her ex-boyfriend, Paul Bernardo, was cruel. He was angry and mean. Though the conversation was unofficial -a casual conversation during a meal- the astute sergeant realized the man Dayle was describing could be the *Scarborough Rapist*.

Sergeant McNiff would later say that his assumption that Paul Bernardo was a good suspect in the Scarborough rapes was obvious. He said Dayle described Bernardo as manipulating: he dominated their relationship; he liked violence; he liked to carry a weapon; he seemed to have a fantasy to rape; and he lived in Scarborough. His age and physical description also fit the active profile of the *Scarborough Rapist*. Though not a member of the *Scarborough Rapist* task force himself, the sergeant contacted an investigator who was a member, then filed an official report based on his memory of the conversation.

### **METROPOLITAN TORONTO POLICE SUPPLEMENTARY REPORT**

**SEXUAL ASSAULT**

**Jan. 5th 1987**

Possible Suspect:

Paul Kenneth BERNARDO, 24 yrs. 21 Sir Raymond Dr., (Guildwood & Galloway). M/W, 6", 180 lbs. Light brown collar length hair, clean shaven, mole under nose. Slightly crooked nose. Unknown eyes. No accent; no scars/tattoo. Wears: right hand gold ring with 3 diamonds; possibly a high school ring with red stone. Drives: White Capri; unknown license. Knife: stiletto type (blade not folding) in dark leather case.

INFO FROM:

Sgt. McNiff 2753 of 52 Division (Island Station) Local 2035 ... Dayle Coltin, 18 yrs.

Ms. Coltin is a daughter of friends, and as a result of the information detailed in the following supplementary, asked to see the writer to obtain advice. Her desire was to learn how to end the relationship, and to get some money back that was owed. It was the writer who linked the aforementioned person to being a suspect to the sexual assaults, rather than any revenge factor in Ms. Coltin.

NOTE: Details are sketchy -the writer was not taking notes and was not speaking to Ms. Coltin from the point of view of a police officer.

In the early part of 1987, Dayle Coltin met and started dating Bernardo. They had a normal relationship with, probably, sexual relations, though this was not stated by Coltin.

Bernardo is described as manipulative and aggressive. His behaviour progressed from gesturing to slap her in a joking manner, to threatening to do so, to giving her light taps, which became harder and harder.

On at least one occasion in November, when they were in his car, he wanted her to have sex with him. He pulled out the knife, and wanted to have an orgasm while he held it to her throat: she states she did not have sex with him this way.

In late November, the two were out for the evening, and on the way home, he drove to an isolated factory area. He had been smacking her, and yelling at her. They had an argument, and Ms. Coltin wanted to leave the car, but he wouldn't let her. He worked himself into a frenzy, and was looking for the knife, but didn't find it. At one point, he started talking to himself, and banging his head on the steering wheel saying: "Why do I do this, why?" She got out the car and hid from him. He spent some time looking for her, making promises and threats. She wandered until she found the home of a friend. This was the last time she saw the man. (Prior to the final escape, she had gotten away once, he had caught her, punched and kicked her and rolled her in the mud bringing her back to the car.)

On an earlier occasion, Bernardo had driven Coltin and her girl-friend to a house in Markham, the home of the Van Smirnis. The girls were taken to the basement of the home, where two other young men were waiting: the girls thought they were going to a party. It is this officer's opinion that the men had the intention of having group sex. It was only that the girls wanted to get out (despite threats and assault) and the fact the Mother of the house was awoken that this did

not occur.

Ms. Coltin asked this officer for advice. Despite having been taken to Scarborough General twice for injuries, she did not want charges laid. Her main desire was to have money returned to her she had lent to Bernardo; further she was afraid he would come back and force himself on her. To date, he has not done so.

For purposes of your enquiries, from Ms. Coltin's statements, the parents of Bernardo and Van Smirnis do not seem like normal parents in that they allow things to go on in their homes that normal parents would not. Bernardo is negative on *CNI*, *CPIC*, *MANNIX*<sup>6</sup>.

On Occurrences:

1) Mischief Under - Sept 29/87, #128464/87, 43 Div, PC 495 Suspect, Kourtney Hatcher, went to his house (Ms. Coltin was inside) and broke his windows believing him to be two-timing her. Obviously he was.

2) Assault - Mar 14/86, #30997/86, 43 Div., PC 1485/495 Suspect punched him in the face, telling him to stay away from suspect's girlfriend (this is what Bernardo told Coltin).

3) Assault - Jul 26/86, 55 Div., #96411/86 Bernardo, Van Smirnis, and another person were assaulted. Writer has no details on this matter.

Sergeant McNiff's report was mistakenly dated 5 January 1987 rather than 5 January 1988, but that wouldn't matter because the report disappeared into a what was later termed *a black hole*. The three page McNiff report was received by the *Scarborough Rapist* task force on 22 January 1988. It isn't known if the report was immediately read, but at some point it was attached to an index in the file of the investigation into the 23 December 1987 rape of Erika Paxton and forgotten for nearly three years.

It would be five years before the report was again re-examined and Sergeant McNiff was contacted regarding Dayle Coltin. The contact was made after the arrest of Paul Bernardo.

Dayle, obviously uncomfortable in speaking of her sexual relations

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<sup>6</sup>CNI, CPIC and MANNIX are police data bases which were available to Sergeant Kevin McNiff.

with Bernardo, did offer Sgt. McNiff enough that he believed the information was valuable and in 1993, Dayle would fill in the blanks. Sergeant McNiff's instincts are remarkable and his efforts commendable. One can only speculate the possible outcome had Sgt. McNiff's report been seriously considered and a contact made with Dayle Coltin in 1988 -before another nine women fell victim to the *Scarborough Rapist* followed by another seven in the St. Catharines area, including three deaths, and at least one rape in Florida, U.S.A. (These numbers include only the women who reported being attacked and of murders solved. It is not unreasonable to suggest that Paul Bernardo committed many more crimes. In fact, an August 1990 U.S. report by Koss, Woodruff and Koss, *A Criminology Study*, suggests that only 7% of all rape victims report the crimes to authorities.)

The new year began with another card from Karla: The verse of the 1 January 1988 card read: 'You make me laugh -now make me scream!' Inside, Karla added: "Isn't love wonderful? Let's stay together. Love Karla. I'm yours forever." Another message that same day read: "Paul, I miss you. TONS. I can't wait until we're together again. Your Furry Little Creature." The next day: "I love you. Please don't stop loving me. Karla."

"Furry Little Creature," defence lawyer John Rosen suggested, had a dual meaning. Her permed curly hair in public; her pubic hair in private. Karla denied the suggestion, saying it was because her hair tickled Bernardo's nose.

It was around this time, argued John Rosen, that Paul became aware that Karla wasn't a virgin when they first met. He argued that Karla had deceived Paul, allowing him to believe she was a virgin. "It hit him like a bolt of lightning. He got very upset with you," suggested Mr. Rosen. Karla denied the suggestion. Karla's next letter to Paul indicates, perhaps, she was less than truthful with him and that she lied on the stand, under oath.

On 7 January 1988, Karla wrote:

"Dear Paul,

I feel I must write this letter, although I have said it all over the phone. I am so sorry for what I have done. I hate myself. I know I don't deserve it, but I am begging for another chance. I wish you could find it in your heart to love me again. Hearing you say 'I don't love you any more' was one of the worst moments of my life. Then there was 'I don't want you.' I only pray I don't hear the final 'I'm breaking up with you.' I love you so much, and I wish to God you could

believe me.

I know I don't have the right to ask you to. I guess I've really screwed things up. The best person -the only person I ever loved- in my life and I deceived and hurt him. I hate myself for that. Part of me wants to let you go. Oh, you deserve someone perfect -someone who is truly yours. But there are no perfect people in this world. You may find your virgin, but there will be something wrong with her. I know many -no- all of the girls have said this to you but nobody will ever love you as much or as intensely or as deeply as I do. After you, there could never be anybody else. You are such an incredible man, no one else could come close. I couldn't even attempt to find someone to replace you. And I won't. You have captured my heart, my life -and it will be yours forever.

I am telling you the truth. I wish to God I wasn't such a stupid idiot. I'll pay for the rest of my life for what I've done. If you can find the slightest bit of love or forgiveness, please hold onto it. We can rebuild our relationship. I can be the perfect girlfriend if I only try hard enough. Please, please give me another chance to. Thinking of you in another girl's arms tears my heart in two. I want to die when I imagine my life without you. Whatever could I do or be without you by my side? I need you so much. You told me that coming clean now would be much better than having you find out later. I only thank God I told you now. If this is better, I hate to think what it would have been like later. In the past I might have wished that I hadn't told you. Not now."

On 11 January 1988, Karla wrote: "You're a dream come true! I love you. You're the best. I love you with all my heart, you big bad business man." Four days later Karla sent another card. The 15 January 1988 card had the pre-printed verse: 'Life is brief and fragile ... do what makes you happy.' Inside, she wrote: "Whatever you do, I'm behind you all the way."

They made their peace.

One month later they were fighting again. Karla was demanding sex from Paul. Paul, because Karla had *shingles*, an infectious disease, said no. Karla sent Paul another card, apologizing for being inconsiderate.

Paul, at Dorothy Homolka's suggestion, began staying overnight during his weekend trips to St. Catharines. He was falling asleep at the wheel during the long drives. Dorothy offered him the couch. It was around this time, according to Karla, that Paul began a long process of conditioning her to serve as his sex slave.

Paul came to call Karla's parents Mr. and Mrs. H; they called him their weekend son. As he spent more time in St. Catharines, Paul became close to Karla's younger sister, Tammy. One report suggests Paul was fiercely protective of her and once tried to discourage a young man who had romantic designs on her.

"He changed very slowly," Karla said. "He was still treating me well in the first few months then he started to exercise control over me."

Paul, she said, began choosing her clothes for her. No longer was she allowed to wear mini skirts, ballet shoes or boxer shorts with tights. Instead, she wore preppy clothes, such as button down shirts and *Polo* sweaters. He wanted her to grow her hair and stop perming and dying it. He restricted her after school activities, prying her away from her friends, especially male friends. Karla said Paul agreed to the same restrictions he asked of her, so she complied. "I thought that was fair," she said. (Karla's parents, according to court testimony, approved of the positive changes in their daughter's life.)

Paul felt Karla's friends were immature so he encouraged her to stop associating with them. "I grew apart from a lot of them," she said. The couple did what Paul wanted, said Karla, and she said alcohol consumption was a means of subjugation.

"He would take me out to restaurants for dinner and encourage me to drink before dinner, during dinner and after dinner. He brought alcohol to my parents house and he was always encouraging me to drink."

On 14 February 1988, their first Valentines Day together, Karla wrote a love coupon for Paul. It read: "Upon redemption of this coupon the bearer will receive one cute little blonde seventeen-year old to put on her knees between his legs to pleasure him like he has never been pleased before. This coupon is good from now until forever. No limit on redemptions."

Until, in court, faced with this coupon, Karla claimed Paul forced her to perform fellatio. Once confronted she admitted he only encouraged her to do so.

## **CHAPTER EIGHTEEN**

The *Scarborough Rapist's* attacks grew in ferocity.

Shortly before midnight, on 18 April 1988, seventeen year old Crystal Bradley exited a *TTC* bus and began walking home. As she passed a tuft of bush, Bernardo exploded from them, grabbed her by the throat and dragged her backwards into the same bushes.

Crystal kicked and screamed.

Bernardo covered her mouth with his hand. His familiar knife came to rest against her throat.

"I'm your friend," he said. "I know you. Just shut up. Shut up or I'll hurt you .. kill you."

Crystal continued to struggle and scream.

"Shut up. Shut the fuck up or I'll kill you. Shut up! Shut the fuck up!"

They continued to struggle. A passing car slowed to examine the battle of wills and brawn. Tragically, Toni Dreshner thought she was witnessing a play fight between a courting couple. Toni continued driving. Brawn won the battle.

As he dragged Crystal behind a nearby house, he beat her into unconsciousness. As she collapsed, he yanked her back up. "If you try that again," he said, "I'll kill you!"

"I'm going to teach you a lesson for being so stupid."

Bernardo forced her to her knees and pushed her face to the ground. "Don't try anything," he said while unfastening and pulling down her pants. He, from behind, slid his penis into her vagina, perforating her hymen.

"Are you a virgin?"

"Yes."

"Do you have a boyfriend?"

"Yes"

"Have you ever had sex with him?"

"No."

"Liar. Have you ever been fucked up the ass?"

"No."

"Well, you're gonna be," he whispered.

Bernardo withdrew from her bleeding vagina and forced himself into her anus.

"Do you like it?" he asked. "Tell me you like it," he demanded.

Bernardo continued raping her, alternating between her vagina and anus. "You dirty bitch," he said, running his knife up and down Crystal's back. "Tell me you love me .. say it," he demanded.

He brought his knife to her eye, then to her throat.

"I love you."

"... and?"

Face bruised from his fists and sliced from his knife, her left temple swollen, her back and waist lacerated and bruised, Crystal wanted only to survive: She complied.

"I like it. I love you and I like it."

When he asked where she worked and what her name was, she lied. Rummaging through her purse he found her identification.

"Your name is really Crystal," he said, likely amazed that she'd still had the will to lie to him. He pocketed her photo *TTC* identification card and other cards with her name or picture on them.

He removed her shoes and socks. He used her socks to gag her and tied her pants around her face, blinding her. While Crystal lay prone and

helpless in bondage Bernardo committed an act of callousness and unnecessary brutality, he proved that while he may wear the guise of human skin, he is not a human being. He took Crystal's arm, and, placing his full weight between her elbow and shoulder, he pushed down. Crystal heard a snap. Her left humerus, the bone of the upper arm, was fractured.

He pulled her coat down over her arms -one useless- and tied the sleeves together, creating a makeshift restraining straight-jacket. "Tell me what a pig you are," he demanded.

(At some point the make-shift gag was removed or fell loose.)

"I'm a pig; a dirty bitch," she said as commanded.

"That's right, and stupid too. You're stupid because I followed you home once before!"

Grabbing a handful of dirt, he rubbed it on Crystal's face and in her hair.

"I know where you live and I know where your friends live. Now start counting backwards ... count for five minutes," he said then ran away. Forty-five minutes after her attack began, Crystal freed herself, dressed and ran to her parents home. Her parents called for help. Police arrived and, in the early morning hours of 19 April 1988, Crystal was taken to Scarborough's *Grace Memorial Hospital* for examination and care. A sexual assault kit -a kit now in regular use at this hospital- was completed.

Crystal spent the next year in her home -unable to venture outside. She still has difficulty spending any time, even during the day, alone. Noises at night cause immediate fear. A guard dog patrols her home while she lightly sleeps -when she can manage to fall asleep.

Nightmares, waking and sleeping, haunt her. Crystal's personality is forever changed. She is withdrawn, depressed and has lost her self-esteem and self-confidence. Anger and frustration engulf her for no particular reason, causing hurt to her family and friends. Relationships elude her and it was six years before she could trust enough to have a relationship with a man. Seven years after being raped by Paul Bernardo, Crystal said: *"Your early twenties are supposed to be some of the best years of your life, for most people these years are fun and carefree, however, my attacker robbed me of these years. For me, my early twenties were not in the least enjoyable because of what my attacker did. Knowing all that this man has done makes me feel such profound emotions that I cannot express them with words. It*

*saddens my heart and tears at my soul, knowing that humans are even capable of doing what he has done. This man has no heart, no mercy and no soul. I pity the pathetic being that he is; for him, life must have no meaning."*

Following the assault on Crystal Bradley, police announced that more officers were being added to a task force investigating the *Scarborough Rapist*. Sergeant Wilson Mercer issued a brief statement and asked the public to report any suspicious persons or cars. "We're certain it's the same guy. We're putting more men back in, and we want to hear from anyone who might have any information, no matter how insignificant it seems."

*"A criminal leaves evidence of his personality through his actions in relation to a crime. Any person's behaviour exhibits characteristics unique to that person as well as patterns and consistencies which are typical of the 'sub-group' to which he or she belongs." -Dr. David Canter, U.K.*

When searching for a criminal, especially a violent serial rapist, police often turn to a technique referred to as criminal profiling. The criminal profile, also referred to as a psychological portrait or criminal investigative analysis, does not reveal the identity of the rapist. Rather, it provides and categorizes the rapist and profiles the type of person the rapist may be. The criminal profile assists investigators by allowing them to focus on a specific type of person likely to be the rapist they seek. Also, by knowing the type of rapist they are hunting and how he carries off his attacks, police can give the public specific information such as areas to avoid and any precautions they may take in avoiding an attack.

Referred to as the Father of criminal profiling, United States (U.S.) psychologist, Dr. James A. Brussel theorized that by studying a criminal's particular behaviours, investigators could predict how that criminal may act during the commission of future crimes. Dr. Brussel's successes in profiling violent criminals date back to 1957. However, the use of psychological profiling dates back to WWII. Victory for allied forces was imminent: The *Office of Strategic Services (OSS)* wanted possible reactions on the part of Adolph Hitler. U.S. psychiatrist William Langer began to form the profile. Dr. Langer published the results of his profiling attempts in 1972 (*The Mind of Adolph Hitler*). Following the end of WWII, in 1947, the remnants of the *OSS* were transformed into the *Central Intelligence Agency (CIA)*.

In the nineteen seventies the U.S. *Federal Bureau of Investigation's (FBI)* academy in Quantico, Virginia, was named the site for the *Behavioural Science Unit (BSU)*. *BSU* agents formulated a system gathering information that would allow criminal psychological profiling.

What emerged was a system whereby forensic investigators would study reported evidence from crime scene investigators, reports from victims and witnesses and reports from psychiatrists and psychologists. While the selection of a victim may seem random, it is not. The rapist chooses his victim based on characteristics which are of significance to himself. The profiler studies crime scene investigative reports regarding similarities and differences between each of the victims. This study may lead to clues regarding the rapist's motive for his choice of victims, the motive for his rapes or information about himself.

Eventually, after careful analysis of all information available to him, the forensic investigator compiles a psychological profile of the wanted rapist. Information in the profile might include probabilities such as occupation; gender and age; physical size; sexual preferences; social behaviours; home and car, and condition of each; choice of clothing; marital status or with whom the rapist is likely to live; the possibility of a criminal record; behaviour around the time of known attacks; and any expected history of past sexual deviancy.

The task force investigating the *Scarborough Rapist* attacks asked a forensic psychologist to review their files and attempt a criminal profile of the man they hunted. Dr. Graham Glancy, of the *Clarke Institute of Psychiatry*, said the *Scarborough Rapist* falls in the predator category with an animal cunning that is very sinister.

"Such individuals enjoy the threats, fear and violence that go with the rape. Commonly, the more he gets away with it, the more he enjoys it." The predator rapist prowls and stalks, is clever and quite intelligent. "Some consideration and planning has gone into what he is doing," said Dr. Glancy.

## CHAPTER NINETEEN

The next letter Paul received, on 27 April 1988, was a crude invitation to visit Karla before she turned eighteen.

"Dear Paul,

I just called you but nobody's home, at least nobody answered. Where are you? Who are you with? What are you doing? Those are the questions burning in my mind. I want to talk to you so badly (and much more than that I want to see you). I ache to be with you. It is Wednesday at 9:16 p.m. Just think -if this were any other normal week we'd be together right now. How I wish we were.

Guess what? My parents are going to a dance tomorrow night. They'll be going for a long time. Want to come over and play. I know, I know. We have to learn to work together as well as play together. How does a 50-50 mixture sound to you? Okay, 60-40 (work to play?). Sounds good to me! Please say yes. Please. Please. Please. Please! I'm on my knees begging, begging in the way you love most.

You know, there's only one short week for you to enjoy your cute little 17-year old girlfriend! Better take advantage of it (and her) while you can. And how can you resist your cute, cuddly furry little creature, your adorable little rat<sup>7</sup>, your sweet little Karla-Curls, your very own little fantasy, your loving princess, calling to you, begging on her hands and knees to come and spend a short few hours with her? You can't, can you? I didn't think so.

You know what I love? Having you make love to me on my bed room floor with my parents in the next room. Having you ram it inside me, making me gasp for air. Having us united spiritually and physically as one. You turn me on so much, Paul. Just thinking about you and your perfect body excites me so I can hardly stand it. Oh your strong chest, your muscular arms, your beautifully shaped legs, your hard flat stomach, and Snuffles<sup>8</sup>, oh Snuffles. The pleasure I get from touching, from licking, from sucking. Snuffles is indescribable. I love him when you shoot it into my mouth. I want to swallow every

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<sup>7</sup>Karla explained why she called herself his "little rat". "I had a rat as pet and when I worked at the pet store I used to carry a little rat around my shoulders so he started calling me his little rat."

<sup>8</sup>Snuffles was the couples pet name for Bernardo's penis.

drop and then some. And seeing you in your suit does incredible things to me.

The power you wield over me is indescribable. Sometimes when you come directly from work and we sit on the couch together I have to use every ounce of my strength to keep from ripping off my clothes, from begging you to have mercy on me and make love to me. You make me so horny. There's just something about you. Paul, when you caress my face and my body you send shivers up and down my spine. My whole body tingles with your touch.

How can I love you so much? I do love you such an incredible amount, an amount I never thought possible. In fact, the words 'I love you' don't even come close to expressing my full feelings for you. With you in my life I feel complete. I feel whole. With you by my side, I know that nothing can go wrong. You have done so much for me Paul -you have taught me what love really is. You have opened my eyes to a new way of thinking and being. I am so happy to be. I love you, Karla. XOX."

On 5 April 1988, a card from Karla read: "Tell Snuffles I have a surprise for him the next time I see him."

Karla celebrated her eighteenth birthday on 4 May 1988. Paul gave her a diamond promise ring.

Paul gave Karla a birthday card, writing inside: "Karla, Happy eighteenth birthday!!! ... to someone who gets cuddlier every year. That's you, my little rat. My eighteen year old little girl! My honey-bunny. My little \_\_\_\_\_. My Karly Curls. My little \_\_\_\_\_. Blanks to be filled in. My little \_\_\_\_\_. Verbally only. My little fantasy. Lot's and lot's of love. Your hero and mine, Paul Bernardo."

The blanks, Karla said, were names they used during sex. They represented: My little cock sucker; My little cunt; and My little slut. He liked her to say those names in that order, she said, while they had sex.

Karla sent Paul her own card. "I love you tons, big, bad business man. Happy nine months. Love, your lonely little girl (when you're not here)."

On 25 May 1988 the *Scarborough Rapist* again trolled darkened streets for prey. On this occasion, however, Paul Bernardo would become the prey.

Searching for the dreaded *Scarborough Rapist*, a uniformed Metro investigator, on stake-out at a *TTC* bus-stop, noticed Bernardo hiding under a nearby tree. The investigator began a foot pursuit but lost the fleet-footed rapist.

A pre-printed card Karla sent on 18 June 1988 read: 'Sticks and stones make break my bones but whips and chains excite me.' Inside she wrote: "Only you know how much."

Karla's cards were usually signed: "Your little rat;" "Princess;" "Your furry little creature;" or, "Karly curls."

On 28 June 1988, she sent another card in which she again tells him a sordid tale of what she'd like to do to her big bad business man. On 5 September 1988, she assured him she was exercising as she'd promised.

## **CHAPTER TWENTY**

While investigators searched for the *Scarborough Rapist*, pouring through tips and data, reading psychiatric reports and preparing a file for the *FBI*, Paul Bernardo was out of town.

Perhaps he was trying to confuse or evade investigators following his close call with police, or maybe he was just passing through town, but on 30 May 1988, Bernardo went on the prowl in Clarkson<sup>9</sup>. At 1:30 a.m. he spotted eighteen year old Danielle Collins as she walked home.

Danielle noticed a man was following behind her. Seeming to disappear, he re-appeared, popping up beside her: "Where's The Ports?" As she turned to answer him, he reached over her shoulder and placed a hand over her mouth. He twisted her around so that her back was held against the front of his body.

"Don't scream bitch; I'll kill you."

Danielle couldn't scream but she pried at his hand to rectify that. When she saw that he held a knife in his other hand, her struggles ceased. Bernardo dragged her to a wooded area at the bottom of a dead-end road. He threw her to the ground; she landed on her back.

"I'm going fuck you bitch."

Waving his knife before her, he ordered her to put her hands behind her neck. He pulled her shirt and sweater up over her face and lifted her brassière above her breasts.

"Keep your mouth shut ... keep quiet or I'll kill you."

He scraped his knife up and down her body as he continued his threats to kill her. Reaching down he opened her pants then pulled them, along with her panties, down to her ankles.

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<sup>9</sup>Scarborough, Ontario, is located on the far eastern outskirts of Greater Metropolitan Toronto. Clarkson is located on the far western outskirts. Scarborough and Clarkson are approximately ten miles apart from each other.

"Turn over," he ordered. He lifted her, forcing her into a position on her knees with her face against the ground. He entered her vagina from the rear and began beating her as he raped her.

"You're pissing me off. If you keep it up I'll kill you."

Perhaps angry that he'd already terrorized and terrified her into submission, or angry at her continued cries, he slammed his fist, again and again, into the back of her head.

"I'm serious you little slut ... I'll kill you."

He grabbed her head and began bashing it on the ground; when she cried out in pain he threatened her further.

"Shut up! Shut up!" Bernardo demanded, his vaginal rape continuing. "Tell me you like this. Tell me you love me," he ordered, acting like a rabid animal and sounding like an angry spoiled brat. Danielle, in real fear for her life, complied.

That wasn't enough though.

He poked his knife at her back.

"Don't piss me off bitch."

Bernardo withdrew his non-functioning penis from her vagina and forced it into her anus. "Tell me that you're a little slut," he pitifully ordered.

"I'm a slut," Danielle complied. "I like it and I love you."

Like past rapes, Bernardo began alternating between vaginal and anal rape, and like past rapes he was ineffectual, unable to orgasm without violence and threats. He began beating her again -and he became angry at her cries of pain.

"I'll kill you, you bitch, if you don't shut up."

He finally managed to reach an orgasm then began removing the remnants of her clothing.

"I should kill you." he said as he began tying Danielle's legs together with her pants. Using her belt he secured her hands behind her back.

In only one half of an hour he'd managed to destroy another future. Grabbing a handful of grass he ground it on the back of her body. "You'll have to find your clothes if you want to leave," he said. He gathered her clothes. "If you call the police I'll kill you," he warned, then hid her clothes and fled into the darkness.

Battered and beaten, mouth grossly swollen, scratches and abrasions covering her from neck to ankles, Danielle gathered herself and flagged down a passing car. In luck for the first time that early morning, it was a police vehicle. Danielle was taken to the Mississauga Hospital for treatment and examination. A sexual assault kit was completed.

Danielle had seen his face and her description of Bernardo was the best yet, unfortunately, it wasn't the *Scarborough Rapist* investigators directly receiving it. Danielle described her attacker as a male white, eighteen years of age, five foot ten and one hundred and seventy-five pounds with blond hair below the ear. He wore a black leather jacket, blue shorts and a white tee-shirt.

Following her rape, Danielle suffered the same nightmares, eating disorders and sleeping problems as Bernardo's previous victims. Danielle felt guilt. Rage. Danielle wanted revenge, to get even. Awash in these feelings, and unable to gain revenge, Danielle attempted suicide. Danielle, like Bernardo's previous victims, went on to make wrong life choices -choices they feel they would not have otherwise made.

Eventually Danielle married and had a child of her own but the pain and fear and guilt never left her. Unable to deal with someone actually loving her, her marriage ended. Her husband, by mutual agreement, took custody of their daughter. They both knew that she was too un-focused to care for a child.

Danielle has no close friends, she flees from any personal happiness. Seven years after being raped by Paul Bernardo, Danielle said: *"Sometimes I still wonder why he left me to live because every single nightmare I have of him, I remember these words he said as he was thrusting his penis inside of my rectum. 'Shut up or I'll kill you.' I should have screamed so that he would have no choice but to kill me."*

Investigators from the Peel Regional Police Force contacted Metro investigators involved in the search for the *Scarborough Rapist*. At 43 Division, Sergeant Wilson Mercer briefed Peel Regional Police investigators of their own ongoing investigations and opened the *Scarborough Rapist* files

for Peel's Detective Gerry Heagle. Investigators with both forces noted strong similarities between *Scarborough Rapist* attacks and the Clarkson rape. It was concluded that the attacks were carried out by the same man.

Sergeant Mercer and Sergeant Tallon warned the public that the *Scarborough Rapist* may have raped elsewhere but he had not, they were sure, abandoned the area of his previous rapes and sexual assaults. Both sergeants warned Scarborough residents not to let their guards down in a sense of false security thinking the rapist gone.

Metro investigators, following the Clarkson rape, were ready for assistance: Information on all known rapes, including the recent 30 May 1888 attack, was forwarded to Quantico, Virginia for *FBI* analysis.

It was late Spring or early Summer of 1988 and Paul wanted to expand his sexual activities with Karla.

"He wanted to perform anal intercourse on me. He told me that I wasn't a virgin for him. This would be a good way to make up for it. And that he had never done it either and this would be something that he and I could do together that neither of us had ever done with anybody else."

Karla said she didn't enjoy anal sex, finding it painful, and so Paul began using it as a form of threat and punishment.

Karla said Paul first hit her while on a drive to Lake Gibson.

Lake Gibson was an early place of privacy that Paul and Karla used to have sex in his car. On one trip, while turning from Highway 406 to the St. David's Road exit to the lake. They were arguing. Paul turned and slapped Karla across the face. The pair were mortified. Karla was totally shocked. Paul pulled the car to the side of the road and began crying. "I didn't want to do that," he sobbed.

Karla said she felt guilty -that she'd brought it upon herself by arguing. It was early Summer in 1988. "He started physically abusing me," Karla later stated.

Paul denies the allegation. He testified, at his own double-murder trial, that Karla had her own agenda for claiming physical abuse. (Karla, of course, by then, did have her own agenda. Most observers, however, believe the abuse did occur.)

## CHAPTER TWENTY-ONE

In terms of future safety and the need to quickly capture the serial rapist, one of the most important informational measures available to investigators is the class and category in which the sought after rapist fits. Rapists are classed in groups and sub-groups and classes. These categories have evolved through the scientific study of past investigations and by interviewing convicted rapists and serial rapists. Knowing the group and class of rapist being sought is a powerful tool for investigators, in particular, when it is time to interview possible suspects.

It is important to note that every rapist is unique and may not fit all expected patterns of his classification. Indeed, some rapists will exhibit expected patterns from all known classes and sub-classes of rapists.

The two main classes of rapists are *power* rapists and *anger* rapists.

Power rapists use conquering rape as a means of establishing and confirming that they have authority. They feel themselves as inadequate and lacking in strength and authority. These rapists capture, control and conquer. They find their masculinity in the act of rape.

Anger rapists use degrading painful rape as a means of retaliation. Some may only achieve sexual orgasm by means of such rape. Their rapes are a discharge of anger and rage and are accompanied by unnecessary physical and psychological brutality. They use sex as a weapon to degrade the victim.

Each of the power and anger rapist categories branch into two sub-categories. The *assertive* rapist and the *reassurance* rapist.

As the scale tightens, assertive and assurance rapists are classified as the sub-class *power assertive rapists* and *power reassurance rapists* and *anger retaliatory rapists* and *anger excitation rapists*.

The power assertive rapist usually exhibits the traits of a psychopath -the rapist knows exactly what he is doing, he knows it is wrong and he simply does not care. The rapist feels himself a man's man. While they appear to

like women, they deem them inferior. Approximately 12% of all rapists fit the sub-class of power assertive. Expected early sexual deviancy includes obscene telephone calls and indecent exposure. In keeping with their macho images the rapist is likely to drive a flashy sports car. They may fish and hunt, seeing these activities as manly. They are probably athletic and in good physical shape. They may play hockey, baseball, football or other men's sports.

The rapist is likely socially out-going and self-confident, sometimes meeting his victim's in singles bars. They can be date rapists, may con their victims into a situation where they can rape them or they may attack by quickly sprinting towards and over-powering the intended victim.

Power assertive rapists use force, usually in excess of that required to subdue and control the victim. Their rapes are infrequent, with no clear pattern, and often occur in the evening and away from their own homes.

Acting in anger, they terrorize the victim, swearing and cursing at her. They threaten to kill their victims and use any means to dominate and degrade them. They rip off the victim's clothes and are not easily sexually satisfied, experiencing trouble in reaching an orgasm. They spend a great deal of time with their victims. Not recognizing a woman as their equal, the rapist will do whatever they wish to the victim; it does not matter how much the victim fights, they are unrelenting. Their attacks usually include vaginal, anal and oral rapes.

The power assertive rapist is intelligent; they will evade investigators for months or years. Their attacks become progressively violent.

The power reassurance rapist needs reassurance of his own feelings of sexual inadequacy and a lack of masculinity. They take care and time to choose their victims. While stalking or raping, they will fantasize that they are dating or are married to the victim. Approximately 80% of rapists fit the sub-class of power reassurance.

They select victims around their own age and use little force in capturing and controlling the victim. If they carry a weapon it may be used in gaining control, but they are not likely to actually use a weapon. They do, though, become more confident and violent each time they rape. They may rape as often as once a week, usually in early morning hours, and stay close to their own homes, walking to the crime scene.

They choose vulnerable victims and their approach is to hide, or walk

innocently near, then surprise the victim. They are polite.

During a rape they talk to the victim, reassuring them. They make the victim remove her own clothes as they fantasize that the rape is a consensual act. They will kiss their victims. They ask questions, wanting reassurance that the victim is enjoying being raped. They want the victim to assure them that they are performing well sexually. As the rape goes on they gain self-confidence.

After the rape they may apologize to the victim and beg her for forgiveness.

The power reassurance rapist will keep a souvenir of the rape such as the victim's brassière or panties. They may ask the victim for her telephone number or even ask her on a date. They may keep records of their rapes, citing days and times.

They are of average intelligence, lack self-esteem and are not athletic. They are loners with few friends. They generally drive older model cars with high mileage. They don't trust women, believing that they are all prostitutes who enjoy being raped. As such they are not likely to be in a relationship.

Anger retaliatory rapists do not plan their attacks. In an explosion of hate and rage the rapist will walk or run towards the victim and overpower them, using whatever force they are in the mood to use and will not hesitate to injure the victim. Approximately 5% of all rapists fit the sub-class of anger retaliatory.

The rapist's motive is to express anger at women. They will rape less frequently than any other sub-class, perhaps once a year, and usually following an angry episode with a female. They have, in their own minds, been abused, cheated, deceived or otherwise mistreated by some woman in their lives.

They will rape older women in their sixties or seventies, possibly out of hatred for their mothers. In terms of time spent with the victim, their rapes are quick. They can occur at any time of the day or night. The rape is violent, including kicking and punching the victim. They need to punish the victim.

The rapist is probably a drug and alcohol abuser. They may drink or use drugs prior to the attack but will remain coherent, drinking or using

drugs in excess after they have raped. Their rapes are committed near their own homes. They are selfish and sex is but a weapon to punish. They feel no remorse for their victims.

They have short tempers and are impulsive. They are usually divorced and, in general, hate women. Their homes are usually rented for they are not able to maintain steady employment.

The anger excitation rapist, accounting for approximately 2% of all rapists, is the most dangerous of any rapist. Dangerous to singular victims and dangerous to society as a whole for this rapist frequently moves on to serial sexual homicides. They are sadistic rapists. Struggles, cries and pleadings from their victims generate immense excitement. They abuse, degrade and humiliate. They destroy. Their victims may be trapped in any manner including abduction, but the main approach is to con the victim into accompanying them to the chosen crime scene.

They begin to rape when they reach their early thirties, having become bored with snuff movies, magazines and their own fantasies. While their selection of victims is not exclusive, and begins with both genders, they eventually focus on males, concentrating on vulnerable young boys.

Their rapes are well planned and they sometimes take days, weeks or even months in selecting a victim and formulating a plan to capture the victim. Their main ploy, however, is the con; they entice the victim into willingly following them.

Once captured, drugs may be used to keep the victim compliant. The victim is brought to the rapist's personal chamber of torture, usually in their own homes. The rapist maintains total control over the victim. They torture the victim, inflicting immense pain. Their tools may include restraints, whips and electrical devices such as a cattle prod.

The victim is kept alive only to prolong the torture. The sexual pleasure of the anger excitation rapist comes from abusing and punishing the victim, not from the act of penetration rape. They often choke the victim, bringing them to the point of death, then revive them. They are sexually aroused by this life and death power over the victim. They are frustrated if the victim should die too fast for the ultimate goal of the rapist is the painful death of the victim. They will mutilate the victim's body, focusing on the sexual organs.

They try to prolong the life of the victim for days, terrifying and

tormenting them before, eventually, killing them. When they kill, they may penetrate the victim's corpse sexually, even achieving necrophiliacal or gasm.

The rapist usually keeps complete records of his rapes including photographs and the victims personal information such as a name and age. Their records include the forms of torture they inflicted and end with the death of the victim.

They are intelligent, usually schooled in college or university. The majority of these rapists have no criminal record. As a result they usually avoid arrest for years. Once arrested, they are easy to prosecute due to their elaborate records of their crimes.

These rapists are usually white. They are fishers and hunters, with gun and knife collections. The rapist usually has a large dog or dogs. They fervently read magazines such as *Guns & Ammo*, *Soldier of Fortune* and crime and detective magazines.

## **CHAPTER TWENTY-TWO**

Again Paul refutes Karla's claims of abuse; Karla said his physical abuse of her continued very early during their relationship. When pinned on the lack of visible bruises she claims he hit her in places where nobody would see the marks. The locations of bruising on her body varied, depending on whether photographs or video footage of her was available. He never hit her in front of anyone, she said. Years later, her own physician would testify she never saw the many bumps and bruises Karla claimed were inflicted upon her.

Nonetheless, Karla says in August of 1988 she told her parents she was going camping with Paul at his grand-parent's cottage at Honey Harbour on Georgian Bay. Of course his grand-parents would be there, she lied to her parents. Paul and Karla left for a ten-day Florida vacation.

Karla later testified: "It was on the way to Florida that he hit me again in the car. He hit me with his hand and I don't remember the exact circumstances surrounding it. It was something to do with directions I think."

Karla further testified that on the drive back to Canada, they stopped and rented a hotel room in New York City. Paul had recorded their vacation with a video cassette recorder. He called for Karla to bring the recorder and film him in the shower.

"So I went into the bathroom," she testified, "and it was all steamy and hot. He told me to open the shower curtain but I would have had to hold the camera in one hand and I was afraid to do that because I have little hands and I didn't want to drop the camera because it was so wet in there. So, I told him to open it."

He was incensed. Getting out of the shower he snatched the camera from her tiny hands and tossed it between his own hands. "If I can hold it in one hand," he said, "you can."

"He was yelling and screaming at me," Karla said.

Perhaps fancying himself an acrobatic soccer star -probably laughing by now- he started bouncing the camera off his feet. It fell and broke.

"He got really mad and he started punching me and kicking me and he beat me up," Karla testified. He hit her on the back and arms, she said. She said she had bruises but never sought medical attention. When questioned about a lack of bruises when she wore a two piece bathing suit soon after, she said the punches were mostly on her back.

When they arrived home they continued dating. Karla, in a 1989 school year book, listed "Camping, August '88" as one of her fondest memories. When questioned she said 'camping' referred to the lie to her parents and really meant the trip to Florida. Asked how come a trip she'd been beaten on was a 'fondest memory' Karla testified: "Because for the most part he was nice to me and I blamed it on myself. I took partial blame for it because I didn't do as he asked. I didn't open the shower curtain and he treated me well in other ways."

On 27 September 1988, Karla sent Paul a letter: "Pull my hair, scratch my back. Your little girl needs to be abused. She needs her big bad businessman to dominate her the best he can. Sinfully yours, your little girl."

## **CHAPTER TWENTY-THREE**

The *Scarborough Rapist's* next attack was another step up the ladder of violence that would eventually lead to abduction and murder. On 4 October 1988, for the second time in just over a year, his intended victim was able to scare him off. He made the price dear though.

Twenty-one year old Lindsay Vandeeest exited a *TTC* bus and began walking home. Bernardo, using stealth and speed -his best weapons- darted out from a tuft of bush and seized her from behind. Covering her mouth with his hand, he dragged her back into the bushes and forced her to the ground.

Ignoring or not hearing his repeated demands to shut up and threats to kill her, Lindsay, charged with adrenalin, kept fighting. When he began removing her clothes, she pried his hand away from her mouth and began screaming. Bernardo, perhaps feeling a bit of the terror he had inflicted on so many women, chose to flee.

Partially clad, mentally tortured, beaten, stabbed in the buttock and thigh, Lindsay burst from the tuft of bush to see him flee the scene. She was transported to Scarborough's *Grace Memorial Hospital*. Doctors required twelve stitches to close her wounds.

Police, in 43 Division, 4 District now worked with 41 Division, that patrols the area in which the latest attack occurred.

Insp. Wolfe, said of the last attack, "There are similarities, but not enough for us to be one hundred percent sure it's the same guy."

4 District Public Affairs Sergeant Pat Tallon gave a brief statement. "This man is a serial rapist. There is a pattern. He frequents side streets, strikes always at night, intimidates with a knife. He is brazen. He doesn't hurry. He doesn't rush. When people know what he does to them," Sgt. Tallon said of the rapist's torture of his victims, "they'll want to pull the switch on him."

On 9 October 1988, Karla promised Paul, "Your wish is my command." Paul, perhaps taking Karla up on the offer, asked her to pose for pornographic

photographs for him.

"Paul wanted to take some sexually explicit photographs of himself and me and he convinced me to agree. He said that it would be okay; that nobody would ever see them. There was nothing wrong with it and that he really wanted to do it."

Karla figured she was going to marry Paul anyway and Paul really wanted to take the photographs so she agreed. She told her parents that she was going to the Bernardo home for the weekend, but Karla neglected to tell them that she and Paul would be there alone.

Karla first testified this occasion was in February of 1988. Under cross-examination, however, she was confronted with the fact that she was seen wearing her promise ring in the photographs, a ring she received three months later than February of 1988. In addition, a St. Catharines to Toronto Via Rail ticket bearing the date 15 October 1988 was produced. Karla agreed that she'd mistaken the date -just another mistake in her controversial sworn court testimony.

Over the weekend, using a Polaroid camera he'd purchased, Paul photographed Karla, and sometimes himself, in a variety of contrived sexual poses.

The first photograph is a simple shot of Karla, her hair still dark and growing from her last perm.

In one photo, Karla and Paul are having sex, in the missionary position, in front of a fireplace -they are kissing. In another, Karla lays on her back, hand-cuffed, her genital area, belly-button and breasts are covered with whip-cream. "His idea," she testified. Karla is seen performing fellatio on Paul. "His idea." Seen, in two photo's inserting a wine bottle into her vagina, looking sensually towards Paul and the camera in one and fondling her own breasts in the other; she said: "Paul's idea." In other photograph's Karla is seen on her hands and knee's, Paul, holding a rope around her neck and a knife to her head as he penetrates her, vaginally, from the rear. In another she is seen gagged with a black cloth and hand-cuffed. Yet another she lays spread-eagled on her back. There are others and all are: "His idea again."

Karla said she never questioned why Paul would want such photographs. And she can't remember why she didn't ask.

## CHAPTER TWENTY-FOUR

Jamie Fletcher, an eighteen year old high school student with a part-time after school job was the next target of the *Scarborough Rapist*.

Finishing school, Jamie went straight to work. On the night of 16 November 1988, Jamie finished work at 11:45 p.m. Still wearing her killed Catholic School Girl uniform, she began walking home. Paul Bernardo spotted her.

Once again using his blitz style attack, he sprinted towards Jamie. In front of her house, and before she could turn around, he grabbed her shoulders and reached around, covering her mouth and nose with a gloved hand.

Jamie tried to scream.

"Shut up!" he demanded.

He began dragging her into her backyard. He took out his knife and pushed it against her lower back.

"I have a knife and I will kill you if you make any noise."

In the backyard Bernardo pushed her to the ground, grinding her face into the dirt. He ordered Jamie into a position on her hands and knees then reached out and pulled down her shorts, tights and underwear. He raised her kilt over her back then ran his knife around her face and neck. Pulling back, he stabbed her in the right calf.

"You won't get hurt if you cooperate," he told her, ignoring and uncaring of the obvious. He ran his knife against her vagina.

"Are you a virgin?"

"Yes," Jamie answered.

"Liar. Tell me you're a slut. Tell me you want this as much as I do," he demanded.

"I'm a .." he brutally thrust his penis inside her vagina, tearing her labia and internally bruising the left side of her vaginal wall, "... slut," she managed to cry out.

Bernardo withdrew from her vagina and turned his attention towards her purse. He emptied the contents onto the ground where he searched through them. Discarding other items he stole her school identification photograph card and library card.

"I'm the *Scarborough Rapist* and they still haven't caught me yet," he bragged. He bound her with her own clothes.

"Don't fuck with me or I'll fuck with you," he warned as he fled.

In the early morning hours of 17 November 1988, Jamie worked herself free of the binding and ran inside her house calling out for her parents. Police were called and Jamie was transported to the Scarborough *Grace Memorial Hospital*. She was treated for her injuries, including bruising and scratching above one eye and covering her right leg and thigh. Her calf was stitched and a Sexual Assault Kit was performed.

Jamie described her attacker as a male white, eighteen years old, five feet eight or taller with medium build and short straight dirty blond hair at the collar. He wore a black leather jacket with a zipper style front, black leather boots and black leather gloves that clipped close.

A team of 15 police investigators were dispatched to search the area for any signs of the *Scarborough Rapist*.

Insp. Wolfe went to the public once more. On 17 November 1988, hours after the last attack ended, police formed a special task force dedicated to hunting down the serial *Scarborough Rapist*.

Insp. Wolfe said police were continuing a door-to-door search of the area in which Jamie was raped looking for any clue that might lead to the capture of the *Scarborough Rapist*.

"We're warning all women to plan the routes they take after dark very carefully. We're pleading with people to be on the lookout for anyone loitering in the area of bus stops or anywhere women are likely to be alone. Any women who feels threatened should immediately make for a house or place of safety and dial 911."

The new formed task force, dubbed *The Scarborough Rapist Task Force* by the media, employed many techniques in their efforts to track down the *Scarborough Rapist*. Some were new and some had already been in use.

Special training was given to female police officers who would travel the *TTC* lines by night, acting as decoys -trying to tempt the *Scarborough Rapist*. The decoys were trained to survive the rapist's attack, defend themselves until they could summon the teams of investigators waiting as back-up.

Investigators riding the *TTC* followed women considered high risk targets. Their purposes were twofold. Apprehend the rapist. Warn and protect women from attacks.

If an attack occurred, a rapid response team was immediately dispatched. Streets were cordoned closed and nobody was allowed in or out without first passing police. Trained police dogs attempted to follow the scent of the rapist. Police went door-to-door, questioning anyone and everyone in the vicinity of the attacks. Using a special inquiry form, police gathered any information offered -any information obtained could prove critical. Police also wanted citizen's informed that an attack had occurred in their neighbourhood. Artists were employed to assist victims and possible witnesses in communicating descriptions of the attack or possible attacker. A psychologist, Dr. George Matheson<sup>10</sup>, was employed to use hypnosis with victims and potential witnesses in the hope their recollections would include more details.

Investigators knew the attacks were occurring in a specific area and believed other woman in these areas were not reporting being sexually assaulted or raped. In November of 1988, the task force met and decided to organize a grid pattern; this was established based on known and suspected attacks. If a suspicious person was called in, or a decoy was engaged, the rapid response team shut down the whole area while they searched inside the grid pattern. Another strategy enacted was the use of electronic visual recording equipment following a report of a rape or sexual assault. Uniformed officers, upon the confirmation of an attack, would call for the Major Crime Unit's surveillance team. Using video

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<sup>10</sup>Dr. George Matheson, an Etobicoke psychologist, was later employed by the *Green Ribbon Task Force* that probed murders committed by Paul Bernardo and his then wife, Karla Homolka. Dr. Matheson helps potential witnesses relax, thus allowing subconscious memories to surface. A session takes between ninety-minutes to two-hours. The forensic psychologist has worked with over twenty-five Ontario police forces spanning eighteen years. His criminal cases number in excess of seven-hundred.

equipment, the grid pattern was travelled and fully recorded visually. The results would be examined for any re-occurring siting's of persons or vehicles within the grid.

Early on, the investigations were, despite great police work, hampered by the use of different investigators working on different attacks. As the investigations progressed, order was added in the form of full-time officers working the whole investigation. Another problem encountered was the reactionary mode following an assault being high, then, when the rapist was inactive, police had to work on solving other violent crimes. Investigators assigned to the task force, while also handling other cases, worked with forensic specialists and tracked a growing list of possible suspects. Suspects were tracked both in and out of Scarborough and probes included the execution of search warrants on the dwellings of high priority suspects.

Investigators with the task force employed a psychiatrist, Dr. John Bradford, asking him for his views regarding the possible personality and class of rapist they were hunting. He classed the rapist as a predator.

Dr. Bradford, in an interview with the *Toronto Sun*, said the *Scarborough Rapist* lived in Scarborough. He was a man who progressed from voyeurism to his current state. "Violence and degradation become erotic for him," said Dr. Bradford.

The *TTC* altered their night-time policy. Women, between 9:00 p.m. and 5:00 a.m., could request stops anywhere along *TTC* bus routes. Scarborough women used the service an average of sixty times a night.

The *Scarborough Rapist* Task Force had been frustrated. They were hunting a phantom who appeared, attacked, then quickly disappeared. One officer said it was like looking for a needle in a haystack. Police were looking for a predator with no connection to his victims and doing so in an area populated by millions of people. Then, on 17 November 1988, investigators received a criminal suspect profile from the FBI.

# FBI PROFILE OF SCARBOROUGH RAPIST<sup>11</sup>

DATE

17111988

DESCRIPTION

INVESTIGATIVE ANALYSIS F.B.I. VIRGINIA

## VICTIMS:

Chelsea Hagen  
Laurel Aister  
Erin Calister  
Shari Sykes  
Erika Paxton  
Crystal Bradley  
Danielle Collins

Metropolitan Toronto Police, Toronto, Ontario, Canada, May 4, 1987, May 14, 1987, July 27, 1987, December 16, 1987, December 23, 1987, April 18, 1988, May 30, 1988. *NCAVC -Serial Sexual Assaults (Criminal Investigative Analysis) Foreign Police Co-operation (F.P.C.)*

The following criminal investigative analysis was prepared by Special Agent Gregg O. McCrary, in consultation with Supervisory Special Agent James A. Wright and other members of the *National Center for the Analysis of Violent Crimes (NCAVC)*. The analysis is based upon a review of the materials submitted by our agency, and the conclusions are the result of knowledge drawn from the personal investigative experience, educational background and research conducted by these crime analysts as by other *NCAVC* members. It is not a substitute for a thorough well planned investigation and should not be considered all inclusive. This analysis is based upon probabilities noting however, that no two criminal acts or criminal personalities are exactly alike and, therefore, the offender at times may not fit the analysis in every category.

## VICTIMOLOGY:

Analysis of the victims in an effort to determine their risk factor is of

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<sup>11</sup>Minor editing of this report, including the insertion of the pseudonyms assigned in this work, was performed by the author.

significance. The susceptibility of these women becoming victims of a sexual assault was examined in conjunction with their individual lifestyles, background, and overall social and physical environments. We found nothing in any of these women's backgrounds or lifestyles that would elevate their risk of becoming victims of a violent crime and/or sexual assault. We consider all of these victims to be low-risk victims.

There are observable similarities in that the victims are white females 15-21 years of age, with six out of seven living in the Scarborough area and three of those living in extremely close proximity to one another. The significance of this will be discussed in greater detail in the crime analysis section of this report.

The fact that four of the victims either travelled from or through the downtown area immediately prior to the attack is noted, but is not felt to be of significance in this analysis. If the offender was selecting his victims from a downtown location and surveilling<sup>12</sup> them to their residential area for the attack, we would expect to see a far more random geographical pattern to the attacks than there is. With the exception of the Clarkson attack, all are clustered in the Scarborough area.

Another notable similarity among the victims is their small physical stature, ranging from 5'1" and 95 pounds to 5'3" and 135 pounds. This will be discussed in more detail in the crime analysis section also.

#### **HOSPITAL AND LABORATORY EXAMINATIONS:**

The result of the medical and laboratory examinations of each of the victims is complete and specific details are readily retrievable from those reports, therefore, no attempt will be made to summarize the findings.

All reports are consistent with and tend to corroborate the individual victim's specific allegation regarding each attack.

#### **CRIME ANALYSIS:**

A meaningful behavioural analysis of a series of sexually motivated attacks is best accomplished by examining the assailants verbal, sexual, and physical behaviour during the commission of the attacks. In

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<sup>12</sup>The author has left words that appear as *FBI terminology*, throughout this report, intact.

conjunction with these considerations, the following aspects are being set forth as significant.

The process by which an offender targets and/or selects his victims is of obvious importance.

We feel your offender uses bus stops for staking out points. He surveils streets rather than homes and does so at night. Some victims were victims of opportunity while others appear to have been previously targeted to a degree. We believe the offender has seen victims or potential victims in passing, but had no urge to attack and at other times has seen victims, had the urge to attack, but the moment was inopportune.

The successful attacks occurred when the urge, opportunity and victims coincided. The victims are being targeted by the offender in the areas in which the attacks are occurring. He is following them short distances before attacking them.

The six victims in Scarborough were all approached from behind, while the victim in Clarkson was approached from the front. He gained control over all the victims by the immediate application of injurious physical force. He maintained control of the victims through the use of physical force and verbal threats of bodily harm and/or death, all of which were often accomplished while brandishing a knife in a threatening and intimidating manner.

All victims were attacked outdoors, while walking alone, near their residence during the hours of darkness.

Typically, this type of offender starts his attacks in an area with which he is familiar. This familiarity is usually the result of the offender living or working in that area and gives him a sense of security and comfort as he knows the neighbourhood well, can plan escape routes etc. The behaviour exhibited by your offender is consistent with this premise.

We believe your offender resides in the Scarborough area, specifically within walking distance of the first, second and fifth attacks. Because he lives in his attack area it is of utmost importance to him that the victims not see him. This is one of the reasons he prefers to approach the victims from the rear. Upon contact he forces them face down into the ground and/or demands that they keep their eyes closed to ensure they do not see him.

The victim in Clarkson was approached in a slightly different manner. After following her for a distance on foot, he approached her under the guise of asking directions. This approach allowed the victim to see his face, but was short in duration as the victim did not finish her first sentence before being physically assaulted and forced face down to the ground. It is our opinion that the offender was less concerned about being seen by this victim as he does not spend a great

deal of time in the Clarkson area and believes that it is unlikely he would be recognized or seen there again.

Another reason your offender approaches his victims from behind is that he harbours some inadequacies. These inadequacies are further evident in his verbal behaviour as he scripts many of his victims to say, "Tell me you hate your boyfriend and you love me." "Tell me you love me, tell me it feels good" and other ego-gratifying statements.

Another indication of his inadequacies is evident in his victim selection. He selected victims that appeared non-threatening to him. As noted in the victimology section, the victims are physically small and could offer no real resistance to the attack. Each victim was walking alone at the time of the attack and was virtually defenceless.

Anger, however, is the primary behaviour exhibited by your offender. His intent is to punish and degrade the victims as he is angry at all women. This is evident in the blitz style approach and the majority of his verbal behaviour as well as the type and sequence of sexual acts forced upon the victims in conjunction with the punishing physical force used against them.

The typically profane verbal behaviour combined with scripting the victims to describe themselves as a bitch, a cunt, a slut etc., evidences his anger and his need to punish and degrade his victims.

This anger is also apparent in your offender's sexual behaviour. By forcing the victims to perform oral sex on him after he has repeatedly vaginally and anally assaulted them, he is punishing, degrading and humiliating them. The type and sequence of sexual assault is consistently observable in the series of attacks.

His anger is unmistakable when observing the excessive physical force he uses against the victims. What is of concern is the escalation in violence observable in this series of attacks. He is using far more physical force against the victims than is necessary to control them. In addition to this, the offender has stuffed articles of clothing into the mouths of victims and in the case of the sixth victim, not only broke her collar bone, but poured dirt on her and rubbed it into her hair and onto her body. This is a symbolic gesture which expresses the assailant's opinion of women.

We do not believe the offender would attack a victim with a premeditated idea of murdering her. However, we would opine, based upon our research and experience, that if confronted by a victim who vigorously resists his attack, your offender is the type who would likely become so enraged he could lose control and thereby become capable of unintentionally murdering the victim.

This type of behaviour is observable in your offender to a lesser degree in these attacks. In analysing the interaction between

the individual victims and the offender it can be seen that the victims feel overpowered by him and are generally compliant and submissive. Still, when the victims either misunderstand a command or delay, even momentarily responding to a demand, the offender immediately becomes enraged and escalates the amount of violence directed at the victim.

The offenders escalation in violence is observable also as the first three attacks could be seen as attempted rapes where no penile penetration occurred<sup>13</sup>, while the rest of the attacks were successful rapes from the offenders view point as he achieved penile penetration. This expansion of the sexual nature of the assaults was accompanied by an escalation in the verbal and physical violence directed at the victims.

Also observable in the offender is the development of sadistic tendencies. He asked the seventh victim, should I kill you, thereby making her beg for her life. The sadist achieves gratification by the victims response to his attempts to dominate and control her, either physically or psychologically, by posing a question that made the victim beg for her life he is deriving pleasure.

He has shown adaptive behaviour, indicating he is becoming comfortable in committing the assaults and feels unthreatened and in control. This is exemplified in the sixth attack. While he was accosting the victim and attempting to gain control over her, a car pulls out of a driveway a few inches away and drives by them. He does not panic, but forces the victim into some bushes near a house and continues to assault her.

## **OFFENDER CHARACTERISTICS AND TRAITS:**

Your offender is a white male, 18 to 25 years of age. It should be cautioned that age is a difficult category to profile since an individual's behaviour is influenced by emotional and mental maturity, and not chronological age. No suspect should be eliminated based on age alone. The behaviour exhibited throughout these assaults suggests a youthful offender rather than an older more mature one.

As noted above, we believe your offender lives in the Scarborough area. He is familiar with Scarborough, especially the initial assault sites, and, therefore, in all probability lives in the immediate vicinity of those first assaults.

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<sup>13</sup>The author reminds the reader that, at the time of this *FBI* report, Metro police had only the original victim's statements to work with. The first victim had yet to reveal the full details of her rape; the second victim insists she was sexually assaulted but not raped; the third victim was able to fight her way free and, while being sexually assaulted, she was not raped.

The offender's anger towards women will be known by those individuals who are close to him. He will speak disparagingly of women in general conversation with associates.

He had a major problem with women immediately before the onset of these attacks. His anger would have been apparent not only for the particular woman involved but those close to him.

He is sexually experienced but his past relationships with women have been stormy and have ended badly. In all probability he has battered women he has been involved with in the past. He places the blame for all his failures on women.

If he has a criminal record, it will be one of assaultive behaviour. The arrests will likely be for assault, disturbing the peace, resisting arrest, domestic disturbance, etc.

His aggressive behaviour would have surfaced during adolescence. His education background will be at the high school level with a record of discipline problems. He may have received counselling for his inability to get along with others, his aggressiveness, and/or substance abuse.

He is bright, but an underachiever in a formal academic setting.

He is nocturnal and spends a good deal of time on foot in the target assault area.

We believe your offender is single.

The offender has an explosive temper and can easily become enraged. This rage transfers over into the rest of his life.

He blames everyone else for his problems.

His work record will be sporadic and spotty as he cannot hold a job due to his inability to handle authority.

He is financially supported by his Mother or other dominant female in his life.

He is a lone wolf type of person. He can deal with people on a superficial level but prefers to be alone.

The personal property of the victims which your offender took from the assault scenes is being kept by him. These effects are viewed as trophies by the offender and allow him to relive the assaults. He will keep these items in an area which is under his personal control and in which he feels is secure, but yet allows him ready access to them.

The nature of these attacks will continue to be episodic and sporadic. In all probability, they will continue to occur outdoors as he is familiar with the area and this familiarity gives him a sense of freedom and mobility which would be denied if he were to attack indoors. Each attack is precipitated by a stressor in the offender's life. This stressor could be either one in fact or in his mind.

The offender recognizes his inadequacies and attempts to mask

them, but very often overcompensates. These inadequacies are not known by casual acquaintances, but are well known by those closest to him.

#### **POST OFFENSE BEHAVIOUR:**

Your offender harbours no guilt or remorse for these crimes. He believes his anger is justified and, therefore, so are the resultant attacks. His only concern is being identified and apprehended.

With the *FBI* profile, Insp. Wolfe said, police now had an idea of how the rapist thought. "It was good to have a professional viewpoint to compare with the ideas we had. And it gave us new ideas."

## **PART TWO**

***"I want it known that even with him locked behind bars, hopefully forever, I will suffer the effects of my pain and the injustice for all my days. Even when I am forgotten, I will never forget." -Scarborough rape survivor Courtroom 5-1, Osgoode Hall, Toronto, Friday 3 November 1995.***

## **CHAPTER TWENTY-FIVE**

The public meetings began on 20 November 1988. Unbeknownst to those present, police were surreptitiously recording the meetings -using both audio and video surveillance equipment. Police hoped that the *Scarborough Rapist* would attend and, somehow, make himself known. The meetings, though, were not solely for surveillance, in fact, public safety was the primary concern.

Scarborough residents were frightened and angry -tired of worrying if they, or one of their family or friends might be the next *Scarborough Rapist* victim. Metropolitan Toronto Police were feeling much the same way and they had a job to do. While they hunted for the rapist, they also did their best in offering precautionary measures that women might follow. If even one woman escaped the rapist, the presentations would be successful. And investigators needed the public's assistance if they were going to catch the rapist.

Toronto police Constable Diane MacInnis, a specialist in rape prevention, had been lecturing female students and teachers throughout Scarborough. Now she stood, in the first of two such meetings, at the *Steven Leacock Collegiate Institute* ready to address an audience of approximately two hundred and fifty. MacInnis warned women not to carry weapons because the rapist might wrest them away and turn them on his victim. Other than that, MacInnis offered, anything goes.

Kick, punch, gouge, scratch and head-butt. Aim blows to his eyes and groin areas. Scream. Keep your shoulders square and you'll avoid looking like a victim.

"He's looking for the unsure woman -the one who looks confused, shy, introverted. He can see it by the way you walk," said MacInnis.

"Don't cry or beg -you've lost control."

Always be aggressive and walk with confidence, head up. "Swagger. It's almost a challenge like, 'Yeah, I'm in control.' If you hear footsteps behind you," she said, "turn around and stare right at him. Say, 'Who are you and what do you want?' Don't insult the man or swear at him," she warned. "If he continues to follow, run to the nearest house with lights on and cars in

the driveway and ask the people to call police."

Woman who have to travel the *TTC* at night, advised, should sit near the front of the bus. If a woman feels she is being watched or followed by a man, she should ask the bus driver to wait a moment and watch her safe exit. If the man exits behind her, the woman should immediately get back on the bus.

In the event that a woman is attacked, MacInnis advised, remember the rapist. "We want survivors. Say to yourself, you're going to remember everything about him. His hands, his clothes, whether his cuffs were open or closed, his voice. Make up your mind, if he's ever caught you're going to testify against him and put him in jail."

"Don't be ashamed to call the police even if you're not sure what you've just seen or been through."

On 21 November 1988, Constable MacInnis was again before a large audience. This time approximately 700 Scarborough residents attended. Then Metro Police Commissioner, Jane Pepino, Staff Inspector James Newsome, Inspector Joe Wolfe and victim assistance coordinator Marie Curlis sat with Constable MacInnis.

Inspector Wolfe warned the audience about the rapist. "He is very strong and has a muscular build." Commissioner Pepino suggested installing lights and alarms at *TTC* bus shelters with criminal penalties for misuse.

"A lighted bus shelter with an alarm would become a place of safety for someone in trouble."

On 8 December 1988, after consultation with the *Centre for Forensic Sciences (CFS)* in Toronto, then Detective Sergeant Thomas Dalziel departed to New York, U.S.A. The *CFS* was not yet equipped and trained for *DNA* profiling, so Det. Sgt. Dalziel carried forensic samples from three of the *Scarborough Rapist's* victims to the private *Lifecodes Laboratories* for *DNA* testing.

The *CFS*, using a chemical test, had earlier determined the presence of male sperm in the samples, but the New York lab was unable to make that same determination. Lacking that simple conclusion, the lab was unable to produce the requested *DNA* profile of the *Scarborough Rapist*. Metro police were disturbed with the lack of success and reliability and so never

returned to the New York laboratory.

## CHAPTER TWENTY-SIX

The year ended with one more attack by the *Scarborough Rapist*. On Tuesday 27 December 1988, twenty-three year old Stacie Baxtor exited a TTC bus and began walking home. At the time, Stacie had no fear of travelling through Scarborough in daylight or at night. It was only 9:14 p.m. That confidence would irrevocably change in but moments, her independence lost.

Melting snow covered the sidewalk, forcing Stacie to walk on the road. In the mirror of a puddle beside her, she noticed head lamp's of a vehicle. Nothing out of the ordinary. She continued making her way home, rounding a corner to her street; she noticed a man walking opposite her in the same direction.

As Stacie made her way up the driveway to her home, Bernardo sprinted forward, attacking her from behind. He hit her on the side of her head, knocking her to the ground. She landed in a flower garden, scraping and bruising her head as it impacted on a rock.

Stacie began to fight and scream. Bernardo struggled to control her; he reached down with one hand -perhaps an instinct now- and grabbed at her genital area. He kicked her back and legs and smashed her head against the jagged rocks.

Hearing her tenant's screams, Mrs. Wilma Tandon came to the door. Opening the door, she saw Bernardo at the corner of a hedge that runs along her house. Bernardo abandoned Stacie, turned, and began walking towards Mrs. Tandon. Inside, the commotion roused Wilma's husband, Jeff.

Bernardo was eight feet from Wilma when he stopped. He stared at her. Jeff Tandon reached the door. Bernardo stood on the sidewalk, uncertain, his attack in the throes of failure.

Mr. Tandon burst from the door; the *Scarborough Rapist* ran away. Jeff looked at Stacie lying by the garden and began chasing Bernardo, but was unable to maintain his bare footed pursuit of the speedy rapist and returned home. Inside, he told his wife of his discovery of a scarf -dry and uncovered since the last snowfall. It didn't belong to anyone in the house. Jeff called the police. Alertly, noticing rain beginning to fall, he took a box from his house and protectively covered the scarf. Stacie told him that

the rapist seemed more interested in hurting her than raping her. Beyond the abrasions on her head, she had abrasions to her lower back and right knee.

Police arrived and established a search perimeter of an area one quarter mile in radius about the Tandon home. Investigators concentrated on cars whose drivers matched the descriptions provided by Stacie and the Tandon's. Police briefly detained and interviewed driver's of stopped vehicles. The *Scarborough Rapist*, though, had slipped through the manhunt.

In a media interview with *The Toronto Star*, Mr. Tandon called Bernardo a brazen bastard who knew Scarborough well. "It's too bad I gave all my guns away," he said. "If it was back in my hunting days, I could have put one in his back before he got to the end of the street."

On the scene, police retrieved the scarf. Forensic investigators would examine and analyse an apparent mucous stain; scientists later extracted *DNA* from it.

Police also tracked down a shoe print and photographed it. The print matched one retrieved from the scene of an earlier rape -that of Erika Paxton.

Years later, the *DNA* obtained from the scarf would match the *DNA* profile of Paul Bernardo. The shoe print would be found consistent in size with Bernardo's own shoes.

Police transported Stacie to 43 Division for an interview. Stacie described her attacker as a male white, twenty-one, five foot ten, short straight brown hair just above the collar and clean shaven. He was wearing a black leather jacket, blue jeans, white runners and royal blue ski gloves.

Following the interview, police transported Stacie to the Scarborough Grace Hospital for examination and treatment of her injuries.

Seven years after being sexually assaulted by Paul Bernardo, Stacie said: *"At this time living on my own is out of the question. I am trying very hard to put this behind me and move on with my personal life. Even though he will not see the light of day, that is still not complete satisfaction for the pain he has cost me and my loss of freedom."*

The Metropolitan Toronto Police Commission authorized a \$50,000 reward

**for information leading to the arrest and conviction of the serial  
*Scarborough Rapist.***

## **CHAPTER TWENTY-SEVEN**

In January of 1989, Paul expanded upon the illusion of success. He leased a Gold 1989 Nissan 240 SX, two-door hatchback. The attached license plate was 660 HFH. He once tried to teach Karla to drive, practising in a parking lot, but after fifteen minutes he gave up in frustration. He never tried again.

It was in January of 1989 that Metro investigators began using voice recording equipment. The voices of suspects were recorded and victims of the *Scarborough Rapist* were asked to listen to the voices in an attempt to identify the serial rapist and eliminate current suspects police considered high priority.

Karla said Paul's control over her continued to grow, yet she continued a never ending string of letters. She was being sexually aggressive, she continued to insist, as Paul ordered.

New words were added to the repertoire of sexual incantations. Paul, Karla said, saw a shirt that read 'No more Mr. Nice Guy. On your knees bitch'. On your knees bitch, Karla said, became one of his favourite sexual slogans.

Karla purchased a dog chain choke collar from the Number One Pet Centre. Paul placed it around her neck while they had sex. He liked to pull it tight. Karla said that she never asked why Paul wanted her to wear a collar. She agreed to use the collar as a sex prop, because, as with the Polaroid photographs, Paul said it was important to him and it wouldn't hurt anybody. "I agreed," said Karla. It became a frequent part of their sex life.

He pulled the collar tight choking her more than once, Karla said. "Sometimes I had to ask him to let it out because I couldn't breathe." They used the collar in her bedroom, while her parents were elsewhere in the house. She kept it in her night table.

Karla said the sex on her bedroom floor often involved her on her hands and knees with her back arched.

"This was his preferred position during sex. My back would have to be arched and if I didn't arch it, he would punch it and make me arch it. I didn't have a choice."

Sex in this position was usually vaginal. Paul reached orgasm quickly during these sessions or when she performed fellatio and he ejaculated into her mouth. "I would have to swallow because he would get angry if I didn't," Karla said.

## CHAPTER TWENTY-EIGHT

The use of computerized data bases and proper investigative interviewing of possible suspects is a vital part of the hunt for a serial criminal.

In Britain, during 1975 through 1981, investigators searched for a serial murderer termed *The Yorkshire Ripper*. He, during July 1975 to April 1977, butchered thirteen women and attempted to kill another seven. During their investigations police questioned the killer, Peter Sutcliffe, a total of nine times, having no idea he was the much sought after serial killer. On 2 January 1981, by chance, police stopped Sutcliffe on a minor infraction: Two days later, Sutcliffe confessed to being *The Yorkshire Ripper*. It was in the aftermath of that confused investigation that British police realized the need for a national crime computer data base. In 1987 the British Home Office announced the development of the *Home Office Large Major Enquiry System (HOLMES)*. The data base would be used in the analysis of criminal investigations across the country. In 1988 it was put in use. Police entered statements and criminal records that could then be cross-referenced, allowing quick access to variable data requests. British investigators, in December of 1991, installed a second generation data base termed *PNC2*. *PNC2* is used in conjunction with the *National Criminal Intelligence Service (NCIS)*, the equivalent of the U.S. *FBI*.

In the United States, the *FBI* uses a similar system termed *Big Floyd*. Stored in *Big Floyd* is a statistical form of inquiry determined by the U.S. Department of Justice. Investigators can request the *FBI* computer to query possible suspects in a criminal investigation. The computer, using information already stored in its memory banks as well as the information contained in the query, gives police a list of possible suspects in a major crime -or eliminates the least likely of known possible suspects.

Still, computers cannot solve crimes. Investigators should consider the computer only as an investigative tool or disaster can strike. And, the importance of suspect elimination is that of a valuable tool in freeing up investigators -investigators that will continue to hunt the dangerous serial predator, hoping to make an arrest before another victim is claimed.

In addition to the British *Yorkshire Ripper* case, in the United States, serial killer Ted Bundy was on a five man short list of suspects three times. He was never questioned by police in connection with the short lists. In

Canada, Paul Bernardo was a suspect in a major case when his name was queried multiple times in different Ontario locations and in regard to several different incidents. Unfortunately Paul Bernardo's name was never flagged as a "Pointer Person"<sup>14</sup> on the *Canadian Police Information Centre's (CPIC)* national computer data base. A 'Pointer Person' flag would have appeared, directing the investigator performing a query to contact the originator of the flag.

*CPIC*, located at *Royal Canadian Mounted Police (RCMP)* headquarters in Ottawa, Ontario, provides regional police forces with various forms of information on crimes and criminals. Since 1972, access for police forces across Canada is immediate and includes links to special *RCMP* units and over 12,000 police departments and government agencies. Available information includes that of vehicles, persons and property. Criminal records are available in condensed or full versions. Persons possessing fire-arms, wanted or suspected in crimes or considered missing are included in the data base. Descriptions of the personal characteristics, dental records if available and distinguishing marks are recorded by regional police forces. Also, families of victims or missing persons, *Corrections Canada* and the *Alzheimer's Society of Canada*, add to the data base. *CPIC* allows Canadian police investigators to access a wide array of stored information.

In addition, *CPIC* maintain a close working relationship with authorities from the United States. *CPIC* is linked to the U.S. *National Crime Information Centre (NCIC)* data base under a programme known as the *Automated Canadian United States Police Information Exchange System (ACUPIES)*. *ACUPIES* access is controlled by an Interpol sanctioned branch of the *RCMP* and operates using guidelines of the *Interpol Charter* -a charter that respects the pooling of international police resources and information. *ACUPIES* enables *RCMP/CPIC* to *FBI/NCIC* exchanges of information on persons, property and the current status of a drivers license in either country.

Metro police, by 17 January 1989, had a psychological profile from the *FBI* and were using the two-hundred and fifty thousand dollar British *HOLMES* computer data base to aid them in their hunt for the serial *Scarborough Rapist*. *HOLMES* was first used by Metro police in the 1986 murder investigation of eleven year old Alison Parrot. Parrot was a track star lured from her home by a man claiming to be a sports photographer.

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<sup>14</sup>The author offers special thanks to Senior Constable James (Jim) Hamilton, of the Hamilton Wentworth Regional Police Department, for his valuable input regarding numerous methods of police investigation, in particular, that of the "Pointer Person" flag designation.

Although *HOLMES* was not successful in that case<sup>15</sup>, it was successful in aiding Metro police in identifying and arresting another serial rapist. Investigators were confident it would lead them to the identity of the *Scarborough Rapist*. In mid-1989, Staff Sergeant Thomas Dalziel praised the *HOLMES* software as state of the art. In a 4 August 1989 interview with Lindsay Scotton of *The Toronto Star*, he said, "If you have someone as a known suspect, and we're able to establish that he carried a blue knapsack at the time of the offence, we can also look it up and find out another woman was assaulted by a man with a blue knapsack."

In the end, though, improper training and human error resulted in a failure to utilize *HOLMES*; tips regarding Paul Bernardo, the *Scarborough Rapist*, never made it into the much heralded computer data base. The *Scarborough Rapist* would slip through paper filled human hands that failed, miserably, to employ new technology.

Insp. Joe Wolfe led a team of 32 investigators. Insp. Wolfe himself had twelve years of experience working homicide and the significance of that fact was not lost on anyone close to the case. The rapist's attacks became increasingly violent as he progressed and, as criminal profiler's say, "Today's rapist is tomorrow's killer." Still, investigators felt confident they'd corner their prey.

"It's not just a case of being a runaway optimist," said Insp. Wolfe, "We have everything going for us. A team of the most experienced investigators ever assembled in this field. Investigators of many years experience and a lot of skill."

The inspector said public cooperation was essential. Police would later be criticized for choosing to not publicly release early composite sketches of the man they hunted; Insp. Wolfe, however, explained that police needed the public to concentrate on a wide variety of details regarding the suspect; investigators didn't want the public to focus on a picture that *may* have borne some similarity to the *Scarborough Rapist*. "We have had excellent leads from the public in this case," said Insp. Wolfe, "Most of our leads have come from phone calls and we hope they will continue."

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<sup>15</sup>On Wednesday 31 July 1996, Toronto police arrested thirty-eight year old Francis Carl Roy for the abduction and murder of eleven-year Alison Parrott. It was a joint forces effort between Metro Toronto police and RCMP in British Columbia (B.C.). Metro Det. Vic Matanovic and B.C. RCMP Sgt. Christine Wozney met at a March 1996 Sexual Assault Conference in Toronto. The pair used a new generation of Canadian developed computer software, Violent Crime Linkage Analysis System (ViCLAS), and aided by the Vancouver, B.C. police and a positive DNA sample, they linked Roy to Alison Parrott and the arrest was made.

Insp. Wolfe praised the *FBI* profile as insightful; investigators, he said, had already interviewed in excess of five-hundred suspects and the list of new ones was growing.

"What we know," Inspector Wolfe told the public, "is that the man has an abusive attitude towards women and that his attacks probably occur after a confrontation of some kind with a woman. He probably behaves in a particular manner after the attacks and a wife or girlfriend, possibly the same woman he had the confrontation with, can help by being observant. The man will show more than normal interest, a preoccupation in the investigation of the attack and the details of the attack." Insp. Wolfe said, "He may read and re-read the newspaper reports. It is our belief that he may even go into the area where the attack took place. He could even take the wife or girlfriend with him."

Sgt. Pat Tallon agreed with Insp. Wolfe in that Metro's top investigators were working the case.

"It is an intense hunt with some very experienced investigators. We have got some very promising leads. We have cleared some suspects but we still have a list that we are working through. We're going to get this guy."

Sgt. Tallon urged women to take any and every protective measure and caution available. "Be aware of your surroundings," he said, "and if you see someone or feel threatened, *do not worry about being thought silly*. Scream, shout, run to a place of safety, bang on the door of a home to seek assistance."

"We have had a lot of help from the public," said Tallon, re-affirming Insp. Wolfe's sentiments. "We would like this to continue."

A card Karla sent to Paul on 7 April 1989 had a picture of two bears; they represented herself and Paul. Over the Paul-bear, Karla wrote: "I'm your big bad businessman. On your knees bitch." Above the Karla-bear she wrote that she wanted to marry the Paul-bear.

The *Scarborough Rapist* remained, as far as reported attacks indicated, inactive throughout early 1989.

Metro police, through an examination of the *Scarborough Rapist* Task Force investigations, knew that a permanent squad could better serve the needs of rape victims. In addition, feminist groups such as the *Toronto Rape*

*Crisis Centre, the Metro Action Committee on Public Violence Against Women and Children (METRAC) and Women Against Violence Against Women* were urging police to provide investigators trained in dealing with victims of rape or sexual assault.

In response, on 12 April 1989, Metro police formed a permanent *Sexual Assault Squad (SAS)*; it was the first such squad in Canada. Insp. Wolfe was assigned to lead the new squad. "There isn't another squad like us in North America," he said at the time. Insp. Wolfe and, then Staff Sergeant Thomas Dalziel, said the nine member team would handle cases in which the rapist is unknown to the victim and serial rape cases.

"The only difference -in reality- between a sexual assault and a homicide," said Staff Sgt. Dalziel, "is that in a homicide the victim is deceased. The most difficult kind of case to solve is the stranger on stranger assault. In many case the victim doesn't get a good look at the offender. There's little evidence as to the identity and it's very difficult to find that person." Insp. Wolfe said, "The nature of the cases we get here are the hardest to solve." In the *Scarborough Rapist* case, investigators were hunting that most elusive class of criminals, and the hunt required enormous economic and investigative resources.

The idea of a permanent Sexual Assault Squad was, in terms of organization and a dedicated investigate unit, years ahead of its time. Had the SAS team received the staffing they requested and had they been properly funded, they would have formed the same unit recommended in the 1996 Bernardo Investigation Review by Mr. Justice Archie Campbell.

Staff Sgt. Dalziel spoke of the dedication of special task forces to serial crimes. "When you organize a group, you develop a lot of expertise. You get someone who has expertise in pornography, someone whose strength is interviewing, someone who knows computers. Then you disband the group and all that knowledge [is] dissipated. When you need the same kind of investigation again, you might not be able to get the experienced people with the same knowledge."

Sexual assaults in which the attacker was known, or a suspect was identified, would remain under the jurisdiction of the respective territorial divisions. This irked some from the feminist organizations who felt that such full attention should be given to all rapes.

Esther Ignagni of the *Toronto Rape Crisis Centre* pointed out that approximately eighty percent of all rapes or sexual assaults are committed by acquaintances. (According to a report cited in the *Toronto Star* in 1989,

research on rapes and sexual assaults between 1985 and 1987 indicated approximately forty-eight percent of the assaults were stranger on stranger. Forty-five percent of reported attacks involved acquaintances, including employers and/or family.) Pat Marshall of METRAC said he was concerned that the focus of the SAS was strangers because of the myth that rapes or sexual assaults by acquaintances are not as serious as attacks by strangers. Melanie Randall, a researcher with the Ontario Institute for Studies in Education, and a member of Woman Against Violence Against Women, said all attacks, not just serial ones, should be made high profile. Ms. Randall suggested the SAS might be only a public relations offering.

Until the SAS assumed the hunt for the Scarborough Rapist, the assignment of too many different investigators to the Scarborough Rapist Task Force hampered the hunt; the task force was unorganized; there was nobody dedicated to maintaining contact with the victims or in charge of all reports of attacks by the sadistic serial rapist. In fact, with the exception of Insp. Wolfe, fifteen separate officers were in charge, at different times, of various aspects of the investigations.

Managing the SAS, though, was no easy task. Insp. Wolfe said the squad was assigned two rooms at police headquarters. One was occupied by investigators -analysts worked from the other. He said the squad requested a corps of twenty-seven officers and received only six (following a violent attack, numbers of additional officers swelled the force in excess of twenty persons). Insp. Wolfe said there were plans for formal training in dealing with sexual assaults and training duty was assigned to Staff Sgt. Dalziel. Those plans, however, were interrupted due to the need for the squads active participation in a variety of ongoing sex crimes. The SAS was never properly staffed. In 1996, Insp. Wolfe would report that the SAS was staffed by only twenty-seven officers -one more than was requested seven years earlier.

Upon the formation of the SAS, Insp. Wolfe instituted a new policy in which any investigator, before contacting any of the Scarborough Rapist's victims, must first notify SAS officer, Sgt. Ward. Insp. Wolfe said the treatment of victims was now priority number one. The new policy included a set time period during which the victims would be contacted and updated on the progress of the ongoing investigations. Victim's were offered questionnaires through which they could report the manner in which they were being treated.

Insp. Wolfe said the Communications Bureau was informed that if a reported rape or sexual assault occurred in Scarborough, the SAS must be immediately notified. When a new attack was reported, the SAS responded

in a manner rivalling a full murder investigation.

The intensity of the investigations was high immediately following an attack, then, as time passed and leads dwindled, the team settled back into work on other investigations. At that time there were hundreds of other sex attack cases and at least seven other serial predators being sought -the serial investigations had equal priority with the *Scarborough Rapist*. In one investigation, that of the *Mississauga Rapist*, the Metro SAS cooperated with and assisted Peel investigators.

Investigators realized the need for a quick capture of the serial rapist and the need to protect the public was great. Although unsuccessful in capturing the *Scarborough Rapist*, many investigative techniques were successful in clearing suspects and in preventing further rapes. They employed the use of laser examination of both the victims and their personal belongings for fingerprints -a service provided by the *Ontario Provincial Police (OPP)* who's headquarters were located in Toronto.

In areas in which the probability of an attack was determined, surveillance teams recorded vehicles and their licence plates -this information was added to the growing files and investigators studied the registered owners of the vehicles as possible suspects. In addition to the public meetings, police utilized local newspapers and radio and television stations to issue warnings and bulletins aimed at public safety. All Metro police officers were regularly briefed regarding the latest information concerning the SAS investigations; in high priority divisions, SAS team members personally met with and briefed all investigators with the same information. SAS members met with and questioned TTC employee's regarding potential suspects who regularly travelled on and frequented TTC facilities. Telephones dedicated to receiving public information were installed with provisions for anonymous calls. Cash rewards<sup>16</sup> were offered for crucial information leading to an arrest and conviction. In locations considered strategic, in the city of Scarborough and on TTC buses and facilities, poster and billboards were posted asking for continued assistance from the public in hunting down the serial rapist.

Some victims of the *Scarborough Rapist* received strange or harassing telephone calls; police installed Digital Number Recorder's to the effected telephone lines. An expert in the tying of knots, Robert C. Chisnall, was employed to analyse the style of bindings used by the serial rapist. As

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<sup>16</sup>On 21 February 1996, The Toronto Sun reported that Alex Smirnis had applied for the reward offered by the Metro Police Services Board.

police developed and questioned suspects and collected trace evidence at crime scenes, the Toronto *Centre of Forensic Sciences (CFS)* was required to perform forensic tests for police. When interviewing potential suspects, investigators asked for voluntary samples of saliva for use in forensic investigation.

Potential witnesses and victims of the serial rapist were asked to participate in viewing photo line-ups in which unresolved suspects appeared; the hope was that a suspect would be identified as the *Scarborough Rapist*. In at least one case, a suspect was identified as the serial rapist, later being cleared through further intensive investigation. Experts in linguistics were employed to analyse statements from current suspects. Students from the *Ryerson Polytechnical Institute* aided police by acting as contrast voices while investigators developed a voice line-up (used in the same manner as were the photo line-ups).

Shoe companies were employed to examine plaster casts of shoe prints recovered from crime scenes, in particular, from the scenes of the 23 and 27 December 1987 attacks on Erika Paxton and Stacie Baxton. Using the information of the style and size of the casts, investigators developed a poster advising the public of the information police had regarding shoes they believed were worn by the *Scarborough Rapist*.

Karla celebrated her nineteenth birthday on 4 May 1989. Paul wrote: "Happy Birthday baby. 19 wonderful years and 1 1/2 years together. Your boyfriend, your lover, Paul."

On 20 June 1989, the *Scarborough Rapist* was once again on the prowl. His last sexual assault ended without rape, a failure for the cocky Bernardo. On this early morning attack, he would commit sexual assault causing bodily harm, but once again, his intended victim would frustrate his attempt to commit rape.

Corrie Decker was walking home from a friend's place, at approximately 3:40 a.m., when Bernardo attacked. Corrie punched him on the head and scratched his face. Her screams for help roused nearby neighbours. The *Scarborough Rapist*, beaten and scratched, ran off, escaping into Scarborough's dark streets.

Police were called to the area.

Corrie described her attacker as a male white, five foot eight, brown

haired and wearing a dark jacket and blue jeans. Possible injuries were added to the description. "That helped and she screamed pretty good which brought neighbours out and scared the man off," Sgt. Pat Tallon said.

Neighbours in the community quickly mobilized and assisted police in handing out a pamphlet describing the attacker.

Police, though, said the attacker was not the *Scarborough Rapist*. There were too many differences in the manner of this attack as compared to those attributed to him. "The attacks attributed to the man dubbed the Scarborough rapist have all been on women getting off buses," said Staff Inspector James Newsome.

Recently promoted Staff Inspector Joe Wolfe, of the SAS, added: "It is not the same man. Not that we can ascertain."

## **CHAPTER TWENTY-NINE**

In a letter dated 28 July 1989, Karla wrote "I love you" ten times then signed as, "Your little cock sucker; Your little cunt; Your little slut." Later, "I'm your little ass-licker," would join the repetitious repertoire. That later slogan, Karla said, was added when he began demanding she perform anilingus on him.

The *Metropolitan Toronto Police Commission* authorized an additional \$100,000 dollars, increasing the reward for information leading to the arrest and conviction of the serial *Scarborough Rapist* to \$150,000.

Taryn Sanders, 22, had only been in Scarborough for two months. She had travelled from western Canada in search of work. On 14 August 1989, as she walked home from work, the *Scarborough Rapist* followed, stalking her -his prey. He took special care, the memory of his last two rape attempts ending with his frightened flight likely plagued his psychopathic mind. He'd been reduced to recalling the memory of the hunt, the stalk and the rape -the memory of his last triumph. The past months can only have added to his pooling hatred towards women. This night is his comeback; these are his streets and the dark night is his only true friend.

He watched as she entered her basement room. Through her window he watched as she made coffee; and he watched as she entered her bathroom. Waiting patiently, he watched as she went to bed. He knocked on her window and watched her startled look as her gaze scanned the room, seeking the source of the knock. Then he disappeared into the night.

The next night, 15 August 1989, at 12:10 a.m., Taryn exited a *TTC* bus and began walking towards the neighbourhood home in which she boarded, letting a basement room. The *Scarborough Rapist* was back; he was stalking her once again.

Bernardo jumped from a tuft of bush, and, past forgotten, he bulletted towards his prey. He seized Taryn from behind and clamped a gloved hand over her mouth and nose. Taryn struggled to free herself; she screamed for help.

"Shut up!" Bernardo repeatedly ordered before going for his knife. He grabbed her long pony-tailed hair and, pulling her head backwards, brought his knife to bear against her exposed throat.

"I have a knife; be quiet. If you make any noise I'll kill you," he offered in a final warning.

Nobody was attracted by her screams. He was emboldened -his confidence returned.

Forcing Taryn off the sidewalk, he dragged her to the side of a house. He pushed her to the ground and warned her to keep quiet.

"Bitch! I'm The *Scarborough Rapist*," he bragged, perhaps trying to terrorize and shock her into silence, but likely because he was proud of the fact. The sadistic rapist was about to exact vengeance upon Taryn. Vengeance in effigy of all those who have, in his own opinion and in his own mind, betrayed him -for those who have escaped him.

Holding Taryn by her hair, he reached his right hand around and pulled off her vest; he jammed it into her mouth, ensuring silence. He pulled her shorts and panties down and lifted her shirt and brassière. Hands free, he ran his single edged hunting knife along her face cutting into her bottom lip.

"Such a pretty face. It would be a shame if you had a bunch of scars on your face." He sliced thinly along the right side of her neck then ran the knife over her body. "You're so sexy."

Gagged, Bernardo ordered Taryn to nod her head in agreement to any of his questions and to anything he said.

"You don't want to hurt me and I don't want to hurt you."

Staying behind her, he penetrated Taryn vaginally. The make-shift gag flew from her mouth as she howled in pain. Bernardo smashed the butt of his knife against her head, bruising her forehead above her left eye. He warned her that another cry would mean her death. Taryn yanked her vest back into her mouth and bit down, attempting to muffle the screams of pain she could no longer control. Bernardo alternated between raping her vaginally and anally.

He demanded to know if Taryn had a boyfriend. Was she a virgin? When had she lost her virginity? How old was she? Did her boyfriend ask her to

perform fellatio?

Bernardo forced her to turn around and face his groin. He forced his penis into her mouth and ordered her to perform fellatio on him. One hand still held her hair. If she didn't satisfy him, she wouldn't get out alive, he warned.

"You're doing it wrong; you bit me! If you bite me again I'll kill you!"

If Taryn moved or slowed, he beat her; he continually threatened to kill her. The force of his blows kept knocking her unconscious, and he kept beating her back into consciousness.

He repeatedly ordered her to remain quiet but he beat screams from her, then maddened by her screams, his furied beatings grew in intensity. He bruised both of her eyes, her right ear and her neck. The skin on her knees was rubbed raw. Still, he continued to orally rape her.

"If I don't come, it's your fault for being so lousy and I'll kill you," he warned. He didn't ejaculate though, and he blamed her, saying her performance had been poor. He turned his attention to a ring she wore, removing it, he asked if her boyfriend had given to her. He examined it. "Cheap boyfriend," he remarked, then threw it away.

He ran his knife along her body. "You love it bitch," he said as he pushed her to the ground and again raped her vaginally. Perhaps his inability to maintain an erection and ejaculate had made him careless, or perhaps he had simply ceased to care about noise, but he now demanded Taryn speak ... to him, as he continually raped her.

"I'm a cunt," she said as ordered.

"I'm a bitch."

"I'm a slut."

"I love you ... only you."

"Thank you for being so nice to me."

His words from her mouth. He was pathetic but dangerous.

"You're a stupid bitch," he said as he described how he'd stalked her the previous night. "Yeah: it was me who knocked on your window."

Ignoring Taryn, he opened her black leather *Jordache* purse and rummaged through its contents. Inside a red *Jordache* wallet, he fingered her drivers license, noting it stated her name and address in her home province. He studied other identification. Her Social Insurance card, a university student I.D. and her bank card. He found family pictures and a list of telephone numbers.

He tossed everything back into her purse. Having her personal information he then warned Taryn that he'd get her and her family.

"It might be a year or five, but I'll get to you or them."

Bernardo bound her hands with twine then tied her hands to her neck. He used her own belt to bind her legs together. He told Taryn not to move for five minutes and walked a short distance from her. She could hear a branch or twig snap. When he returned, he held his hunting knife to her throat.

"Now we're going to have some fun."

He removed one of his gloves and thrust his fingers into her vagina. Withdrawing his fingers, he attempted to force twig like objects into her vagina. Finally, two hours after the attack began, he was psychologically and sexually sated. He withdrew from her, leaving her bound and laying on the ground.

"Because I like you so much I'm going to let you live."

Bernardo walked away.

Taryn heard a car door open and shut, then heard the sound of a vehicle driving away. Unable to free herself, Taryn struggled to her feet and hopped home. She was able to awaken another tenant who freed her then called the police.

Taryn described her attacker as a male white in his mid to late twenties, six feet, 200-210 pounds. He had a muscular build with a pot belly. He had sharp features and a pale complexion, wore a bushy light coloured mustache, cut straight. He looked mean. His spoke without an accent. He was wearing a black leather hat without a peak, a black round-necked sweater, black pants and soft shoes. He was armed with an eight inch knife.

Taryn was transported to the Scarborough *Grace Memorial Hospital*. Staff attended to her injuries and completed a sexual assault kit. Like most

of Bernardo's victims, Taryn remains physically and psychologically scarred.

On 16 August 1989, *The Toronto Star* reported that a 22-year old woman was "attacked from behind and dragged into some bushes". "The woman's face was badly beaten before she was violently raped and then robbed."

In a 1995 interview with *The Sunday Sun*, Taryn said she wanted people to know what Bernardo really did. She wants people to know that he is a monster.

*"It was for a couple of hours," she said of being raped by Paul Bernardo, "the more I screamed, the more horrible it became and the harder he would hit me. I have never experienced pain like that."*

A frustrated Staff Insp. Wolfe admitted, "We're using everything we can think of to catch this guy. We just haven't been very successful."

## **CHAPTER THIRTY**

While at work, on 22 August 1989, Karla wrote a belated birthday message to give Paul when he returned from Florida. Paul, accompanied by friends Van Smirnis and Gus Drakopolous, drove to Fort Lauderdale, where he celebrated his twenty-fifth birthday. "Don't be mad but I'm at work," she began, assuring Paul that she'd completed all her duties before writing a personal letter. "I have some really great things planned for your belated birthday celebration. I really don't like one thing I'm going to do for you," Karla wrote of allowing Paul to perform anal sex on her, "but that's what birthdays are about. Doing things for the birthday person whether you like it or not."

At home, Karla had a list of do's and don'ts concerning her relationship with Paul: A self-improvement list.

"I wrote to myself to remind myself to make Paul happy. I always seemed to be doing things to make him unhappy he suggested to me to write things down so I could remember to do them. So that's what I did. I taped them to the wall right behind my door in my bedroom. Sometimes in my night table drawer."

"Never let anyone know our relationship is anything but perfect. Don't talk back to Paul. Always smile when you're with Paul. Be a perfect girlfriend for Paul. If Paul asks for a drink, bring him one quickly and happily. Remember you're stupid. Remember you're ugly. Remember you're fat. I don't know why I tell you these things because you never change."

"He used to tell me the reason I looked the way I did was because of him. That I was nothing without him. He made me feel like I was totally dependant on him. He would sometimes call me on his cellular phone and call me bitch in front of his friends and laugh and say 'I call her whatever I want.'"

Paul, Karla said, controlled her life.

And to all the world, until long after it became known that she'd participated in three deaths, two of which were execution style, she seemed

content.

The *Scarborough Rapist's* next attack was in the Toronto suburb of North York, bordering Scarborough. At 1:15 a.m. on 21 November 1989, Brooke Owens was inside a bus shelter when Bernardo entered. He asked her about the bus schedule. Brooke looked along the street for the bus, then the two engaged in a short conversation regarding the bus schedule. Bernardo suddenly reached out and, with a black leather gloved hand, covered Brooke's mouth. Brooke felt a sharp object being pressed against her throat.

"Shut up. Don't scream. I've got a knife. If you scream I'm going to kill you," Bernardo warned. He forced Brooke from the shelter to a nearby building. He alternated between pressing the knife against her neck and the side of her body.

Bernardo grabbed Brooke's hair, holding it like, in Brooke's own words, "a horse rein" -he forced her to her knees.

"How old are you?" he asked.

"Fifteen," she answered truthfully.

"Pull your pants down and just keep you're head down."

Brooke, under the threat of death, complied. "Arch your back and keep your head down," he ordered before penetrating her vaginally from behind, causing a red friction burn at the entrance to her vagina. Withdrawing his penis, he forced it into her anus, causing two small tears.

Brooke screamed in pain.

Bernardo tightened his grip on her hair.

"Fucking shut up!" he demanded. After raping her both vaginally and anally, he withdrew and forced her flat on the ground, face down. He grabbed her left wrist and pulled it behind her back. "Gimme you're other hand," he ordered. Using twine, he tied her hands behind her back. Bernardo fully removed Brooke's pants, panties and socks. He tied her arms together, then ran the twine down her back and tied her hands to her ankles. "Open, open!" he demanded, then stuffed Brooke's socks into her open mouth. He tied her pants and panties around her head.

"Okay, this is what I want you to do. You got five minutes to get out of these ropes and if you don't I'm going to come back and kill you," Bernardo threatened. "I'm going to stand out there for about two minutes and if I see you move I'll kill you."

The attack had lasted approximately 45 minutes and Bernardo, leaving Brooke stranded and fearing for her life, fled.

Brooke did manage to free herself. She dressed, ran to the street and flagged down a taxi. The police were called.

Brooke described her attacker as a male white, twenty-one or twenty-two, five foot six to five foot eight, 150-160 pounds, straight shoulder length dirty blond hair with short bangs on the front, no facial hair, baby-soft facial skin, light complexion and he had no accent. He was wearing a black leather waist length jacket with a zipper, black leather gloves, blue-jeans -possibly light blue and running shoes with a line on the side. He was armed with a knife.

Police transported her to the *Scarborough Grace Memorial Hospital* where her injuries were attended to and a sexual assault examination was performed. Brooke had bruises on both of her knees, both wrists, both ankles and her right breast and a red friction burn on her forehead.

Six years after being raped by Paul Bernardo, Brooke still suffers from Rape Trauma Syndrome.

Later that same day, Brooke's rape was reported in the *Toronto Star*. The tiny article of less than 50 words made no mention of the *Scarborough Rapist*.

Karla said that, in the Fall and early Winter of 1989, Paul's verbal abuse continued and grew in frequency.

"He used to call me stupid a lot. One time he tried to phone me and my phone was turned off. When he finally got a hold of me he yelled and screamed at me. He called me 'a fucking idiot' because my phone had been turned off."

A letter Karla wrote to her best friend on 14 November 1989 mentioned that incident. "Paul's mad at me for a fucking ridiculous reason." She wrote of having a bad day because she was fighting with Paul and said Paul believed that, purposely, she wasn't taking his calls. "I tried to call

him back and he shut his phone off," she wrote, "the asshole. He says he's not going to call me tonight, well boo fucking hoo!"

That letter was produced after Karla insisted she never mentioned Paul's constant physical and psychological abuse to anyone because Paul ordered her "not to air their dirty laundry".

On 19 December of 1989, police and politicians joined in launching a poster campaign aimed at alerting women about the danger posed by *Scarborough Rapist* and safety precautions women should take.

## **CHAPTER THIRTY-ONE**

Police would get their first real description of the *Scarborough Rapist* after a 22 December 1989 rape. It was approximately 2:30 a.m. when Kelly Allford, 19, parked her vehicle in an underground lot near her residence and walked towards the elevator. Hearing footsteps behind her, she turned and saw the *Scarborough Rapist* running towards her. As Bernardo reached out and grabbed her by the head she began to pray aloud.

"Help. Oh God! No. Please no."

"Shut up!" Bernardo demanded as he placed Kelly in a wrestling half-nelson hold and pulled her towards himself.

Kelly, having trouble breathing struggled to free herself. Bernardo pushed her into a stairwell and forced her into a sitting position. He began groping her groin area, then ordered her to open her pants. Kelly had retreated into shock and didn't respond. Bernardo opened them himself and pulled them part-way down her legs. Pulling her panties down to join her pants, he inserted a finger into her vagina.

Bernardo forced Kelly to her knees and, from behind, attempted to penetrate her vaginally. He was unsuccessful.

"Is this your first time," he asked.

Again, Kelly failed to respond. Bernardo was incensed.

"I'm going to teach you a lesson bitch."

Bernardo withdrew from his attempts at vaginal rape and brutally rammed his penis into her anus, bloodying her anal cavity and causing friction burns to her anal opening. Kelly screamed out in pain, her body arched out over her knees. Her knees were scraped on the cement; her toes, left foot and right ankle were bruised. He brought his knife to bear against her throat.

"Shut the fuck up," Bernardo ordered, "or I'll kill you!"

Kelly cried that she was in pain, but Bernardo insisted she stop

screaming, repeating his threat of death. He pushed her down, then, adding to her pain, he forced his penis into her vagina. He caused friction burns to her vagina and internal lacerations to the top rear of her vaginal wall, near the opening to her womb.

Kelly felt Bernardo pull hard on both sides of her hair, then she felt him ejaculate into her vagina.

Withdrawing, Bernardo removed Kelly's pants, panties, sweater and jacket.

"I'm going to be back, late, in a couple of days," he said, then told her he was going to leave her clothes at the top of the stairs. He ordered her to wait three minutes before attempting to retrieve her clothes.

"I'm going to watch and if you come up by then I'm going to come back and start stabbing away."

He examined the contents of Kelly's wallet, removing and pocketing several items. Leaving Kelly naked, Bernardo fled the scene.

Kelly waited, adding a few extra minutes to the thirty minute rape, then retrieved her clothes. Partially clothed, she ran to the main parking lot, looking for help. A citizen assisted her and police were called.

The *Scarborough Rapist*, Kelly described, was a male white, five six to five seven, slim build, dirty blond hair, thin nose, square jaw and clean shaven. He was wearing a black puffy jacket, -possibly a black leather bomber style jacket- blue jeans, beat-up white running shoes and a black toque. He was armed with a knife.

Kelly was transported to the Scarborough *Grace Memorial Hospital*. Her injuries were treated and a sexual assault examination was performed.

Like many of Bernardo's victims, Kelly still suffers Rape Trauma Syndrome. In 1995, more than five years after Paul Bernardo raped her, Kelly said: *"Paul Bernardo took away from me things that I am still trying to rebuild today and may never again. He forced me to believe that my life would end a few days before Christmas many years ago, and he has made me wish several times over the years that my life would end. He took my innocence, my security, my self-esteem and self-worth away. In essence, he didn't just rape me but he killed the person I was, the person I was proud of being. He took me and made me old, unable to enjoy life, unable to be 'normal'. My family treated me differently, one member won't even talk to me*

*because they are ashamed. I have lost friends who couldn't deal with it. I lost my dignity and my will to survive. Suicide crossed my mind several times for several years. I can't trust anyone, I can't keep a stable relationship with anyone because I fear if they find out what happened they'll walk away, or if I do tell them they have walked away, actually, they all have."*

Initial police reaction to the possibility of an identification from the latest Scarborough rape victim was upbeat. The garage in which she was raped was lighted. "She saw his face. She got a good look at him and we hope this will help us," said Sergeant Pat Tallon. Still, police refused to confirm the rapist was the sadistic serial *Scarborough Rapist*, citing the need for forensic tests before they could be certain.

Police later confirmed the attacker was the man they were hunting, and they updated their description of the rapist. They still, however, felt an accurate composite picture for public release was not possible.

On 16 December 1993, Kelly filed a 10 million dollar lawsuit against the owners of the apartment building where she was raped and against Paul Bernardo and Karla Homolka. She claims the building owners were negligent in security measures and claimed Karla Homolka "aided and abetted" Paul Bernardo when he raped her.

Kelly's law-suit was later stayed, by Madame Justice Ellen MacDonald, until late 1996.

On Monday 23 September 1996, Kelly's case was finally brought back before the courts. Madame Justice Ellen MacDonald of the Ontario Court, General Division, heard Kelly's initial arguments. At Kelly's request, her case file was re-opened. In addition, in a precedent setting move, the court ordered Bernardo must undergo testing for *AIDS* and other *STD's*: This is the first an Ontario court hearing a civil suit has made such an order.

Kelly's case remains ongoing.

## CHAPTER THIRTY-TWO

Despite what she called Paul's "brain-washing" of her, Karla was thrilled when he asked her to be his bride. On 24 December 1989, Paul told Karla they'd be going to visit friends of his in Toronto. He, instead, drove to *Victoria Village* in Niagara Falls, Ontario. They had visited the children's fantasy land before and Karla had suggested they make pretend wedding vows while there. This time Paul took her to the miniature village to make the first step in taking actual wedding vows.

Paul asked Karla to turn around. He wound up a music box with a glass unicorn inside. When again they faced each other, strains of *The Impossible Dream* emanated from the box, filling their very own child world and freezing time. A diamond engagement ring sat upon the unicorn's horn.

"It was the most romantic moment in my life," Karla said. "He whispered words of love into my ear and with a shaking voice he asked me to marry him. I threw my arms around him and cried tears of joy. I accepted right there."

Paul and Karla rushed back to St. Catharines to give Lori and Tammy Homolka the good news. They called Mr. and Mrs. H in Niagara Falls, New York, where they were celebrating their own wedding anniversary, and gave them the good news.

## **PART THREE**

***He didn't just rape me, he raped my world, my family and my friends.  
Not one person near me has not suffered to some extent. I am not and  
never will be the person I was, the person everyone knew and loved.  
-Scarborough rape survivor Courtroom 5-1, Osgoode Hall, Toronto,  
Friday 3 November 1995.***

## **CHAPTER THIRTY-THREE**

In January of 1990, Paul took a position with *Goldfarb, Shulman, Patel and Company*, an accounting firm in Toronto. A co-worker remembers one day, in the cafeteria, that Paul sat and listened as some of the female employees discussed the *Scarborough Rapist*. "He didn't say much," said the co-worker.

In March of 1990, tax season, Paul left a short note saying he wouldn't be returning and quit. A company receptionist remembers Paul. "He was a normal guy as far as one can be a normal guy. But he stuck to himself," she said.

Paul collected Unemployment Insurance, at a rate of over \$1,200 a month, until his benefit coverage expired a year later. Having failed his CA examinations three times, the allowable limit, Paul never became a chartered accountant. In fact, although he would call himself a free-lance accountant, he never again worked as an accountant.

Karla said Paul was calling her his sex slave by the Spring of 1990. "I never denied him anything. I was his property," she said. "I was well trained at that point."

According to Karla, Paul threatened both her and her family with death; she was afraid to defy him. She said he regularly hit and punched her, landing blows on her chest and upper arms where bruises would remain hidden.

Karla is seen posing in photographs or on videocassette tapes throughout her relationship with Paul, at times wearing skimpy bathing suits but no bruises were ever seen. Later, defence lawyer John Rosen suggested that nobody saw bruises because she wasn't the abused woman she claimed to be and there never were any bruises. Karla's temper boiled. "Paul knows it happened!"

To substantiate Karla's claims of abuse, her co-workers at the *Martindale Animal Clinic*, and her close personal friends testified at Bernardo's double-murder trial. Co-workers, in the later days of Karla's relationship with Paul, recalled seeing bruises on a daily basis. Her friends said, on occasions such as dress fittings, they observed bruises on Karla's

body.

It should be pointed out that almost all of Karla's claims of abuse are circumstantial. As Karla testified, Paul only beat her in private. In addition, during Paul's trial it became known that Karla coached, directly and indirectly, most witnesses that testified to observing bruises on her body.

On 24 May 1990, citing financial mismanagement, Paul visited the offices of Financial Trustee Harold Brief. Declaring he was unable to make payments as his debts became due, Paul invoked the *Bankruptcy Act*. Paul's debts totalled \$25,339. His only asset was a \$300 cellular telephone; his Nissan was protected because it was owned by a leasing company. His only listed income was \$1,216 per month which he received from *Unemployment Insurance Canada*.

"He said he was really in debt and said he could never get out of debt without filing personal bankruptcy, so he did," said Karla. "He spent money like you won't believe. He was always taking me out for dinner, buying me things he couldn't afford - buying clothes he couldn't afford. He lived beyond his means."

Paul had multiple credit cards which he used to pay for gas and obtain cash advances.

"He had Visa, several Master Cards, American Express, En Route, gas cards, he had everything."

When Paul surrendered his cellular telephone, Karla purchased him a new one. Using her name, she subscribed to the Cantel cellular service.

## CHAPTER THIRTY-FOUR

Despite all the warnings, the hard working investigators, and the alert Scarborough citizenry, the *Scarborough Rapist* was once again stalking and prowling. And on the streets of Scarborough, an innocent young woman walked alone.

Bernardo, perhaps humiliated by his recent failure in his accounting examinations and his forced participation in group debt counselling, was about to strike with such ferocious cruelty, he'd confirm a reservation for his own place in hell. It would be Bernardo's only random rape in 1990, and the final rape in his horrifying reign as the *Scarborough Rapist*.

Kaila Farrington, in 1990, was a nineteen year old university hopeful, planning on a degree in linguistics. She was a beautiful young woman whose pale brown eyes twinkled with intelligence and with visions of a wondrous future. She was social, well liked, with an endless supply of friends. Her family was supportive and loving. She offered the same support and love to them. In her exuberance for life, she thought no harm would ever befall her.

Then Kaila encountered *the bastard from hell* and her life was shattered. Her childhood forever lost.

On 26 May 1990, at approximately 1:40 a.m., Kaila exited a TTC bus and started walking home. It was a familiar route. She'd ridden the bus and walked the route many times before. This time she heard footsteps behind her. Looking back, she saw Bernardo walking in the same direction, about one block behind her. Thoughts of the *Scarborough Rapist* briefly crossed her mind; she dismissed them, but Bernardo was getting closer.

When Bernardo was about twelve feet behind her, she decided to gauge him. Knowing exactly where she was, Kaila offered him the name of the next main street; she asked him to confirm her information.

Bernardo smiled. "Oh, it's you know, it's ah, ways off," he said. Uneasy, perhaps sensing he knowingly lied, Kaila said she was on her way to a friend's house. Bernardo began to walk slightly behind, and to the right of her.

Kaila asked what he was doing out so late. Bernardo said he'd been to a party.

It was a pinnacle moment, frozen in time. Kaila had seen his face. Bernardo, the predator, likely looked upon her as a trophy the way a big game hunter eyes prey and imagines a stuffed head hanging on his wall. He could wish her a good night and walk away, his secret alter-identity intact. Instead, with the speed of a rattlesnake, Bernardo struck, grabbing Kaila around the waist with his right hand, his left hand closed around her mouth.

*This isn't happening, thought Kaila, this isn't happening. He just wants my money -oh, he just wants my purse. Then Bernardo shattered her illusions.*

"I have a knife."

Bernardo ordered her to go with him without struggle. Kaila felt a cold sharp object touch her jaw; then she felt it slice into her right cheek, along her jaw-line. *Kaila realized it really was happening. Something snapped inside her mind -a separation of mind and body. Her mind told her body, don't worry. Her body said, sorry, we'd better get out of here now.*

Bernardo picked her up and carried her to the rear of a nearby school. Kaila cried.

"Shut up," ordered Bernardo. "Shut up bitch!"

He dragged Kaila to a darkened corner and forced her to her knees, her face to a wall. He ordered her to remove her jacket but when she fumbled, he yanked it off himself.

Kaila continued to cry.

"Shut up ... shut up bitch!" he ordered again and again, in response to her cries.

Behind Kaila, Bernardo tried, without success, to unfasten her pants. He demanded she open them, then pushed her face down, scraping her face on the cement. He used a length of twine to secure her hands. The twine cut into her skin and she cried again. "Shut up!" he ordered then tied her ankles together.

Another scream.

Another warning. Bernardo held her hair with one hand, her wrist with the other. Still behind her, he penetrated her vaginally, tearing her labia. He brutally pounded himself into her; her head banged against the cement wall in synchronization with the force of his thrusts.

*The fear was indescribable. She couldn't believe she could feel such fear while her body still lived. Kaila, literally, saw her life flash before her mind's eye. She tried to remember everything she'd read about the Scarborough Rapist. Had he killed his last victim? What did they say he looked like? Her head was reeling, asking questions ... continually calculating how to get away.*

"Please don't," she pleaded, "I'm a virgin."

Bernardo laughed.

"What's your name?"

"Vanessa," she lied.

"How old are you?"

"Sixteen," she lied again.

Kaila believed she was going to die. She kept asking if he was going to kill her.

"Fuck off," he answered each time she asked, punctuating his answers with blows to her shoulder.

*Kaila held her breath, hoping to die peacefully. A part of her, she felt, floated away. She wasn't thinking about herself anymore; she didn't believe she would survive the savage rape. If he kills me, she thought, I just want some of my clothes back on so my parents don't have to see me that way.*

Bernardo withdrew from her vagina.

"Count to fifty." He would watch, he warned Kaila, and if she moved or lifted her face from the ground before she reached fifty, he would kill her.

"You can go tell whoever you want, or do whatever you want," Bernardo said. Kaila, perhaps, felt the flame of hope catch within her. She

might survive after all. She said that she wouldn't tell anybody. When she'd counted to fifty, she couldn't hear Bernardo and she thought he'd left.

He hadn't.

Bernardo, probably struggling with indecision, wondering -since she had seen his face- if he should kill her or not, returned to Kaila. He scratched her throat with his knife. He ran his knife around her genital area.

Another scream.

Another warning.

Kaila cried.

"Shut up!" Bernardo ordered.

And cried again.

"Shut up bitch!"

Bernardo searched through her purse, finding an Ontario Age of Majority card.

"You lied!"

Kaila told him it was her older sister's false I.D. card. He stole it along with a school I.D. card and other forms of personal identification and personal effects.

Bernardo walked away.

Bernardo returned.

He thrust a finger into Kaila's anus.

"Please don't ... it really hurts," she cried.

Bernardo laughed and added another finger. Suddenly, he withdrew his fingers, drew himself backwards then lunged forward, his penis violently penetrating her anus. He pulled her hair with both hands.

Kaila began to pray. "Please God, just make me die or he's going to kill me."

me."

"Shut up!"

"Please let me pass out."

"Fuck off!"

Bernardo hit her, removed her shoes and socks and stuffed a sock in her mouth to stop her cries and prayers. Withdrawing from her anus, he rubbed his hands on her vagina.

"Oh, does this feel good. I bet you like this."

He stopped fondling her and turned her around to face him.

"If you try and fuck me up or fuck me over, you know I'll kill you. Don't you try. Don't you dare even try to fuck me up or fuck me over bitch. I'll kill you."

(At some point during the attack, the sock-gag was either removed or fell out.)

Bernardo forced his penis into her mouth and orally raped her. Afterwards, Kaila thought Bernardo was going to leave. She began to count.

"One, two .."

"No, not yet."

Kaila began to count once more.

"No, not yet."

"Okay. Now," he ordered.

Again Kaila began counting.

Bernardo left.

Bernardo returned for a third time.

He grabbed at her buttocks and genital area. He reached around and

lifted Kaila's shirt and brassière. He began sucking on her breasts then bit down, leaving an impression of his teeth on her left breast.

"Okay. You can start counting now."

Kaila began to count.

"Not yet. Not yet. I want something to remember you by."

Bernardo grabbed a handful of her pubic hair and ribbed it free. "Oh shit," he said, then reached down and ripped away a larger handful.

Kaila began to count.

Bernardo left. The rape had lasted over one hour before he disappeared into the dark night.

Kaila waited, believing he'd be back again -still believing she would die. She was amazed that she hadn't died from simple fear. When she realized he'd really left, she managed to untie her legs. Partially dressed and still tied at the wrists, she ran out to a nearby main street. A vehicle stopped to help, then transported her to 41 Division, police headquarters.

Kaila described the man who raped her as a male white, six feet one inches, nineteen to twenty years old, with a muscular build, broad shoulders and large hands. His hair was blond, collar length, parted on the left side and feathered back to the right side, above the right ear. He was extremely clean shaven with a clear, tan complexion. His eyes were light coloured, possibly blue.

He wore a blue nylon jacket with a zipper pocket, a blue and white striped tee-shirt, tan coloured walking shorts and white, tennis style running shoes without socks. He didn't wear any jewellery. He was armed with a knife.

Kaila was transported to the *Grace Memorial Hospital*. Staff at the Sexual Assault Care Centre examined her and completed a sexual assault kit. Kaila required sutures on her right cheek. She had abrasions on her face, neck, both knees, both wrists and both ankles.

Even at the hospital, beaten and violated, Kaila worried not about herself, but her parents first.

*"My parents were the first of my family to see me when I arrived at the hospital, I cannot express in words the look on their faces when they first saw me covered in blood, clothing torn. My Father, who is normally a pillar of strength, fainted, and was then reduced to sobbing hysterically. Watching my parents and family cry because of what I endured makes my heart ache with pain I'd never felt before."*

The next day, on 27 May 1990, police were cautious in dealing with the media. Detective Warren Wilson of the SAS issued a terse statement.

"There are similar facts and there are some that don't match the pattern."

Det. Wilson told *Toronto Star* reporter Andrew Duffy, police would await results of forensic testing before commenting on whether the *Scarborough Rapist* was responsible for the attack. He remained stolid as he told Duffy the victim may be unable to assist in identification.

"She's very upset, very traumatized. I don't know if she can positively identify him. It was dark, the middle of the night, and she was scared senseless."

On 28 May 1990 *The Toronto Star*, in a tiny digest article, reported police had made no progress in determining whether the *Scarborough Rapist* was responsible for the 26 May 1990 rape.

Meanwhile, police were excitedly, and secretly, awaiting the results of interviews between Kaila Farrington, detectives and a civilian police artist, Betty Clark. Based on Kaila's vivid recollection of her attacker, a computer generated composite sketch was constructed. With the assistance of *Toronto Sun* newspaper personnel, the composite was colourized and readied for a public media release.

Police investigators called a news conference at Toronto police headquarters. Detective Sergeant Randy Wilson gave reporters an updated description of the *Scarborough Rapist* and advised that police were moving a team of twenty detectives into 4 District headquarters. A hot line at 324-0543 would take public calls with any information regarding the rapist.

Police then released the composite bearing a striking resemblance to Paul Kenneth Bernardo.

On the morning of 29 May 1990, *The Toronto Sun* ran the composite on the front page, beside was the headline, "Have you seen this man?" Along with a description of the suspected rapist, reporter Rob Lamberti wrote: "The *Scarborough Rapist* now has a face. And he looks like the boy next door." *The Toronto Star* also ran the composite on page one. The headline asked: "Is this 'boy-next-door' the Scarborough rapist?" Under the composite: "8th victim puts face to serial sex attacker." Reporters Philip Mascoll and Dorothy O'Neill wrote: "Metro police have at last put a face on the eight-time Scarborough rapist -more than three years after his first savage attack. Sexual assault detectives yesterday issued a computer composite of the blond 'boy-next-door-type'."

At home, Kaila Farrington, though suffering immediate effects of acute Rape Trauma Syndrome, continued to worry about her family. Three years later she would still worry about others, meeting with *Toronto Sun* reporter Tracy Nesdoly and telling her story "to give the other victims strength".

Her first concern was that her parents saw her immediately following her being raped. Her second concern was, again, for her family. "Seeing their frustration of watching a beautiful confident young lady become as emotional and dependent as a two-year-old with no hope or esteem left in her," concerned her. "The humiliation and shame I felt when my parents learned the details of my attack is indescribable."

Kaila spoke of her initial reaction to being raped.

"At the time I thought this will be a horrible week and next week they'll catch him and then we go to court and then it's over. It was subconscious, but I thought in two months it will all be over. When that didn't happen I had a ... I guess you could say I had a breakdown."

Suffering the same symptoms as other survivors of Paul Bernardo's rapes, she feared sleep and being alone; her parents bought her a German Shepherd, hoping she'd feel safe and protected. Her greatest fear was that Bernardo would return. Her life was torn asunder. Due to a lack of concentration, her university career ended. Kaila has difficulty trusting people, especially men.

"My relationships have suffered terminally. I have yet to have a successful relationship with a man, a fact which depresses and saddens me enormously."

Five years after being raped by Paul Bernardo, she would say: "At

*times I feel a depression so deep and despair so gnawing that I do not feel I can go on. The physical pain I suffered then and still I do, and the scars I carry on my body are constant reminders of the tortures I endured. These paled compared to the emotional scaring I will suffer all my life. I carry so much anger, if not pure rage with me. I am incensed at the injustice of my situation."*

## CHAPTER THIRTY-FIVE

On Tuesday 29 May 1990, Chelsea Hagen picked up her newspaper. The man who raped her was *The-Boy-Next-Door*. Chelsea telephoned the Sexual Assault Squad, speaking to Detective Jane Dick. "That's the man that raped me," Chelsea exclaimed.

Chelsea advised Det. Dick that she'd viewed police photographs in the past, but that the composite was the closest to the man who raped her. Still, Chelsea held back, she wasn't yet ready to give all the details of her rape.

The rape command centre, on its first day of operation on 29 May 1990, began receiving calls, on five dedicated telephone lines, at a rate of one every four seconds. Three hundred calls were answered at both the rape hot-line and the anonymous *Crime Stoppers* line. At 41 Division and 42 Division, the police stations that patrolled Scarborough, investigators took separate reports. Reports were filed on paper forms and sent to analysts who operated the *HOLMES* system and should have classified each report entered into the system. Those who lived in Scarborough and met other criteria, such as resemblance to the composite, age range or past history of sexual deviance were classed A and required follow-up investigation.

A detective sergeant would discuss each suspect then assign officers to investigate, check alibis, past sexual history and possible criminal records. Ten teams of two investigators began visiting and interviewing the most likely suspects. Each team was responsible for validating potential alibis in the course of his or her investigation. The suspect was then eliminated or classed for further investigation by way of surveillance.

Calling in reserves, fifty auxiliary officers hit the streets going door to door to distribute the composite sketch. Scarborough residents, still frightened, but now hopeful, threw their full support behind police efforts to hunt down the hunter.

"There's been a torrent of calls," Sgt. Tallon said, "it's just going crazy here."

A1 was the highest class, meaning the suspect was a high risk sex offender. Classification ran from A1, A, B, C, D or E. A B suspect might fit physical criteria but live outside Scarborough. Suspects lower than C, ie: a suspect sited some distance from Scarborough, did not warrant any investigation. In the grand scheme of the investigation, computer analysts would pull together multiple reports of the same suspect. That, for whatever reason, was not the case with Paul Bernardo. The only suggestion offered as to why all multiple reports weren't pulled together was that variations on the spelling of names would have escaped detection by the *HOLMES* system.

Airports, train and bus stations came under scrutiny as investigators monitored the transportation sites for anyone resembling the composite, and making last minute plans to leave the Toronto area. On 29 May 1990, the *RCMP*, who regularly monitor airports, removed a *boy-next-door* from a 6:45 p.m. flight to Halifax, leaving from Toronto's Pearson airport.

"He looked like the sketch and he'd booked a last-minute ticket without luggage," said an *RCMP* spokesperson. "It could have been someone trying to leave Toronto in a hurry."

The young man had made a last minute decision, and was in a hurry to leave Toronto. He had decided to visit his family and spend his nineteenth birthday with them. He was questioned by Det. Sgt. Randy Wilson then freed in time to board the 8:15 Toronto to Halifax flight.

The second day of the hunt continued in much the same manner. Callers reported seeing the *boy-next-door* in locations ranging from bars to offices. As investigators rushed to question suspects, computer technicians, apparently, struggled to fill the data base, putting *HOLMES* to the test.

The computer programme was supposed to have been used to record all tips, and cross-reference them in a variety of manners. This included matching multiple reports of the same suspect, matching suspects with past histories of crime, and recording alibi's.

At 4 District command headquarters, Sgt. Tallon reported, that in a nine hour period, police had received over 1,200 calls. Available resources were being taxed. Police had no sooner taken one call when another came; they couldn't hang up the telephones because they never stopped ringing.

An ugly problem reared its head. It wasn't an unfamiliar problem though, explained Sgt. Pat Tallon -demented men began calling police to confess being the *Scarborough Rapist*.

"We always get them. They are there for every crime."

Though always present, false confessions and bizarre siting's cause big trouble.

"Each person has to be eliminated, and when you get cranks clogging up the line, it makes the job even harder."

Callers reported visions of the rapist. And, according to one report, a caller claimed that the *Scarborough Rapist* was orbiting over a home in a spaceship.

At the command headquarters, over 2,500 calls a day were being recorded. Within one week of the composite release, police reported having received over 16,000 calls. Investigators from other districts were recruited to serve with the rape task force. Personnel jumped from twenty to fifty, then jumped again. The task force peaked with seventy investigators.

It was on 27 June 1990 that the Royal Bank teller watched as one of the regular clients made his transaction then, alertly, she retrieved his name from a cheque or withdrawal slip. Hers was one of the early calls to the rape task force hot-line. There was nobody else around so Staff Insp. Joe Wolfe took the call. The client, she told Insp. Wolfe, bore an amazing likeness to the composite of *the-boy-next-door*: That client's name was Paul Bernardo. Staff Insp. Wolfe said the call was one of two thousand others and was filed in a stack for later reading by a Detective Sergeant. If the report was cleared, he said, analysts would file it on computer, noting so. If the suspect required special attention, police would ask for a saliva sample for forensic testing of secretor status. Police would await results of forensic testing and if the test came back indicating the suspect was a non-secretor, the plan was to ask for blood samples for more advanced DNA testing.

## METROPOLITAN TORONTO POLICE SUPPLEMENTARY REPORT

*Date of this Report*

90/06/27 13:00

Info from employee, Royal Bank, Ellesmere Road & Neilson Road.

The above party called S/Insp. J. Wolfe at the SAS office and gave the following information.

One Paul BERNARDO 21 Sir Raymond Drive, West Hill, DOB 27/Aug/64, is a dead ringer for the photo in the papers of the *Scarborough Rapist*.

The caller also reports that he had not been seen at the Bank since the last rape until June 27/90. When seen on June 27/90 he had changed his hair style, the caller also reported that this party was a student at the Scarborough Campus of the University of Toronto and that he looks about 21/2 yrs. old.

P.C. Buchanan #1897

Police had a few high priority suspects at the time of this report and felt one of them was their man. This report, with no reference to the still hidden McNiff report, failed to stand out above any of the other reports.

Police returned the tellers call about a week later. Thanks for the tip, but we checked him out; he's not our man, they told her.

No further action was taken and, apparently, the report was not filed on *HOLMES*.

On 22 July 1990 *The Toronto Sun* published an exclusive letter, from one of Bernardo's rape survivors, to the *Scarborough Rapist*. The letter, wrote then *Sun* reporter Mark Bonokski, was written at the request of police investigators.

*"To the sickest person in the world: For one half hour, I visited hell, and you took me there.*

*Or at least I thought it would only be that half hour. I thought I knew the person I was, but you changed all that.*

*I was no longer the independent person I used to be, the secure happy girl that could make people smile. The girl that used to hug everyone that was dear to her could no longer let anyone close.*

*Feeling dirty and tainted, I pushed away anyone who would try. I lost my self-respect, my pride, my dignity, and you may have cost me one of the most important people in my life -my boyfriend.*

*The other things I have been able to grab hold of, and pull them back inside, and start to become the person I once was. But so help me, if you have caused me to push that one person away forever, you'll wish you hadn't.*

*I am re-learning who I am. I'm a loving, caring person who knows that none of this is my fault. I am getting back to the person I once was, the person that I liked being.*

*Of course, there are certain changes because of you and what you've done. I've never before had to deal with as much hate as I now hold for you. Having this much hate inside me scares me.*

*To you, I was just another piece of shit that you could take out whatever you wanted to on. To me, you were, and you are, my living nightmare.*

*You took a half hour and a couple of months of my life.*

*But the rest of my life is MINE! Not yours!*

*Everyone tells me that you're sick and need help. Yes, I agree that you are sick, as you can tell by how this letter is addressed, but that is not an excuse for what you have done.*

*And I feel absolutely no pity for you.*

*Yes, you need help. You need help into a jail cell as quick as possible. You need help in understanding what you've done. You need to know what it feels like to have all control taken away, to know what it feels like to be frightened like you've never been before.*

*But, most of all, you need to know what being raped feels like and the physical and emotional pain that comes with it.*

*You need to be held at knife point, beaten, stripped, and raped -not knowing if you'll live or if you'll die.*

*This is one kind of help I hope you receive once you're in jail.*

*I personally would like to come face-to-face again so that I could get one swing in, just land one hand across your face -something I never had the chance to do when we first met.*

*I wish for you everything you've done to me, to me and all the other girls.*

*They say you are unpredictable with who, when, where and why you*

strike. *But I would like to predict a few things myself.*

*I predict that you will be caught now that the public is involved. I predict that you're going to jail for the rest of your life. And I predict that you better hope that justice is served.*

*Because if it is not, I predict that you'll be made very, very sorry it wasn't.*

*You've made a lot of parents, brothers, sisters, boyfriends and friends angry. You better hope that you do go to jail for the rest of your life because that will be the safest place for you.*

*This letter was written by one of your survivors, not one of your victims.*

Signed:

*One Survivor"*

**Through the use of basic forensic testing and alibis, and aided by the HOLMES data base, police eliminated hundreds of possible suspects. Perhaps 300 strong suspects remained by the end of July 1990. Det. Sgt. Randy Wilson said he believed the name of the Scarborough Rapist was among those remaining suspects.**

**"About 300 folders remain and I am sure he is in there somewhere. And once we get deep into that file, we will know it is him -absolutely. Our appeal, however, would be for him to surrender. Enough hurt has been done, and he should turn himself in. Otherwise, it is just a matter of time."**

## **CHAPTER THIRTY-SIX**

Over the course of the investigation, police compiled a huge list of suspects. Official reports indicate between 930 and as high as 2,000 suspects; there was, however, no list kept that would give a true accounting of the actual numbers.

Investigators concentrated on fifteen suspects they considered high priority. Paul Bernardo was not one of these fifteen. Police ordered surveillance on some of the suspects listed on this short-list. A Waterloo, Ontario, police investigator reported one suspect that carried a knife and had indicated a desire to actually watch someone die. In the case of one suspect, two calls had reported him as resembling the composite and as a known sex offender who was likely to commit further assaults. A photograph of the man was used in a line-up; several woman identified him as having followed them in the Scarborough area. The man cooperated with police, volunteering that he had sexual problems. He was eventually cleared as a *Scarborough Rapist* suspect. Two other's were brought in. One was thought to be the serial rapist but the victim viewing him wasn't 100% positive he was her attacker. The second man was identified and arrested; police obtained voluntary forensic samples from the man and released him. Another suspect had been observed travelling near *TTC* bus stops with his head-lamps turned off. The man was carried a knife and aerial photographs of the Scarborough areas where attacks had occurred. He was highly interested in the *Scarborough Rapist* investigations. Another was brought in and participated in a line-up; when he was identified by one of the *Scarborough Rapist's* victims, he was arrested.

All of these suspects were eventually cleared; their presence, however, impacted on the manner in which investigators de-prioritized and treated reports of other, less likely, suspects.

On 12 September 1990, Tina Smirnis, wife of Bernardo neighbour, Alex Smirnis, called police and reported Paul Bernardo as a possible suspect in the *Scarborough Rapist* case. Tina only gave her first name and didn't leave a telephone number for police to return her call.

Another report was filed, the third one containing Bernardo's name, separate from the previous reports.

## METROPOLITAN TORONTO POLICE SUPPLEMENTARY REPORT

Concerning type of original Report  
Scarborough Rapist

Date of this Report  
90/09/12

Informant - Tina (Nurse)

- Knows from second hand information, suspect would date one woman and have one or two girls on the side.
- Would wait until a girl would have too much to drink then would take advantage of her.
- Resembles composite.
- Called in on the Erika Paxton case -never interviewed.
- Further investigation required.

Suspect: Paul Kenneth Bernardo; 64/08/27; 21 Sir Raymond Dr.; Male-White; 6' 185 lbs.; Blond hair; Blue eyes; 20-40 CPIC & CNI.

M. Madden 3944

Constable Madden had filed hundreds of similar reports and after running Bernardo's name on CPIC with negative results he moved on to other reports.

The most significant item in Constable Madden's report is the mention of the 23 December 1987 attack on Erika Paxton. The reference was likely a pointer to the McNiff report, still sitting in a file cabinet -still awaiting investigation.

A little more than a week after her first call, Tina Smirnis again called police inquiring as to the status of her report. Speaking to Detective Steve Irwin, Tina insisted on following up on her initial report. On 26 September 1990, Tina and Alex Smirnis met with police detective's Steve Irwin and John Munro. The Smirnis' brought a photograph of Bernardo and a copy of their wedding videotape on which Bernardo appears.

At the SAS offices, Tina and Alex supplied personal details regarding Bernardo; the detectives took notes in summary<sup>17</sup>.

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<sup>17</sup>The author has performed minor editing of these notes for the purpose of reader clarification.

## BERNARDO

- Alex and Paul have known each other since birth.
- Alex Smirnis grew up with Paul Bernardo in Guildwood.
- Very close family friend with Alex's family.
- Paul has done some accounting for Alex's family and the Smirnis' family restaurant.
- Lives with parents.
- Parents: Ken Bernardo, Father.
- Didn't like people going in his room.
- Former member of Boy Scouts.
- At one point involved in Christian Broadcasting on TV.
- Spring '87 -professional worm picker at night.
- Past 1/2 years, worked in accounting.
- Paul, sly, manipulative, trendy -preppy dresser.
- Leather jackets.
- Interest in money & girls.
- Non-smoker.
- Distinctive voice.
- Instigator.
- Braggart.
- Left handed?
- Insecure.
- Drinks to fit in.
- Carries a knife in a car.
- Cars, Capri, white, 1980-81.
- 240SX Gold -leased since '89.
- Extended credit.
- Paul has spoke to Alex's brother about raping girls; out driving around and commented about getting the girl walking along the street and raping her.
- Talk about having sex in his suit with his briefcase in his hand and his wife in house clothing.
- Very domineering.
- Not into conventional sex.
- Rough sex, had joint relationship with sisters; Paul talked about having anal sex a few times.
- Always young girlfriends; small, petite; not bright.
- New Years Eve 1987, Dayle: 'Swatted her'; said guys I want some privacy; might have beaten the shit out of her.
- Started dating more than one girl -was dating an oriental girl from U of T and in his home with another girl, Dayle.
- Sept. 1987, oriental broke Paul's windows (occurrence on file).
- Florida, Mar. '89 -girl passed out, taken up to room; Paul raped her

while she was passed out. Alex's brother walked in on him. He said wait, he'd be done in a minute then they, (Van Smirnis & Gus Drakopoulos), could jump on.

- Karla, current girlfriend; met at Howard Johnson's on Progress; first night they slept together.
- Karla, now fiancé, 18 years old; still in school.
- Paul always wanted a pure wife -his morals have gone by the wayside.
- Relocating to St. Catharines with fiancé.
- Relocating is out of Paul's nature & sudden.
- Karla, 2-2 1/2 years together; short, petite, light coloured hair - subservient.
- Dated other girls while dating Karla.
- Karla says that if you wanted to know anything about girls, ask Paul, he knows.
- Photo & video from their (Smirnis') wedding.
- Photos -4 years ago in red sweater (Provided by Smirnis'.)
- 3 years ago in wedding. (Provided by Smirnis'.)
- 14 months ago -video. (Provided by Smirnis'.)

There were several indicators in the notes of detectives Irwin and Munro that should have triggered alarm bells. He carried a knife; he talked about raping woman and actually raped an unconscious woman; he practised anal sex and most importantly, he lived in the immediate vicinity of several of the Scarborough rapes.

Bernardo's status as a suspect should have jumped to A1 and warranted surveillance, yet he remained just another name in a paper sea of hundreds of other.

Another report was filed.

In the latter part of 1990, the calls trickled to a few random reports. The *Scarborough Rapist* had stopped and the dedicated task force was disbanded. Investigators began working on other cases, protecting Metro citizen's from other violent criminals. It was a known fact that serial predators didn't simply stop. Investigators speculated that the serial rapist might have died, left the country or been jailed. There were contacts with other police forces, but nothing significant was discovered.

Staff Sergeant Dalziel said when the attacks stopped so did investigative techniques such as mobile surveillance, decoys and the immediate response unit. There was no longer a need for such measures.

As time allowed, Det. Irwin, following the Smirnis interview, began searching through what one investigator called a nightmare of walls and walls of paper-work. Det. Irwin finally unearthed the McNiff report. He said that the Smirnis' may have mentioned the un-investigated report to him, leading him to go digging for further information regarding Paul Bernardo. He said there was no principal system of file storage and called the *HOLMES* computer database archaic, saying that only computer analysts could access it. Det. Irwin said he searched through drawers, cabinets, binders and indices pertaining to old investigations before locating the McNiff report.

## **CHAPTER THIRTY-SEVEN**

Paul, in the late Spring or early Summer of 1990, according to Karla, began to talk about having a French Maid who would live with Karla and himself. She would be his sex slave.

Karla said Paul started talking about his being with other women. He warned Karla that if she ever saw a photograph of him with another woman, she should ignore it. Photographs could be altered and his image falsely placed beside that of another woman. Then, Karla said, Paul gradually altered the terms of their relationship. He said that should he be away on a trip and have an affair, she should understand that he couldn't be blamed for something he couldn't control. She shouldn't ruin or end their relationship over such a situation. Karla said that she initially resisted, but that Paul wore her down by constantly repeating himself and with threats of violence, until she agreed with him. It was after that, she said, that he spoke of French Maids and sex slaves.

On 4 July 1990, Karla wrote to her best friend, Debbie Purdie, "Our relationship gets better each day. He's going to make the perfect husband. It looks like all my dreams are coming true, especially the one about finding the best man in the whole world to marry." On the same day, Karla, like a dark queen meting out her judgement, advised her best friend to end an abusive relationship. "If you want him to leave you alone, get your parents to get a restraining order." Even though Karla claims she was herself in an abusive relationship, she made no mention it.

In other letters to Debbie, Karla promised a surprise: it contained claws from a de-clawed cat. Another letter contained a hand-drawn picture of a puppy with a real tail, cut from a 4-day old puppy, glued to the picture. "Boy, you thought the cat claws were bad. Here is an actual tail cut off a puppy. Just cut right off with nail scissors. Neat, eh? Show your friends. (God, they must think I'm sick. How am I gonna top this one?)"

In the early Summer of 1990 Paul turned his attention to fifteen year old Tammy Lyn Homolka. He had tampered with her bedroom window shutters, permanently breaking them so he could stand outside at night and could watch her undress. He began to creep into her bedroom while she slept. He'd drop his pants and masturbate, putting his penis beside her head.

"He started talking about how pretty she was getting and how well she was growing up," said Karla, of Paul and Tammy.

Paul travelled across the Canadian border into the United States on 14 and 21 July 1990. On one of those trips, Tammy Homolka accompanied him.

"We were having a little get together at my house," said Karla, "and we had run out of wine or beer so Paul offered to go get more, and Tammy went with him. I thought they were just going down to the corner but they were gone for hours and hours. I was wondering where they were and worried about them. They came home several hours later; they had gone to the States."

Paul said Karla was angry when he returned, accusing him of making out with her sister.

"We got really drunk. We ended up kissing and touching and we didn't end up returning until later that night. Well," Paul said, "I originally denied it, then finally I fessed up and said 'Yeah, I did'. And she was jealous about it. And she started to goof around and say, 'Tammy wouldn't know what to do with Snuffles if she had it.'"

"The discussions led to talk about Karla and me having sex with Tammy to teach her what sex was like. We couldn't do it consensually because we didn't think she would want to ... with us. Karla thought of getting Valium from work. She brought the Valium back to her house."

On 25 July 1990, according to Paul, and defence lawyer John Rosen, Karla made a spicy spaghetti sauce. Valium was crushed into powder and mixed in the sauce with the hope that the spice would hide the bitter taste of the drug. Tammy passed out after eating the drugged food, said Paul.

"When Tammy went down, I pulled Tammy's pants down and I entered her. I was in for about a minute and Karla was there watching. As soon as I finished, Tammy started to wake up so we both went out of the room."

Karla denied this incident ever occurred, saying they didn't rape Tammy until 23 December 1990. Karla said it was in September of 1990 that Paul began putting pressure on her to drug and anaesthetize Tammy so he could rape her.

Defence lawyer John Rosen offered proof of the 25 July rape of

Tammy. He produced documents from U.S. immigration that reported Paul's car as crossing the border on both 14 and 21 July 1990. He produced Summer school records that revealed Tammy, between 2 July 1990 and 3 August 1990, only missed one day of school. That date was Thursday 26 July 1990, the day after the alleged rape. Rosen said she missed school because she woke with a drug induced headache after being raped.

Karla maintained her denial.

"Would you tell me why she missed school that day?" Mr. Rosen asked Karla.

Karla took the bait: "Perhaps she was sick."

Rosen reeled her in. "Sick from what?"

Karla remained silent: The question went unanswered.

Next, Rosen pointed to a segment of pornographic home video in which Karla plays the role of her sister Tammy having sex with Paul. They discuss the alleged rape.

*"I never want you to forget the time that you took her virginity. When you popped her hymen."*

*"Best orgasm ever!"*

*"What did it last, 60 seconds?"*

*"Oh yes."*

*"So intense."*

*"You loved her. She loved you; she loved it."*

*"She saw you leaving."*

*"She loved it."*

*"Sister."*

*"She still loved it. You're her favourite, you know."*

*"I'm dying to fuck her more."*

*"Do you remember that ... taking her virginity in July?"*

Later, on the same tape, Karla touches on a sore spot between the couple -that of Karla not being a virgin when they first met.

*"I didn't give you my virginity, so I gave you Tammy's; I love you enough to do that."*

Defence lawyer John Rosen suggested that Tammy and her friends had to check their drinks for "powder floating on top". He suggested that first Tammy, then a friend of Tammy's, Chesney Bradson, wondered if Paul was trying to drug them. Another friend of Tammy's discovered a bag of unidentified white powder in a hope chest in Karla's bedroom, he added.

"I don't know anything about it," said Karla.

Paul said they'd both enjoyed the rape.

"It was really neat and we wanted to do it again," said Paul, "so we started to try and put the Valium into the drinks of Tammy and her friends when they came over."

Paul said the girls wouldn't consume the bitter tasting drinks.

On 14 September 1990 Karla again wrote to Debbie. "Hi, maid of honour. Excellent news! I found my wedding dress. It's gorgeous. It has a cathedral train ..." Karla went on to describe her dress in detail. "Oh Deb, I love it. It's everything I always wanted. I'm enclosing a picture of it." Once again, Karla made no mention of any abuse from Paul, nor of any impending danger to her baby sister.

Karla said that by the Fall of 1990, Paul continually abused her, getting progressively violent.

"He wanted me to pretend to be other people," said Karla.

Karla began to dress in Tammy's clothes and pretend to be Tammy when she and Paul had sex. When asked how and why she played along, she said she still loved him and wanted to make him happy.

"He would have me say: 'My name is Tammy. I'm fifteen years old. I'm

your virgin. I love you and I want to marry you."

"He wanted to have sex with her," Karla said, dismissing the alleged July rape. "He started expressing a desire and then he decided to do it. I didn't want him to do it at all. I was totally against the idea."

Karla later said that her dates were once again mixed. It was September, not the late Fall, that Paul first mentioned his desire to have sex with Tammy using a new combination of drugs that Karla would steal from the animal clinic.

"He decided that the only way he could have sex with her was if she were drugged. He told me that it would be over in five minutes. That nobody would ever know. It would be quick. He would wear a condom."

Karla said Paul worked on her. He threatened to kill her and her family -and he beat her, she said.

Karla says she agreed to help Paul rape her baby sister.

"I was afraid he'd grab her on the street and rape her. I didn't want her to go through that. I felt this was the best way. I finally agreed to it. Stupidly I still loved him."

Karla says that in the Fall of 1990, Paul drove her to a deserted site, tossed her to a muddy ground, then beat her. Paul denies that the alleged assault ever occurred. He said Karla was re-defining their whole relationship in an effort to ingratiate herself with authorities. He said the scenario Karla describes is actually a scene from the Michael Douglas movie *Wall Street*, which he and Karla had viewed many times.

"Karla has her motivations for stating her own fact."

According to Karla, while in her bedroom at her parent's home, Paul and Karla exchanged blows. "We had some kind of argument," Karla said, "and he hit me. I tapped him back."

Paul, mad, left the Homolka home and drove away. Karla wasn't finished with him, she was upset and wanted him to return. She called him on the cellular telephone and asked him to return.

Paul, still angry, according to Karla, did return. She said he took her for a ride to a secluded area of the General Motors factory in St.

Catharines.

"It was raining and he told me to get out of the car, and I did. He said 'So you think you're going to hit me?' and I said 'No,' and he started kicking me and punching me. I fell to the ground and he was kicking me when I laying on the ground. I had white jeans on and they were full of mud. I was apologizing the whole time. When he finished, he told me to get in the car."

Karla said they drove back to the Homolka home. Once there, Paul told her to sneak into the house and change her clothes before her Mother saw her. Paul, Karla says, landed multiple kicks and punches to her shoulders, legs, back and stomach. Karla said she was bruised, but didn't see a doctor. She says she never told anyone of the alleged incident.

## **CHAPTER THIRTY-EIGHT**

Two months after the Smirnis interview, detectives Irwin and Munro had read the McNiff report -they did not, however, attempt to contact Sgt. McNiff and question Dayle Coltin. So armed, on 19 November 1990, the detectives finally knocked on the door of the Bernardo residence at 21 Sir Raymond Drive in Scarborough. Paul wasn't home so they left their calling cards with his Father, Ken. The following afternoon, Paul called and said he'd come in for an interview right away.

At 4:25 p.m., on 20 December 1990, Paul Bernardo finally came face to face with officers investigating the case of the *Scarborough Rapist*. Detectives Irwin and Munro interviewed Bernardo from 4:35 p.m. until 5:10 p.m. The detectives found Bernardo was nervous but cooperative, voluntarily<sup>18</sup> giving investigators samples of his saliva, hair and blood for forensic testing.

### **METROPOLITAN TORONTO POLICE SUPPLEMENTARY REPORT**

<i>Concerning type of original report</i>	<i>Date of original</i>	<i>Date of this report</i>
<b>SEXUAL ASSAULT</b>	<b>90.05.26</b>	<b>90.11.20</b>

**Kaila Farrington**

On Tuesday November 20th/90 at about 4:30 p.m., the undersigned interviewed Paul Bernardo re: the Sexual Assault on Kaila Farrington.

Bernardo lives with his parents at 21 Sir Raymond Dr. in Guildwood Village. He stated that he has lived there for the last 24-25 years. He went to Sir Wilfred Laurier High-school in the Guildwood Village.

He is currently engaged to one Karla Homolka 20 yrs. of age. He plans to move to St. Catharines Ontario with Homolka within

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<sup>18</sup>On 22 June 1995, Canada's Federal Liberal Government passed legislation that allows investigators, under certain circumstances, to seize biological samples for DNA testing. Legislation to create a National DNA Data Bank is expected in December of 1996. At the time of the Bernardo interview, no law in Canada compelled him to provide forensic samples for medicolegal testing.

a month. He and Homolka have just recently started a Self Development Company. Prior to this he worked in the accounting field with Price Waterhouse Co. When the undersigned asked him why his name would come up in the *Scarborough Rapist* case, he said that he felt that he looked like the composite drawing, and that he had a baby face like the drawing.

He could not remember specifically what he was doing on the weekend of Kaila Farrington's assault, but believed that he was most likely with his girlfriend. He has been going out with Karla Homolka for the past 3 years. Bernardo very willingly supplied hair samples for PGM, a blood sample and a saliva sample. He appeared very nervous during the interview but was very co-operative. Samples to be submitted to CFS on Nov. 21/90.

Munro Det. 2245

Detective Steve Irwin would again come face-to-face with Paul Bernardo, but not before two years had passed.

That night, Paul drove to St. Catharines. He knocked on Karla's window, motioning for her to come outside; he didn't want to rouse anyone else in the house. The couple went for a drive.

"I went outside with him and he asked me to come in the car with him, so I did. He was very upset. He told me he had just been questioned by the Toronto police and he had provided samples of blood, hair and saliva to them."

Paul assured Karla that he wasn't the *Scarborough Rapist*. He was worried, however, that police might "mess up with the forensic evidence," - that a mistake might be made and he would be arrested.

Six months after declaring bankruptcy, on 29 November 1990, the Supreme Court of Ontario approved an Absolute Order of Discharge of Bankruptcy. At the time, Paul had \$1000 in cash and an Income Tax refund of \$2,526. His creditors, including eighteen credit card companies, managed to collect only \$1,634.

There are two important scientific tests and tools investigators and forensic scientists use during a manhunt in which police have body fluids, especially

blood or sperm, from the perpetrator. Those are *DNA* analysis and secretor status. The later is valuable in determining the necessity of the former.

A secretor, the group to which eighty percent of the human population belongs, is a person in whom information regarding their blood type secretes into other bodily fluids. Information gleaned from secretor fluids such as saliva, perspiration, urine and sperm, is limited to *ABO* blood typing and *phosphoglucosmutase (PGM)* typing. The *ABO* system is the basic *A, B, AB* and *O* typing. The *PGM* system is based on testing of a red blood cell enzyme found in sperm and hair roots. There are four major *PGM* types: *PGM1+*, *PGM1-*, *PGM2+* and *PGM2-*. Additional testing can produce ten sub-groups, *1-*, *1+1-*, *1+*, *2-1-*, *2-1+*, *2+1-*, *2+1+*, *2-*, *2+2-* AND *2-*. Therefore, the single most important detail in the determination of the 1925 discovery of secretor and non-secretor status is simply the status itself.

Paul Bernardo is a non-secretor.

If the suspect is determined to be a non-secretor, police can rule out 80% of their suspects through speedy forensic testing of the suspect's saliva samples. Remaining suspects are asked to provide police with further saliva samples and samples of their blood and hair. Complete *DNA* analysis of a small number of remaining suspects is then possible.

Scientists call *deoxyribonucleic acid (DNA)* the genetic blueprint of all life. *DNA* make-up, like a fingerprint, is different in each human; it is the chemical composition that makes everyone unique. The only exception to this rule is in the case of identical twins. Eye, hair and skin colour are products of a person's own *DNA* make-up.

*DNA* is found in blood, saliva, hair roots, tissue and bone cells, and with a male, in his spermatozoa.

With a large *DNA* sample to work with, such as a combination of blood, hair and saliva, or a large amount of spermatozoa or blood, an exact *DNA* print is possible. That is, a scientist can take two samples and every strand will be an equal match to its partner.

If the sample is smaller, the scientist testing it may only match partial strands of the *DNA*. This is important in that one in every 10,000 people may share a *common DNA* strand -an example being the strand that defines blue eyes in a human female. It is the *uncommon DNA* strands that scientists focus upon. If there is no match between two *DNA* samples, then the samples have come from two separate persons. If partial strands are found,



Charles Harnick, issued a public apology to Guy Paul Morin. Harnick announced the government was assessing financial compensation for Morin and he ordered a sweeping judicial probe into the whole investigative handling of Morin's case.

## CHAPTER THIRTY-NINE

Throughout 1987 and 1988, investigators working on the *Scarborough Rapist* case submitted, to the *CFS*, numerous saliva samples for forensic *ABO* blood typing. Initially, forensic and police investigators knew only that the rapist was a *B* secretor, an *O* secretor, or a non-secretor. Any suspect whose saliva sample didn't fit that profile was eliminated. It was in this manner that many early suspects were eliminated.

It was in January of 1989 that forensic investigators received their first significant breakthrough. *ABO* testing of samples from the brutal 16 November 1988 rape and stabbing of Jamie Fletcher revealed that Jamie was a non-secretor. The discovery allowed scientists to determine that the rapist was also a non-secretor. The discovery was vast in that it narrowed down the forensic area of the investigations. Only twenty-percent of the male population are non-secretors.

Police kept submitting saliva samples. Scientists kept ruling out suspects based on forensic testing.

The *CFS*, from 1987 to 1990, worked towards building a laboratory, and training scientists and technicians to perform complicated *DNA* testing. Scientist, Pamela Newall, is credited with building the lab to its existing *DNA* testing capabilities. It was in July of 1990 that the *CFS* became capable of performing complicated *DNA* testing.

On 5 July 1990, Detective Steve Irwin visited the *CFS* facilities and met with technician, Kim Johnston. They discussed the serology testing she was still performing on saliva samples from forty outstanding suspects.

On 27 July 1990, forensic serology tests from the savage 26 May 1990 rape of Kaila Farrington were completed. The trace evidence left by the rapist was significant in that scientists were able to indicate a *PGM* blood typing profile. The *Scarborough Rapist* was now known, not only as a non-secretor, but also as a *PGM1+*, *1+1-* or *2-1+*. This new profile, when combined with the 1989 *ABO* non-secretor finding, narrowed down the suspect possibility pool to only *thirteen percent* of the male population.

Police, between May of 1990 and October of 1992, interviewed hundreds, perhaps thousands, of suspects. Of those interviewed, the highest probable suspects were asked to voluntarily provide Metro police with saliva, blood and hair samples for forensic testing. Only a few suspects complied with the police requests. If obtained, investigators submitted the samples, with the suspect's names, to the CFS for serology and possible DNA testing.

On 25 September 1990, Det. Irwin again attended the CFS facilities and met with Kim Johnston. The pair discussed the elimination of suspects. Ms. Johnston updated Det. Irwin of her progress in ABO and PGM serology test results. Due to the updated PGM test results, a strong suspect, that police had believed was their man, was eliminated.

Detective Irwin took notes during the meeting.

- *The next step required to narrow the number of suspects is to collect a blood sample, dried, on a piece of cotton, and the size of a "loonie"<sup>19</sup> from all suspects that are non-secretors. The sample is sufficient for the PGM typing test, and DNA tests when required.*
- *Kim advised that this was the first time that a sample of semen was obtained that the PGM typing test could be done.*
- *In summary this narrows the field to 64% of non-secretor (which makes up 20% of the population).*
- *Any suspect that is of the right PGM blood type should be requested to be DNA tested.*
- *DNA testing will be done on the approval of Mr. Lucas, Director of CFS, only.*

Det. Irwin noted that he was introduced to Pamela Newall during this meeting. He said both Kim Johnston and Pamela Newall agreed that some of the samples submitted during the *Scarborough Rapist* investigation would be suitable candidates for DNA testing. They seemed, he said, enthusiastic about getting to the actual DNA testing of samples. Final approval for DNA test requests, he reported being advised, was subject to the discretion of CFS Director, Dr. Doug Lucas. He believed that, following the meeting, CFS staff wanted investigators to obtain forensic samples suitable for PGM testing because they didn't have the facilities to perform DNA tests on massive numbers of suspects. Det. Irwin was also advised that, at that time, only Pamela Newall was qualified to perform the complicated DNA tests. Kim

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<sup>19</sup>A Canadian one dollar coin, slightly larger than a quarter.

Johnston was in training and would soon obtain qualification to join in *DNA* testing. When he left the *CFS*, Det. Irwin expected that Kim Johnston and Pamela Newall would approach Dr. Lucas, who would give the go-ahead for the duo to begin *DNA* testing of forensic suspect samples as requested by Metro.

Kim Johnston later recalled the meeting, including, while in a hallway, introducing Det. Irwin to Pamela Newall. It was a meeting that began formally, then, took on an air of congeniality. Ms. Johnston recalls, from the meeting, that Ms. Newall gave the impression that *DNA* testing in the *Scarborough Rapist* case would commence with a high priority.

Police investigators, Ms. Johnston recalled, would deliver samples in a two-step format. First, investigators would, from established non-secretors, collect and submit forensic samples of hair, and, if possible, blood, for *PGM* testing. Once the *PGM* testing was performed, *CFS* staff would deliver the results to police investigators. In the second phase, investigators would then re-submit a small number of high probability forensic samples and she, Kim Johnston, upon approval from Director, Dr. Doug Lucas, would perform *DNA* testing.

Although aware that she, as lead scientist in the case, would decide which samples should receive *DNA* testing, and that she would require approval from Dr. Lucas, Ms. Johnston assumed someone else had already approached Dr. Lucas for approval to commence *DNA* testing.

Ms. Johnston likened Dr. Lucas to a demigod. He had a knack, she said, of knowing everything that happened in the laboratory without anyone reporting to him. He gleaned much of his knowledge from reading all written submissions and speaking to police investigators. He, from the air, absorbed information; he was aware of every case being investigated and tested and he knew of all links between cases.

Pamela Newall, although she later said she recalls meeting Det. Irwin both before, and after 25 September 1990, has no memory of a hallway meeting ever taking place. Nor does she recall any discussion, with Det. Irwin, regarding *DNA* samples from the *Scarborough Rapist* investigations. In fact, Ms. Newall doesn't remember receiving any submissions for *DNA* testing in the *Scarborough Rapist* case during 1990 or 1991.

It was Ms. Newall's understanding that, Pamela Johnston, the chief serologist in the *Scarborough Rapist* case, and Det. Irwin would discuss the

possibility of *DNA* testing. Any request for *DNA* testing would be made based on criteria established, in July of 1990, by *CFS* Director, Dr. Doug Lucas.

- A) *A crime of violence in which there is a known suspect or accused and identification is a significant issue, or,*
- B) *Crimes of violence which are suspected to be part of a series.*
- C) *Appropriate case and comparison samples are available.*
- D) *Court date at least three months away.*

Ms. Newall, head of the *DNA* laboratory, understood that Ms. Johnston was in full control of the forensic samples submitted by police investigators in the *Scarborough Rapist* case. If a *DNA* test request by investigators met established criteria, which Det. Irwin's submissions in the last quarter of 1990 clearly did, Ms. Johnston was the only person aware of the request. Ms. Newall believed that Ms. Johnston would bring such a request to her attention. It would then become Ms. Newall's responsibility to process the request, and decide if *DNA* testing was appropriate.

Ms. Newall said it was her decision, not that of Dr. Lucas, as to which samples would receive *DNA* testing and in what order the tests would be performed. Her decisions, she said, would be based on information, including any urgency and importance regarding the request as related to her by Ms. Johnston.

*CFS* Director, Dr. Doug Lucas, later said he did attempt to read all submission forms from police investigators. He, like Ms. Newall, does not recall any *DNA* test request from police investigators in the *Scarborough Rapist* case during 1990, nor 1991.

Dr. Lucas said that in July of 1990, he established criteria for *DNA* test requests due to the laboratory's limited testing capabilities. He, initially, controlled *DNA* testing requests, but eventually relinquished request control to Pamela Newall. Still, before *DNA* testing commenced, Ms. Newall required official approval from Dr. Lucas.

Detective Irwin, following his September meeting at the *CFS*, met with fellow investigators and updated them on procedures they should follow when interviewing a suspect in the *Scarborough Rapist* case. Investigators should, in addition to requesting saliva samples, attempt to obtain blood, or at least hair samples. Suspects already known as non-secretors -there were twenty- would be requested to attend second and third interviews and asked

to provide head hair, pulled from the root, and blood samples. Another twenty-one suspects whose original samples were inconclusive, would be asked to provide, at least, new saliva samples.

On 5 October 1990, one saliva sample, with a request for the suspect's secretor status was submitted to the *CFS*. On the same day, Metro submitted five suspect samples of hair with a request for *PGM* and *DNA* testing: on 15 October, five saliva samples for secretor status; on 23 October, eighteen saliva samples for secretor status; on 31 October, twelve saliva samples for secretor status; and on 9 November 1990, another twelve saliva samples were submitted for secretor status.

In 1996, Detective Munro could not recall why he decided to ask Bernardo for a blood sample; he'd never asked a suspect for a blood sample before asking it of Bernardo. Detective Munro said it might have been Bernardo's behaviour or his resemblance to the composite, but while he can't recall the reason, he clearly recalls that Detective Irwin didn't have any problems with the request. It was a request that, had the *SAS* envisaged by Joe Wolfe and Thomas Dalziel been fully embraced and enacted, might have saved the lives of three teenage girls. It was a request that, probably did save some lives and that, eventually, did lead to the apprehension of the serial *Scarborough Rapist*.

The cooperative Paul Bernardo, following the 20 November 1990 interview, was classified as a B suspect. A real suspect, but one without a high priority.

On 21 November 1990, the biological samples from Paul Bernardo were submitted to the *CFS*. The request was for secretor status. If Bernardo proved a non-secretor, police then wanted further testing, including *DNA* testing of his blood sample. Bernardo, if established as a non-secretor, was one of five suspects from which investigators were requesting full *DNA* testing at the *CFS*.

On the same day, investigators submitted, in a further four requests, eighteen suspect samples of saliva for secretor status, one sample of saliva and hair for secretor status followed by *PGM* and *DNA* testing if the suspect was a non-secretor. The fourth request was, like Bernardo's, complete with saliva, hair and blood samples. Secretor status was requested, and *PGM* and *DNA* testing if initial testing indicated the suspect was a non-secretor.

On 22 November 1990, another thirteen saliva samples were submitted

for secretor status and on 4 December, one saliva sample for secretor status. On 21 December investigators submitted two requests. One was of saliva and hair from two suspects with a request for secretor status and hair comparison. The second was a request for secretor status based on saliva samples from two suspects.

On 13 December 1990, Bernardo's saliva samples had been tested and it was known he was indeed a non-secretor. His hair samples indicated he was a type *PGM1+*. Bernardo was the perfect candidate for *DNA* testing in the *Scarborough Rapist* case.

Det. Irwin was informed of the current status and was confident that the *CFS* would perform the *DNA* tests and inform him of the results once available. In the interim, he continued work on the *Scarborough Rapist* investigation; Det. Irwin, by this point, assumed that the case would be solved in forensic laboratories. Det. Irwin also had other cases, including other serial rapists, to work on.

At the *CFS*, staff failed to act on the Metro request for *DNA* testing of Bernardo's blood sample.

It was around late November or early December when Kim Johnston's *DNA* training required her to develop a real *DNA* profile. Ms. Johnston selected samples from the last known attack in the *Scarborough Rapist* case. In early 1991, after using a partial semen sample, Ms. Johnston developed the first *DNA* profile of the *Scarborough Rapist*.

Pamela Newall examined Ms. Johnston's *DNA* profile, and was satisfied that it met all scientific requirements. Ms. Newall hung the profile on the wall of her own office and referred to it, comparing *DNA* samples of her own cases. Ms. Johnston didn't discuss her own cases, including those from the *Scarborough Rapist* case, with Ms. Newall. None of Ms. Johnston's case samples, including that of Paul Bernardo, were compared with her own *DNA* profile of the *Scarborough Rapist*.

Ms. Newall and Ms. Johnston, both, were grossly ignorant of each other's work. They were also ignorant of the fact that the profile hanging in Ms. Newall's office was exactly what Detective Sergeant Thomas Dalziel had attempted, unsuccessfully, to obtain from the New York, *Lifecodes Laboratories* on 8 December 1988.

Metro investigators were never notified of Kim Johnston's *DNA* profile

of the *Scarborough Rapist*.

It was, ultimately, the communication failure between staff at the CFS that allowed forensic samples from Paul Kenneth Bernardo to sit on a shelf, un-checked and awaiting DNA testing. And, perhaps, but due to a later follow-up by Metro Detective Steve Irwin, DNA testing on the Bernardo samples may never have been performed.

**In the words of Mr. Justice Archie Campbell, in his 1996 report, Bernardo Investigation Review:**

*"No one assumed responsibility for pushing Bernardo's test forward although it was clear that the Scarborough rapist was a violent escalating serial predator. There was no system in the Metro police department at a supervisory level to monitor the progress of the case, to ask why the DNA tests were not done, and to follow up with a high level request to give the case a higher priority. Nor was there any corresponding system in place at the CFS. There was no system to co-ordinate the work of the police and the CFS. There was ineffective communication between the police and the CFS and within the CFS. The DNA request went into a black hole because there were no case management systems in place to ensure the test got a higher priority."*

## **CHAPTER FORTY**

***"To die is poignantly bitter, but the idea of dying without having lived is unbearable." -Erich Fromm (Man for Himself, 1947.)***

At 2:03 a.m. on 24 December 1990, the telephone rang.

In the basement recreation room of the Homolka family home at 61 Dundonald Drive, *Niagara Regional Police (NRP)* Constable David Weeks, interrupted his questioning of Paul Bernardo and answered. After a brief and guarded conversation with Sergeant George Ravenek, he turned his attention back to Paul Bernardo and Lori and Karla Homolka.

Tammy Lyn Homolka, days shy of her sixteenth birthday, was pronounced dead at the hospital.

When initial disbelief was washed away by the reality of the constable's words, Lori and Karla quietly sobbed. Paul's cries were louder. With a powerful cry, Paul tucked his knees to his chest and began rocking back and forth, pulling at his own hair and banging his head against a wall.

"No!, no!, no!" he screamed.

Discounting Paul's admission of a previous sexual assault on Tammy Lyn Homolka, Karla says that by the early Winter of 1990, she was preparing for both her wedding and to drug and rape her baby sister -for the first time.

In late November or early December, at work at the *Martindale Animal Clinic*, Karla stole a bottle of the liquid anaesthetic, *Halothane* and through the clinic, ordered the sleeping medication, *Triazolam*, marketed as *Halcion*.

Karla said that during the afternoon of 23 December 1990, while sitting together in the Homolka home's basement recreation room, Paul indicated this would be the day to rape Tammy.

"This is the day I want to do this. It would be a great Christmas present for me."

Karla later said, "We came home, and we were all upstairs talking. Paul ... I made Tammy a drink of Eggnog and Rum, and Paul put the pills in ... the crushed pills. I told him not to put more than five, I don't know how much he put in."

*Karla, acknowledging the Halcion tablets were crushed, never mentioned how a measurement might have been made. Further, a typical prescribed dose of Halcion is .25mg once a day. If Karla had found a means of measurement and Paul administered five of the crushed tablets, the dose would have been 1.25 milligrams.*

According to Drs. Steven Lichtblau and Leslie Solomon of Hamilton, Ontario, .25 to .50 milligrams of *Halcion* would likely have rendered Tammy unconscious. If alcohol is consumed with *Halcion*, the effects are amplified. The combination of alcohol, with even small doses of *Halcion*, is potentially lethal in itself.

Karla says she served Tammy the drink which was consumed. More drinks followed.

"Later on she was given [a] glass of orange juice with more medication in it," said Karla. "We were just doing all kinds of things. Running around the house. Tammy was sitting on the couch talking."

Lori Homolka, the middle of the trio of Homolka daughters, said she went to bed about 10:30 p.m. Hugging Tammy before retiring, she noted Tammy couldn't stand on her own. Lori asked Paul and Karla not to allow Tammy to drink any more alcohol.

It was between 11:00 and 11:30 p.m. when Karel and Dorothy retired to bed.

Paul, Karla and Tammy settled in the basement recreation room, to watch rented movies on the video machine -and, for Paul and Karla, to wait until Tammy passed out.

When Tammy appeared unconscious, Karla poked her to make sure she was really out. She was. While Karla claims, to this day, not to know how

Tammy was moved about, she does recall that at this point she retrieved the brown glass bottle of *Halothane*. She poured the drug onto a blue face-cloth and held it to Tammy's mouth.

*(Halothane<sup>20</sup> is an animal anaesthetic and is administered as a gas after being vaporized at a concentration of 2.0 to 2.4% of Halothane and 98% oxygen. It is not for human use and is never administered in a massive dose poured onto a cloth. In doing so, Karla ensured the death of her baby sister.)*

Paul un-buttoned Tammy's top, exposing her breasts, and pulled down, below her knees, her aqua track pants. The trio were directly opposite the fireplace. Paul held the video Camcorder, pointing it down towards Tammy and Karla.

He was ready to rape Tammy.

Karla was ready to commit an act so vile that years later, abused women would demand she not be classed among them. It was inconceivable, they would say, that anyone could sacrifice their own sister -their own blood.

As if it mattered. Karla would later defend her use of *Halothane*. "I didn't feel that she needed the *Halothane* at all. I made it look like I used more than I actually did." It was an attempt to bolster her own credibility and crucify Paul.

While Paul and Karla readied themselves to rape Tammy, the combination of alcohol, *Halcion* and *Halothane* began relaxing Tammy's muscles to the point where, even had she been awake, she would not have had any voluntary muscle control.

Holding his video-camera, according to Karla, Paul began vaginal rape upon Tammy. He balanced one foot on the floor, the other on the same couch as Tammy's limp body lay.

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<sup>20</sup>The author thanks the doctors, of the Hamilton *Blue Cross Animal Hospital*, for a tour and demonstration regarding the use of *Halothane* as an animal anaesthetic. *Halothane*, due to dangers posed to both doctors administering the drug and to the animals receiving it, is no longer used at the *Blue Cross Animal Hospital*. The opinions expressed regarding Karla Homolka's responsibility for the death of her sister are the author's own. Doctors at the *Blue Cross Animal Hospital* made no comment regarding the death of Tammy Lyn Homolka.

Paul and Karla, both, raped and sexually assaulted Tammy Homolka. After the odious acts and before two minutes had passed, Tammy Lyn Homolka vomited. In her slumped position, chin to her breast, and all muscles totally relaxed by the combination of drugs and alcohol, Tammy's body failed to perform the natural reflex of expelling the vomit. Instead, throat passage blocked, -collapsed in on itself- the vomit was sucked into her lungs.

Paul, Karla and Lori were questioned by police regarding the death, however, it was eventually ruled accidental<sup>21</sup>.

Paul and Karla, by 1 February 1991, had moved into their own leased home at 57 Bayview in Port Dalhousie, St. Catharines.

One early morning, in April of 1991, Paul Bernardo, no longer the *Scarborough Rapist*, but still a predatory serial criminal, left his Port Dalhousie, St. Catharines home. Whether he planned to rape again, or simply happened upon another innocent young girl really doesn't matter; the fact is, he found another victim.

At 5:30 a.m., on 6 April 1991, fourteen-year old Kourtney Sherrod left her home to get some early practise at the *Henley Island* rowing facility. Kourtney walked from her home to Henley Island Drive -minutes away from Bernardo's home. As she walked, she noticed a man walking about fifteen metres behind her and in the same direction she was walking. There was nobody else in view. Although a bit apprehensive, she continued her walk -nothing ever happened in St. Catharines.

As Kourtney walked across the bridge leading to *Henley Island* she heard footsteps approaching rapidly behind her ... coming towards her. Bernardo, before Kourtney could turn around, wrapped both of his hands around her mouth -the force of which split her lip. He pulled her tightly to his own body, her back against his front.

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<sup>21</sup>While the death of Tammy Lyn Homolka will be further explored in another book, it should be noted that the original coroner who investigated Tammy's death, Dr. Joseph Rosloski, was grossly negligent in his work. On 16 October 1996, Ontario's Chief Coroner, Dr. James Young, said Dr. Rosloski did not properly handle the case and he promised to work towards ensuring such mistakes would not be made in the future. Dr. Young defended Dr. Rosloski though, saying, "In fairness to Dr. Rosloski, he had not received a great deal of training. It should be noted that he did many things very well." Dr. Young said Dr. Rosloski, who admitted his mistakes, would not face discipline.

"Just shut up; just shut up," he repeated.

Kourtney, although tiny, was an athlete; she struggled to free herself but she was no match for the often practised serial rapist. Bernardo dragged her off the bridge, through a ditch and onto a path leading to a wooded area. His right hand remained over her mouth.

"This is just a joke. Shut up," he told her.

Kourtney managed to pull his hand away and screamed into the morning, barren of pedestrians. He covered her face again. She pried his hands loose again.

"Just don't cover my nose, I can't breathe ... Just don't cover my nose, I can't breathe," she repeated before he again silenced her.

They'd travelled about 50 metres from Henley Island Drive when they both toppled to the ground. Bernardo stood and pulled her up; he again covered her mouth and forced her to continue walking.

"Everything's going to be okay, just don't try anything or you'll regret it," he warned.

Bernardo forced Kourtney down into a crouched position. He kept his body behind hers. Pulling down her pants and panties, he grabbed her hair and pulled her head backwards; he attempted to force vaginal intercourse from the rear. Kourtney pleaded with him not to hurt her anymore. He ignored her pleas.

"Shut up," he ordered.

Bernardo pushed her face against the ground and attempted, three times, to force himself into her vagina, causing several small tears to the area of her hymen. On his fourth attempt, he achieved penetration but immediately withdrew. He twisted her head towards his groin, forced his penis into her mouth and demanded that she suck it.

Kourtney refused.

Bernardo seized her head and began pulling it backward and forward, stimulating himself. When he ejaculated into her mouth, Kourtney attempted to spit out his sperm. Bernardo, incensed, called her a fucking little bitch and forced himself back into her mouth.

"Put your hand on it and move it with your hand," he ordered.

Kourtney, now aware of his level of rage and in real apprehended fear for her life, complied. Eventually, Bernardo withdrew from her mouth.

"Take your coat off. Take your shirts off," he ordered. He pulled her pants off; her socks were pulled off with the pants. Standing over Kourtney, he pulled her to her feet. Holding a hand over her mouth, he forced her to walk down an embankment towards the water. Kourtney, likely in fear of death by drowning, begged him not to put her into the water.

"I'm not going to," Bernardo assured her, "Just crouch down here." Kourtney complied, crouching down; Bernardo pushed her face against a tree.

"Wait here for five minutes. Don't move and don't make a sound," Bernardo ordered. "Oh," he continued, "and do yourself a favour: Don't tell anyone or I'll have to kill you."

Bernardo, thirty minutes after the attack began, scooped up her red nylon rowing jacket and walked away. When she felt about three minutes had passed, Kourtney retrieved her clothes and dressed herself. She began running until she happened upon a fellow rower. Her teammate took her home and police were called.

Kourtney described the man who raped her as male white, six feet tall, muscular build, dirty blond hair, wearing a green and black sweater, blue jeans and black *Isotoner* gloves. He carried a pair of black pantyhose.

Kourtney was escorted to the *Hotel Dieu Hospital* in St. Catharines for examination. Her injuries included scratches and contusions to her left temple, left cheek and the side of her left eye. There were small scratches to her lower left leg.

When Bernardo reached home, he burned Kourtney's rowing jacket to destroy possible forensic evidence of the attack.

## CHAPTER FORTY-ONE

In St. Catharines, Ontario Bernardo began stalking teenagers and young women. One young lady, Melanie Stratton, was stalked from work at a nearby bar to her home; from her backyard, Bernardo videotaped Melanie while she undressed. Paul had designs to rape and kill Melanie, but on the day he had planned, friends dropped by unannounced. Melanie's family moved shortly thereafter and her life was saved.

In February of 1991 Paul joined his childhood friend, Van Smirnis, in Smirnis' cigarette smuggling operations. With Karla acting as the look-out, the trio garnered as much as \$520 a day.

On 19 February 1991, Karla Homolka, totally preoccupied with her impending marriage, and ignoring the fact that she'd killed her own baby sister, wrote to Debbie. She called her own parents selfish for wanting her to tone down her wedding plans due to unexpected funeral costs following Tammy's death.

*"The wedding plans are great, except my parents are being assholes. They pulled half the money out of the wedding saying that they can't afford it. Bullshit. Fuck my parents. They're being stupid. Only thinking of themselves. My Father doesn't even want us to have a wedding anymore. He thinks we should just go to City Hall. Screw that. If he wants to sit at home and be miserable, he's welcome to! He hasn't worked (except for one day!) since Tammy died. He's wallowing in his own misery and fuck me! Tammy always said she wanted a forest green Porsche for her sixteenth birthday. Now my Dad keeps saying, 'I would have bought it for her, if only I'd known.' That's bull. If he really felt like that, he'd be paying for my wedding because I could die tomorrow. He's such a liar. And the real reasons we moved out. My parents told Paul and I that they wanted him to stay at home until the wedding. They wanted their privacy (after they told him that he was their son and that they needed me as a daughter). First they took away half the wedding money then they kicked us out. They knew how much we needed to be together but they didn't care. What assholes."*

During March break 1991, Paul travelled to Daytona Beach, Florida where he met Allison Celeste Worthington of Columbia, South Carolina. Paul and Allison had a brief affair, spanning two weekends. During the second weekend, Paul talked her into trying anal sex; when she complained it was painful and asked him to stop, he rolled over and slept. Upon his return home, Paul showed Karla a videotape of himself and Alison kissing. You'd still be my girlfriend if you kissed like -if you were a better girlfriend, that would be you instead of her. According to Karla, Paul described numerous sexual acts he enjoyed with Alison, calling them *really hot*.

On 4 May 1991, Karla, fearing her marriage plans in danger, wrote to Paul.

*"You hate me. You say you want to go out with other girls (after you've left me). You say I make you sick. You tell me to pack and leave, you tell me to eat shit and die. You have every reason to tell me these things. I am a no good fucking idiot. I don't know how to show my love and respect. You think I have no respect; I want to show my lover respect. I make so many huge mistakes. I'm stupid. I'm probably really stupid in saying this, but I'll say it anyway. I think -but I must remember here that I am stupid- that if we truly loved each other the way we thought we did (in the past tense) we would have been able to overcome anything. I don't care how big the mistakes are or how many times they're made, I think that love should overcome it. I have screwed things up so much that the love that should be there isn't. It's not supposed to be like this. You aren't supposed to say things that hurt me. I'm not supposed to say things that hurt you. I can say I'll change 'til hell freezes over. But I haven't yet so why expect that I will now? I desperately want to. I want us to be happy like we used to, but I think that you hate me too much for that to ever happen."*

Paul, meanwhile, was dating another woman, Marina Margaritis, he'd met through her employment at the Smirnis family restaurant in Markham, Ontario. Marina was a virgin when she and Paul first made love and that fact nearly led Paul to cancel his engagement to Karla. Karla never knew about Marina.

When Tammy Homolka died, a girlfriend of hers, Natasha Brinkley, was on vacation in Florida. Natasha hadn't had the opportunity to attend Tammy's funeral and say a final goodbye so she was invited to 57 Bayview Drive to grieve, talk, view photographs and watch videotapes in which Tammy appeared.

Inside Paul and Karla's bedroom, a wall lead to the master bathroom. Paul had removed an electrical receptacle and set up his video camera to record the room. When Natasha used the bathroom, she was captured on a three-minute videotape segment, entering the room, urinating and leaving the room.

Natasha wasn't aware of the videotape, was not physically molested -apparently, she wasn't Bernardo's type. Natasha did not fall victim - further- to Paul Bernardo, Karla Homolka and 57 Bayview Drive.

In 1991, Karla began inviting Ashley Storm, then fifteen-years old, to visit 57 Bayview Drive -a home defence lawyer John Rosen would later call *A Venus Fly Trap* where young girls were lured then raped. Karla encouraged Ashley to begin sexual relations with Paul. She and Paul, Karla told Ashley, lived together but were no longer in love. She encouraged Ashley to become Paul's girlfriend. When Ashley steadfastly refused, Paul and Karla made plans to rape her.

On 7 August 1991, Karla invited Ashley to participate in a *girls night out*. When they returned home from an evening of shopping and dinner, Paul wasn't home. Karla and Ashley watched movies and played with Karla's dog, Buddy. Ashley tasted alcohol for the first time that night. She drank two or three peach schnapps and orange juice mixes, drugged with Halcion, before she fell unconscious. Karla, with *Halcion*, further drugged the unconscious teenager, ensuring Ashley would remain unconscious while she and Paul raped and sexually assaulted her.

Paul called his mobile answering service four times in four minutes between 12:15 and 12:18 a.m. on 8 July 1991, waiting for the message from Karla telling him Ashley was unconscious and he could come home, join in raping Ashley, and videotape the violation.

Paul received Karla's message.

Karla smiled into the videocamera as she held a cloth soaked in *Halothane* over Ashley's mouth -it had been only two months since Karla had administered the same two drugs to her sister, Tammy Lyn Homolka, killing her. Switching places with Paul, who now held the videocamera, Karla again smiled at the camera, laughed, then she licked her lips and began performing oral sex on Ashley. Paul's turn again. After raping Ashley, the videocamera was focused on her groin, specifically on the blood dripping from her freshly torn hymen. Karla's turn again. She penetrated Ashley with her fingers and at the same time, taking Ashley's own limp hand, she slid the

unconscious teenager's fingers into her own vagina.

The following morning Ashley was sick, vomiting in the kitchen, feeling embarrassed because *she couldn't hold her liquor*. She later said she felt different that morning, but was under the impression that it was from drinking alcohol for the first time.

In August of 1991, Paul and Karla took Ashley on an extravagant shopping trip to Toronto. While Karla slept in one bed, Paul put a pornographic movie on the television, climbed into bed with Ashley and began fondling her. When she demanded he stop, Paul complied, getting out of the bed.

Blackmailing her with the threat of the loss of Karla's friendship, Ashley was finally cajoled into regularly performing oral sex on Paul. Ashley, still under the impression she was a virgin, refused to have sexual intercourse with Paul. It was a point that, in part, eventually led to Paul Bernardo's downfall.

On 15 June 1991, Paul was returning from a night of drinking with pal Van Smirnis in Oakville, Ontario. He decided to make a stop in Burlington -a quiet and peaceful Ontario city located between Toronto and St. Catharines- and steal license plates for use in their smuggling operations.

Paul left his parked car and, while looking for plates, spotted fourteen-year old Leslie Erin Mahaffy. Leslie was, after violating her curfew and being locked out, circling her home, looking for a way in that wouldn't wake her parents. Paul hid in a neighbouring yard until Leslie was out of site. When he left his hiding spot he bumped into Leslie: Paul said he told Leslie that he was planning to burgle the home next to the Mahaffy's. Leslie, according to Paul, wasn't fazed -she asked Bernardo for a cigarette. While walking towards the car Paul grabbed Leslie from behind and blindfolded her with his sweat-shirt. Forcing her into his car, Paul drove back to his home. While being videotaped, Leslie was raped and sexually assaulted by both Paul and Karla. Karla claims she watched as Paul strangled Leslie to death. Paul claims Karla fed Leslie a lethal dose of *Halcion*. In any case, on 16 June 1991, Leslie died while being unlawfully confined by both Karla and Paul. The deadly duo placed Leslie's body in their basement fruit cellar while they decided what to do with her corpse.

On Father's Day 1991, with Leslie's body in the basement, Paul and Karla entertained Karel, Dorothy and Lori Homolka, serving them dinner.

Leslie's body was later dismembered with a circular saw and the parts were encased in cement. Paul and Karla drove to Lake Gibson and in Lake Gibson and adjacent Lake Moody, they disposed of the obscene concrete tombs.

On 29 July 1991, Paul Bernardo and Karla Homolka married, forming a rare bond. They became the fifth of only five documented husband and wife serial sex killing teams in criminal history. Once married, Paul told his new wife that he was the *Scarborough Rapist*: This time, with details supplied, Karla believed him.

While the deadly duo celebrated their marriage, the first of the cement blocks containing Leslie Mahaffy's body parts were discovered by a canoeist in Lake Gibson. Paul and Karla wouldn't know of that discovery for almost two weeks; following the wedding reception Paul and Karla stayed one night in a hotel then left for a ten day honeymoon in Hawaii.

It was on 8 July 1991 that the discovery was confirmed as being the remains of the missing Burlington teenager. On 10 July 1991 a joint forces investigation by Halton and Niagara police was launched into the murder of Leslie Mahaffy.

Upon their return to Canada, Paul and Karla were met at the airport by the Karel and Dorothy Homolka. On the drive home Dorothy mentioned, in an offhand manner, that the body discovered in Lake Gibson had been identified. Paul and Karla were shocked, but feigned ignorance of the whole affair.

Paul's next stalking victim was St. Catharines resident, twenty-one year old Sydney Kershen. Sydney first encountered Bernardo at approximately 2:00 a.m. on 28 July 1991, while on her way home from work. As she drove, Sydney noticed a gold sports car pass her. The car stopped, make a u-turn, ran a red light and began following her. Sydney made a quick turn down a side street and confirmed she was being pursued: The car had followed as she made the quick and calculated turn. She repeated the process then began driving towards her boyfriend's home for help. Noting the home in darkness, she decided not to wake Justin; she continued driving to her own home. When she exited her car she saw the sports car slow as it passed her -the driver watched her.

Sydney's next encounter with Paul Bernardo came a little more than a

week later, at approximately 2:00 a.m. on 9 August 1991. Sydney knew the car was the same as soon as she noticed it ahead of her; she noted a tinted plate cover and memorized the plate as 660 HFH -she later wrote it down. The sports car was signalling a left-hand turn when Sydney drove around and past it. In her rear view mirror, she watched as Bernardo made a U-turn and began following her. Driving into a residential area, the car followed. Sydney drove to Justin's home; he wasn't home, but she parked in the driveway and ducked down in hiding. When Bernardo slowed, then passed, she began to drive away -he was immediately in pursuit again. She drove to a local video store, parked and entered the store. Sydney, for the next half hour, spoke to the store owner. Outside the store, the gold coloured sports car remained parked beside her own for about ten minutes before driving off. When she thought he'd left, she drove away only to find the same car was once again following her.

Sydney drove through the tiny main core of St. Catharines, driving by coffee and donut stores, hoping to find Justin's friendly face in one of the store windows. Unable to find him outside, she headed for Justin's home; Bernardo stayed hot on her heels.

Sydney arrived at Justin's with Bernardo still following: Justin arrived home at the same time. As she told him what was happening, she noticed Bernardo lurking in a tuft of bush two houses down from them; she pointed to him, directing Justin's attention. Bernardo fled on foot, heading towards a cross street. Sydney jumped into Justin's car and they began searching for Bernardo. They spotted his empty car nearby and again noted the plate as 660 HFH; Justin checked and found the car's engine was still warm. As they continued to drive in search of the stalker, Bernardo made his way back to his car and escaped. Sydney and Justin heard the squealing of tires and returned to find that the gold sports car was gone.

The couple flagged down a police officer, Constable Townsley, at 3:00 a.m., and reported both incidents. Apparently, the constable wasn't too interested, and Sydney recalls asking him if he was waiting for the stalker to rape or kill someone before Cont. Townsley would speak to him. Const. Townsley ran the plate 660 HFH on *CPIC* and gave Sydney and Justin the name of the registered owner, Paul Bernardo.

One week later, Justin saw the car again. He described the driver as having blond hair pulled back or tied in a pony-tail.

Constable Townsley said he next proceeded to 57 Bayview Drive to find the car parked and the house in darkness. A Niagara debriefing would later state that the investigator found no grounds for further investigation and

that he believed he filed a report -if such a report was filed, it was never located. A report from Mr. Justice Archie Campbell indicated that, after attending 57 Bayview Drive, the investigator took no further action -in fact he "forgot" to file a report. On 24 January 1992, Sydney mentioned the incident to a casual acquaintance, Constable Juanita McLean; Const. McLean ran Bernardo's name on *CPIC* with negative results. That night, acting as a concerned citizen, Const. McLean drove to 57 Bayview Drive and found the home in darkness.

The day after his encounter with Sydney and Justin, on 10 August 1991, Paul turned his attention back to Ashley Storm.

Karla invited Ashley to spend the night at 57 Bayview Drive. Karla, again, drugged the teenager unconscious. In the master bedroom, on a multi-coloured quilt on the floor, they spread Ashley's legs apart and, again, videotaped themselves. "I love videotaping," said Karla while facing the video camera. The planned rape soured though.

"Kar ... she's not breathing," cried Paul in alarm.

Kathleen Skelton, a Niagara Region emergency call taker, answered Karla's 911 call at 3:36 a.m. Karla told the call taker that someone in her home had stopped breathing. It was a vital signs absent (VSA) call. Emergency crews were dispatched to respond to 57 Bayview Drive.

"Wait," said Paul, "I just panicked; she's fine."

Karla, four minutes after her first call, dialled 911 and told Ms. Skelton that they'd panicked and everything was fine -she requested the emergency crews be cancelled. The call taker asked if Karla was sure and so assured, did cancel the emergency crews. Karla recalls both she and Paul remained awake throughout the night carefully monitoring Ashley's health.

In the Winter of 1991, the *RCMP* caught Van Smirnis with a car-load of cigarettes allegedly smuggled from the United States. Paul wasn't with Van at the time and wasn't implicated in the matter. Later, when Van began bargaining and cooperating with authorities, Paul's part in their activities would become known, but Paul would never face charges. Van was arrested and charged with smuggling.

On 29 March 1992, at 11:00 p.m., Shanna Patrich picked up her younger sister, Kerry, from night classes at Brock University. At 11:30 p.m., the sisters stopped at *Robin's Donuts*, on Lakeshore and Lakeport Road's, for coffee. Shanna noticed a gold coloured sports car as it drove by, circling a bend in front of the coffee shop, about five times -always in the same direction.

Kerry next noticed the driver, who had spikey blond hair, was ducked down to the bottom of the car's window, and had a video camera aimed at her and her sister. The car was, then, parked across the street from the coffee shop, unlit.

The calendar turned and at 2:30 a.m. on 30 March 1992, the sisters left for home. Shanna drove to their parents home in Port Dalhousie, minutes away from the coffee shop; only Kerry lived at home. When Shanna left the car, she noticed the gold sports car drive by, still unlit. Knowing they'd been followed, she told Kerry to remain in the car then climbed back in herself. Shanna followed around the block -the same way the car had gone; they couldn't locate the elusive stalker and so drove back home. The car, which both sisters believed to be a gold two-door Mazda RX7 or GXL, was parked across the street from their parent's home. The driver wasn't visible.

Driving by, they attempted to read the license plate. Though the car was clean, the plate was obscured by a tinted and dirt covered plastic plate cover. Shanna noted the plate as 660 NFM and Kerry thought it was 660 MFN. Deciding to take another look, they drove off, circling back to their parents home: The car was gone.

On 31 March 1992, Shanna reported the incident to the *NRP*. At 11 Division, the initial report, recorded as an *information*, was taken by a civilian clerk -procedure being a duty Staff Sergeant would review it upon receipt. The plate numbers 660 NFM and 660 MFN were checked through *CPIC*; neither number came back as a Mazda nor was the plate owner Paul Bernardo. According to investigators, the report did not contain enough detail for an investigation. Shanna was given the occurrence number, 32834, and asked to call back and quote the number if she had any information to add.

On 1 April 1992, the report reader correctly renamed the incident report as a *suspicious person* occurrence report. The report, on 5 April 1992, was entered into *ORACLE*, the data base software used by the *NRP*.

On 16 April 1992, Karla and Paul left 57 Bayview Drive with the intention of abducting another young girl to serve as a sex-slave. At approximately 3:00 p.m., near Holy Cross, a St. Catharines' Catholic Secondary School, the couple spotted 15-year old Kristen Dawn French. Paul pulled the car into a church parking lot; Karla opened the passenger window and called to Kristen, asking for directions. Karla opened her door and climbed out, street map in hand, and asked Kristen to assist her in locating a local shopping mall. When Kristen was close to the car, Paul jumped out and forced her, at knife-point, into the front seat. Karla climbed into the back and pulled Kristen's hair forcing her down. They drove, Kristen whimpering in fear, back to 57 Bayview Drive. Over a three day period, Kristen was videotaped as she was tortured, and raped and sexually assaulted by Paul and Karla.

On Saturday 18 April 1992, between 5:00 p.m. and 6:00 p.m., Paul left to purchase dinner at Swiss Chalet and to rent a movie - *Shattered*- for Karla, Kristen and himself. Karla stayed at home to guard Kristen.

Around the same time, Kerry Patrich was driving across the short bridge into Port Dalhousie: Kerry spotted the same car used to stalk her and her sister less than three weeks previous. In fact, both sisters had been actively looking for the car since being stalked. As Bernardo passed Kerry, heading out of Port Dalhousie, Kerry recorded the license plate as being 660 HFM. She noted the man driving looked to be about twenty-five to thirty years old; she saw no passengers. Kerry made a U-turn and began following the stalker, determined to hunt *him* down. They headed back towards Port Dalhousie. When the sports car accelerated, Kerry wondered if she'd been spotted and recognized.

The sports car turned down a side street and Kerry continued past, turning down the next side street leading to Bayview Drive. She saw the car turn onto Bayview Drive, but by the time she reached the street herself, she'd lost sight of the car. Kerry drove around the block checking side streets but never regained sight. It was by seconds that she'd missed discovering Bernardo's lethal lair.

Kerry drove to her parents home from which she called the *NRP*, quoting the occurrence report number, 32834, from the report her sister made on 31 March 1992. Kerry briefed the call taker of the original incident, and reported her sighting. She updated the vehicle description as a gold Nissan 240SX, which was correct, and bearing the plate number 660 HFM, which was off by the last letter -the correct letter being an *H*.

**In 1996, Mr. Justice Archie Campbell referred to the incident, saying, "This new information was not taken seriously. It was never cross-referenced to the original report. It was never recorded in a report. The information never reached the GRTF<sup>22</sup> or any response unit in the Niagara force. The information simply went into a black hole."**

**The events that followed Kristen French's captivity, like those concerning the death of Leslie Mahaffy, differ depending on who's the teller. Paul said when he walked in the door after returning from Swiss Chalet, Karla, crying, blurted out, "Kristen tried to escape." Paul said he ran upstairs to find Kristen, blood around her mouth, had strangled on the noose tied around her neck, securing her to the hope chest. Karla told him, he said, that Kristen had requested to use the washroom and tried to escape while Karla was removing her bonds. Defence lawyer John Rosen had earlier suggested that Karla, jealous over the fact Paul intended to keep Kristen as a sex-slave, beat Kristen with a rubber mallet until she strangled on the ligature around her neck.**

**Karla says it was the following morning that she and Paul discussed what to do with Kristen. Paul did want to keep Kristen, admitted Karla, but the couple were due at the Homolka home that evening and so Kristen had to die. Karla said, while she stood and watched, Paul wrapped an electrical cord around Kristen's neck and strangled her to death. She said Paul held the cord tight around Kristen's neck while watching seven minutes pass on a digital clock in the couple's bedroom. Afterwards, Karla claims, Kristen's body was left on the bedroom floor while Paul, then herself showered and readied for their visit at her parents. They left Kristen's body where it lay and visited the Homolka home for Easter Dinner. When they returned home, they moved Kristen's body into the rear of the hatch-back Nissan, drove to a rural Burlington, Ontario road and dumped her body into a ditch.**

**No matter how Kristen died, like Leslie before her, she died while being unlawfully confined by both Karla and Paul.**

**On 20 April 1992, the case of the abduction of Kristen French was assigned to Halton-Niagara joint forces team investigating the abduction and murder of Leslie Mahaffy. On 30 April 1992, Kristen's body was discovered and identified; her body had been dumped less than 1 kilometre**

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<sup>22</sup>The *GRTF* or *Green Ribbon Task Force*, was a team of police investigators and is further explained in this chapter.

from the cemetery in which Leslie Mahaffy was laid to rest.

On 1 May 1992, Van Smirnis, at his family's restaurant, spoke to *Ontario Provincial Police (OPP)* Constable Rob Haney, a family acquaintance. He suggested Paul Bernardo was a good suspect in the murder of Kristen French, but asked that his own name be kept confidential. Const. Haney, who worked from the Beaverton Detachment of the *OPP*, took extensive notes. He would notify both departments involved in the joint forces investigative team now working to solve the abductions and murders of Leslie Mahaffy and Kristen French. On 2 May 1992, Const. Haney called Halton Regional Police with his report.

*PC Haney received info from anonymous party re: Paul K. Bernardo, 27/Aug/64, from 57 Bayview Dr. St. Catharines. Mr. Bernardo was a suspect in the Scarborough rape cases & lived in Scarborough. He has been seen hitting women & raped a girl in his basement while his wife was upstairs. He has a Nissan 240SX, yellow, 660 HFH. He is attracted to small women with short hair. He attended Scarborough College.*

On that same day, Const Haney called the *NRP* and submitted his report<sup>23</sup>.

*Male is very violent and hostile; short hair; shaves hair on back of head; wavy and curly on top; appears intelligent and perceptive; admits to beating wife; has hit girls on three occasions.*

- Went to Scarborough College.
- Aggressive toward women.
- Raped a girl in basement of house.
- Can only grow hair on chin.
- 21 Sir Raymond -Richmond.
- 2 years ago moved to St. Catharines.
- Likes small petite women, short hair.
- Questioned by Metro as *Scarborough Rapist* suspect.
- Good tan. Had been in Florida and had tan.
- Once rape takes place he disassociates with friends and family for a few weeks.

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<sup>23</sup>Barry Fox, counsel to Van Smirnis, in 1996, requested a copy of the Haney report. It is reported that Van Smirnis is laying claim to a \$100,000 reward offered by *The Toronto Sun* for information leading to the arrest and conviction of the person or persons responsible for the death of Kristen Dawn French.

- Drives 89 Nissan 240. Yellow. 660 HFH.
- Has contacted Halton -up to top.

*NRP* Sergeant Brian Nesbitt and Constable Scott Kenney, based on the Haney report, were dispatched to interview Paul Bernardo. Sgt. Nesbitt, in preparation, ran a *CPIC* check using Paul's name. The results showed no criminal record and no outstanding investigations or charges against Bernardo. Nothing indicated his status as a rapist suspect or any of his alleged stalking history. Sgt. Nesbitt, from the Haney report, knew that Paul had been questioned as a rape suspect in Scarborough, so he felt he had no need to contact Metro police prior to the interview. On 12 May 1992, police knocked on the door of 57 Bayview Drive. According Karla, Paul was asleep at the time. He awoke at the knock and looked down from his bedroom window. He knew the two men at his door were police officers and he knew they were there in regard to Kristen French. Paul considered his options: he knew they'd be back if he didn't answer; he knew the wait for their return would wear on his nerves. Paul answered the door and invited them in.

Paul would later brag of how he looked the investigators straight in the eyes, steepled his fingers together and planted his elbows on his knees to still any shaking. "I was cool as a cucumber," he bragged. Paul said the investigators seemed impressed by the wedding photographs adorning the walls and felt they could never suspect such a respectful looking young man. He spoke of abducting more young girls as sex slaves, said Karla. When his wife asked him if he was worried about detection, she said he replied: *"Don't you realize? I'll never get caught."*

In recalling the interview, Sgt. Nesbitt said he was thrown off by Paul's admission to having been questioned in connection with the *Scarborough Rapist* case.

"I asked him, 'Have you ever been in trouble?' He said immediately, 'No I haven't but I was called in on the Scarborough Rapist investigation and gave samples.'" Paul brought up the subject of the composite. "He said 'I have to be honest I do look like the composite.' He was quite open and honest about it."

Sgt. Nesbitt and Const. Kenney discussed the timing of Paul and Karla's marriage and felt it made no sense that he would abduct, murder and dismember Leslie Mahaffy one week before his marriage. The investigators

were impressed that Paul was well groomed and his home was well kept. The pair discussed Paul's new Nissan and agreed it didn't fit the description of, nor resemble an older model Camaro<sup>24</sup>. He couldn't remember where he'd been on the afternoon that Kristen French had been abducted -Paul advised the investigators he believed he was probably at home- but since a month had passed, they felt that acceptable. Paul was slightly nervous, but the officers found that normal considering the enormity of the cases they were investigating.

Sgt. Nesbitt and Cont. Kenney left 57 Bayview Drive reasonably satisfied, unless otherwise indicated by an intended follow-up with Metro investigators, that Paul Bernardo was an unlikely suspect in the sex-slayings. The investigators, on that same day and following the Bernardo interview, went on to interview other possible suspects.

Upon returning to the police station Sgt. Nesbitt ran both a local *ORACLE* check and a national *CPIC* check on the name Paul Kenneth Bernardo. The information returned indicated that Paul had filed an assault complaint after a fight in a Niagara Falls bar, had reported his home was robbed and that he was a witness to the sudden death of Tammy Lyn Homolka -an accidental death. A report detailing the thirty-minute interview was filed.

On 92.05.12 investigating officers attended at 57 Bayview Dr., and interviewed Paul Bernardo, dob 64.08.27. Paul Bernardo had been called in as a possible suspect by P.C. Rob Haney, Beaverton OPP (705) 426 7366.

- Paul Bernardo had been questioned during the investigation of the *Scarborough Rapist*.
- Paul Bernardo resides at 57 Bayview Dr., with his wife Karla (maiden name Homolka). They were married on June 29, 1991. Karla works at the *Martindale Animal Clinic* as an Animal Health Technician. Paul is an Accountant but presently unemployed. When questioned about his whereabouts on April 16th, he stated he would most likely have been home as he is writing the lyrics for a song.
- Paul Bernardo does not own a Camaro. The only vehicle registered to the Bernardo's is a 1989 Nissan 240 licence 660 HFH (ONT) 2 door, yellow.

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<sup>24</sup>Police believed, mistakenly, that an older model Camaro had been used in the abduction of Kristen French.

- Paul Bernardo advised he was called in on the *Scarborough Rapist* investigation and asked to supply hair samples, to which he complied. He appeared slightly nervous while being interviewed but was willing to answer all questions.
- Call was put in to Metro Toronto Sexual Assault Squad to S/Insp. Joe Wolfe or Det. Steve Irwin. (Re: *Scarborough Rapist Inv.*)

On 13 May 1992 Sgt. Nesbitt contacted the Metro SAS and determined that Detective Steve Irwin was then in charge of the Scarborough rape investigations. A message was left requesting a return call in relation to Paul Bernardo.

Karla Homolka, who might have provided further information regarding Paul's alibi<sup>25</sup> that he'd been at home on 16 April 1992 when Kristen French was abducted, was not interviewed by Sgt. Nesbitt, nor by Const. Kenney.

On 15 May 1992, a request made by then Inspector Vince Bevan, lead investigator in the joint forces investigations into the murders of Leslie Mahaffy and Kristen French, for special funding from the *Criminal Intelligence Service of Ontario (CISO)* was approved.

Now a provincially funded task force, investigators became known as *Project Green Ribbon* being commonly recognized as the *Green Ribbon Task Force*. The name was adopted after the Green Ribbon of Hope campaign run by students of Holy Cross, following the abduction of fellow student, Kristen French. A base of operations for the task force was moved to Beamsville, Ontario -located between Toronto and Niagara Falls.

*CISO* is comprised of seventy-five major Ontario law enforcement agencies and bound to the Ontario Government through the Offices of the Solicitor General and the Attorney General. The *CISO* funded *Green Ribbon Task Force* began with twenty-eight investigators from Halton and Niagara; the task force would eventually grow to include forty investigators from eleven separate Ontario police forces including the *OPP* and *RCMP*. The

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<sup>25</sup>"One thing Nesbitt did not do was check Bernardo's Easter weekend alibi with Homolka, which was the expected standard procedure for suspect classification. In hindsight, however, that probably would not have advanced the investigation directly because she had, in concealing her sister's homicide, demonstrated herself to be a plausible and convincing liar." -Mr. Justice Archie Campbell, 1996. In support of Justice Campbell's opinion, the author points to a 30 May 1994 prison interview between Karla Homolka and council for Paul Bernardo. Karla, in speaking of the keeping of Hallmark reminder calendars and in relation to Leslie Mahaffy's murder, said: "Well, the only thing that I did, for Father's Day, which was the 16th of June, I wrote down: 'Parents for dinner,' knowing full well that could, hopefully that that would provide some type of an alibi if we were ever questioned."

*Green Ribbon Task Force* became the largest of its kind in Canadian history.

On 20 May 1992, Det. Irwin returned Sgt. Nesbitt's call regarding Paul Bernardo. Sgt. Nesbitt advised Det. Irwin of the Haney report and of the Bernardo interview. Det. Irwin said Bernardo was one of many suspects called to an interview during the Scarborough rape investigations. Metro investigators were still awaiting the results of *DNA* testing regarding Bernardo, advised Det. Irwin. He had not yet been eliminated as a suspect.

Sgt. Nesbitt requested that Det. Irwin forward any further information Metro had on Paul Bernardo. Det. Irwin retrieved the files regarding the 26 May 1990 rape of Kaila Farrington and faxed them to Sgt. Nesbitt. Information included the Madden report of the original call from *Tina*, the Munro report of the *SAS* interview with Bernardo and the report from the Royal Bank teller. A cover letter indicated:

*More info is available - if required (Photos/Video).*

Sgt. Nesbitt never took the opportunity to request further information on Paul Bernardo.

The photographs and one minute videotaped clip of Bernardo speaking at the Smirnis wedding were the same delivered to Metro investigators by Alex and Tina Smirnis. Det. Irwin, because he retrieved only the 26 May 1990 files, did not include information regarding the detailed Smirnis' interview and report, nor the McNiff report -those reports were contained in a scattering of files and reports not cross-referenced to Bernardo's name in regard to the 26 May 1990 rape. Det. Irwin also failed to mention the fact that Paul Bernardo was one of only five suspects not yet eliminated as suspects in the *SAS* investigations and that his *DNA* test results were still pending.

On 31 May 1992, John Motile, an acquaintance of Paul Bernardo and of Van Smirnis, went to police and reported Paul as a possible suspect in the murder of Kristen French.

Motile, a student at Brock University, lived with a friend of Van Smirnis; he first met Paul when Paul and Van did some renovation work on the home Motile was living in. Following the work, Motile joined Paul and Van at 57 Bayview Drive for drinks. Motile recalls being unsettled by Paul's dark remembrances of Tammy Homolka. On 31 May 1992, Motile visited Van, then living in Youngstown, New York, where he owned and operated a video

store, *Video Joe's*. Smirnis spoke of the French abduction and murder and suggested Paul could well have been the culprit. Van spoke of Paul's violent sexual history with women.

*NRP* Constable Thomas Manney interview Motile and filed a report.

John Motile attended 68 Church St. on 92-05-31 at 1817 hours to make police aware of a person he "suspects" may have been involved in the abduction and subsequent murder of Kristen French.

- John Motile reports that an acquaintance, named Paul Bernardo, of 30 Bayview Drive in St. Catharines has been asking some questions lately about the French matter. John Motile reports that Bernardo was a one-time suspect in the Scarborough rapist affair.
- Further, Bernardo has recently attempted to have his name changed (to Teal).
- John Motile reports that Bernardo drives a Chevrolet Camaro (new model however) that is gold in colour.
- John Motile reports that he is "just suspicious" about Bernardo, and states that he has no real evidence to connect Bernardo to the French slaying. Nevertheless, a report was completed so that those entrusted with the task can evaluate this information as they see fit.

The Motile report was forwarded to *Project Green Ribbon*. John Motile was not interviewed until after the arrest of Paul Bernardo.

In 1996, Mr. Justice Archie Campbell would comment:

*"When one thinks about the McNiff report and the Madden report and the Royal Bank teller tip and the stalking incidents and the Haney tip and the John Motile tip, one wonders how many times Bernardo had to be reported to the police before the information was put together in one place."*

It was, by October of 1992, that Karla procured another innocent young girl to the *Venus Fly Trap*. Karla asked a work-mate and relative of Chesney's, Shelley Tanner, for the teenager's telephone number. Karla called and invited seventeen-year old Chesney Bradson for dinner. Chesney was delighted at the invitation. She wanted to renew her relationship, that dated back to 1987, with the Homolka family. Chesney, a friend -and pallbearer- of the late Tammy Lyn Homolka, began visiting 57 Bayview Drive

on a regular basis.

On her first visit, after dinner, the threesome watched movies. Chesney was given marijuana to smoke and alcohol to drink. In an attempt to impress her, Paul tossed a stack of money, five thousand dollars, onto her lap. Chesney said she was impressed by Paul and Karla's apparent wealth and was pleased that they treated her as an equal.

The three often watched movies long into the night then slept together on the floor of the living room -Bernardo slept between Chesney and Karla. Chesney said Bernardo would press himself against her back; she could feel that he was sexually aroused. Karla told Chesney that, although she and Paul lived together, they no longer loved each other: she encouraged Chesney to have sexual relations with Paul. Paul showered the teenager with gifts, trips and cash. Still, Paul made no headway in seducing Chesney.

Chesney said she allowed Paul to hug and kiss her so as not to insult him, but denied Paul when he made sexual advances towards her. "I don't want to be doing this," she told Paul. "You're married to my best friend's sister." Chesney found her relationship with Paul and Karla a bit weird, but, like Ashley Storm, considered Karla a confidant and the sister she never had. Paul, she considered a friend.

Eventually Chesney stopped drinking and smoking marijuana with the couple. She said her perception of Paul changed when they were under the influence of drugs and alcohol.

"I got scared of Paul. I never said anything to him, but his appearance would change to me. He would become almost scary," she later said.

On a trip to Toronto, Paul, Karla and Chesney stayed a night in the Royal York Hotel. When Karla passed out in one bed, she climbed into the other. Paul, again as with Ashley Storm, jumped into bed with her. When she protested, he whined, asking why she didn't like him. Chesney told Paul she didn't feel that way about him and asked him to go sleep with Karla. He did -but he woke Karla. Paul complained to Karla that Chesney didn't love or like him -that she wouldn't allow him to sleep with her. Karla tried, unsuccessfully, to persuade Chesney to allow Paul to sleep with her.

When Chesney awoke later that morning, Paul was in bed beside her.

On 22 December 1992, Ashley Storm visited 57 Bayview Drive for the final

time. Paul, by this time, was completely out of control, ranting and raving -raging. He was frustrated that his attempts to seduce both Ashley and Chesney had consistently failed. He attempted, without success, to play each teenager against the other -to make them jealous.

Karla said that by December of 1992, Ashley was no longer affectionate towards Paul -she wasn't huggy and kissy anymore- and that it puzzled him. Paul analysed possibilities, trying to determine why she resisted him. He finally laid the blame on his wife. Karla said Paul acted different. He was acting in a manner Karla had never before seen: He was no longer the confident guy who had it all. He was jealous that Ashley had a new boyfriend.

Karla talked to Ashley, telling her that she knew and understood that she was in love with Paul. Ashley, enraged, ran upstairs to confront Paul. She told him she never wanted to see him again. It was Paul's turn to become enraged; he told her she was worthless and didn't deserve to live. He would, however, forgive her if she consented to sexual intercourse with him. Ashley declined. She went back downstairs to see Karla; Paul followed, picked Karla up and carried her upstairs.

As Ashley awaited her mother's arrival to pick her up, Paul stood, for forty-five minutes, at the top of the stairs, staring down at her. When her Mother arrived, Ashley ran out crying. She gave her Mother the gold necklace Paul had given her earlier that evening. She told her Mother she never wanted to see it again. Ashley had escaped, if not with her sanity, with her life.

It was the second anniversary of Tammy Lyn Homolka's death and Chesney joined Paul and Karla at 57 Bayview Drive to celebrate the holiday and speak, together, about their memories of Tammy. Near to the exact time of the anniversary of Tammy's death, at 1:30 a.m. on 24 December 1992, Paul broke into tears. Within minutes Karla joined him. Chesney, trapped in the twisted couples bizarre world, and remembering her best friend, broke into tears herself.

Paul embraced Chesney in a passionate kiss -passionate on his part only- while Karla watched; Karla was pleased. Chesney has so far avoided seduction by the nefarious couple ... her time was running out though.

Shortly after the kiss, captured on a photograph, Karla went upstairs to change. Chesney, used to long nights and sleeping on the living-room floor was confused when Karla announced she was going to sleep in the

guest bedroom. "Where do I sleep?" the teenager asked Paul. "I guess up in the master bedroom with me," he told her matter-of-factly. Chesney changed in the master bathroom and climbed into bed. Paul climbed in beside her. Chesney recalls wondering, aloud, if Tammy had made love to her boyfriend before her tragic death. She was surprised when Paul answered no. No, he knew for certain.

"How do you know that," Chesney demanded. It took her five minutes of prying, but Paul finally broke. "Because I slept with her," Paul bragged. "I was her first." Chesney continued to pry. "How do you know that?" Shocking Chesney, Paul answered, "Because I have her bloody underwear to prove it."

Paul told Chesney he began flirting with Tammy while she was in grade seven or eight. It graduated to hugging and kissing, and in the Summer of 1990, he confided, he and then fifteen-year old Tammy had sex for the first time.

Paul Bernardo, having heard enough protestations from the young girl now in his bed, raped Chesney Bradson.

Paul, according to Karla, later said Chesney begged him to leave her alone but that he believed that she was only teasing him.

The following day, Chesney was visiting the Homolka home -both Paul and Karla were present. Chesney, following the Christmas Eve rape and desperately missing her best friend, was an emotional wreck; she wandered into Tammy's bedroom and broke down -cries racked her tiny body. Paul found her in Tammy's bedroom. "Why did she have to die?" Chesney asked him -if he answered, she could not recall.

On 28 December 1992, Chesney and her boyfriend accompanied Paul and Karla to a showing of *The Muppet Christmas Carol*. (Karla later described Chesney as being *cold* towards Paul.) Afterwards, the foursome returned to 57 Bayview Drive: It would be Chesney's final visit to the *Venus Fly Trap*. Paul, drunk, was again lost as to why he couldn't have the teenagers loving devotion. He urged her to rid herself of her boyfriend and remain with him.

"Why don't you love me?" he continually asked of her. Paul pleaded with her: "I love U forever. I took a chance on you. I'll love you until the day I die ... tomorrow," Paul wrote, handing the note to Chesney. Chesney wrote back: "Whatever."

Karla joined in, asking Chesney why she wouldn't date Paul. "I knew she was pushing me on Paul," Chesney later said. Still, she remained stoic in her defiance.

Chesney, like Ashley before her, had escaped, if not with her sanity, with her life.

## **CHAPTER FORTY-TWO**

The end of Paul and Karla's reign of terror was near: Karla herself, came close to having become Paul's final victim. What little control, perhaps humanity, Paul had once had, had long since dried and shrivelled as was probably the case with his soul. On 27 December 1992; Paul and Karla had just finished watching the videotaped drugging and rape of Tammy Homolka when they embarked on a cigarette smuggling run. On the return trip, Paul beat Karla upon the legs with a steel flashlight. He used to beat her with his hands, Karla said, until one day he asked why he was hurting himself when she should be the one being hurt -thereafter, among other articles, he used a flashlight to beat her. On this occasion he ordered Karla to keep clothing out of the way of her legs so he had full access to beat upon her.

The couple drove to the Toronto area where Paul was to deliver the contraband cigarettes to his contact, John Norton. Norton had recently opened a tavern and Paul felt they should have a drink with him to show respect -Karla complained she was tired and Paul again beat her with the flashlight, this time on her shoulders and her head. They attended the bar for a few drinks and when they left, Karla said she fell asleep. When she awoke, Paul informed her that he was stalking a woman. Karla said she noted they were in a residential area in Mississauga, Ontario, then went back to sleep. Paul woke her and said he was going to watch the woman undress while he masturbated. When he returned and Karla failed to hug him -as she said she was required to do after such activity- Paul began beating her body, including her head, with the flashlight. Her head was grossly swollen by the time they arrived back at 57 Bayview Drive.

On 28 December 1992, Paul looked at his wife. "Holy shit! You look like shit," he said before beating her again. This time, Karla said, he only beat her on the back and on her feet.

On that same day, Michelle, Shelly Tanner's sister, happened across Karla. She called her sister and asked if she knew what had happened to cause such massive bruising. Shelly, having, at work, observed many injuries on Karla, had always suspected her husband of beating her. The condition in which Michelle described Karla being in was the final straw for Shelly - she could no longer watch; she had to get involved. Shelly disguised her

voice and anonymously called Dorothy Homolka, suggesting her daughter was being abused by Paul.

Karla said Paul had plans to visit New York on New Years Eve. When his friends, including Mike Donald and Gus Drakopolous, showed up, Paul made Karla hide in a closet so they wouldn't see her so bruised and beaten. Karla remained home alone. Paul, after a night of partying at *The Pleasuredome*, remained in New York, returning the next afternoon.

On the first day of the new year, 1993, Paul told Karla he and his friends were leaving on a trip to Montreal, Canada. Paul, before leaving, hugged his wife. "You know, Kar, things have been kind of rough for a couple of days. When I come back, things are going to be different." Karla said she believed him.

Karla took a call from John Norton, telling him that Paul was in Montreal -Paul arrived home as she hung up the telephone. When she told him of the call, Paul became enraged that Norton should know details of his personal life. He punched Karla, hitting her on the right cheek-bone.

"Things are never going to change, are they?" asked Karla.

"No. Things are never going to change because you're never going to change," Paul responded.

They then discussed Karla's return to work in her battered condition. They agreed that Karla would tell her work-mates that she, and the wife of one of Paul's friends, had been in a car accident.

Karla was in the guest bedroom, laying down and reading, when Paul walked into the room and demanded her attention. It was in the final hours of 3 January 1993 when he told her to, sometime before 12:30 a.m., be ready to be fucked up the ass.

On 4 January 1992, at approximately 1:45 a.m., Paul came to her with a short black dress; he ordered her to put it on. Paul left the room, returning with handcuffs, black electrical cord and a chisel. Karla was forced on her hands and knees with her back arched. Paul cuffed her hands behind her back, bound her ankles and looped a piece of the black electrical cord around her neck. It was the same cord he'd used to murder

Kristen French, said Karla.

Paul warned her that to scream or resist meant her death. It was in this same manner, Karla said, that Kristen French had been raped and murdered: that fact weighed heavy on her mind. Paul began to rape his wife anally; Karla, as her husband ordered, neither screamed nor protested. Paul was strangling her with the black cord and Karla's face was smothered into a pillow. She couldn't breathe and as she slowly turned her head to breathe, Paul noted her difficulty in breathing and he loosened the cord. When he finished with her, he ordered her to thank him for being so nice to her.

"Thank you for being so nice to me, sir," Karla responded.

When Karla returned to work on the morning of 4 January 1993, her co-workers were shocked at her appearance. It was alright, Karla told them, she'd been in a car accident and the bruises really looked a whole lot worse than they actually were.

When Shelly Tanner arrived at work, Karla was in the back with her back to Shelly. When Karla turned, revealing her battered and swollen face, Shelly burst into tears. Shelly had never seen anyone like that, she later said. Karla was bruised from her eyebrows right down her cheekbones and all down one side of her neck. One eye was blood filled with no white left visible. Karla allowed Shelly to feel her head; Shelly could feel a dent.

Karla repeated her story of having been in a car accident. She'd seen a doctor and was fine. She had a slight concussion, Karla lied, but the doctors weren't worried and she was just fine. Shelly suggested Karla should be at home, but Karla said she felt better keeping busy at work. Had she told her Mother what had happened, Shelly asked.

"No," Karla replied. "I don't want my Mom to know. If my Mom comes into the clinic tell her I'm in surgery. I don't want her to see me like this."

"Karla," Shelly began, "When I'm sick and I'm hurt, the first person I want to call is my Mom."

When Shelly left for her lunch break, she was hysterical; she didn't believe Karla had been in a car accident but she wasn't sure what she could do. Going home, she called a police officer, explained her sister was in an abusive relationship and had been badly beaten. The officer said there was

nothing Shelly could do -it was up to her sister to contact the police. The police officer suggested she call an abuse hot-line for further information. After hanging up with the police, Shelly called *Woman's Place*, a shelter for abused women, then returned to work and remained with Karla for the rest of the day.

When Shelly finished work she decided to ask a male friend, Corey, to call Dorothy Homolka. She figured a man calling and warning of danger would be more effective than a woman. At 5:30 p.m., Dorothy answered the second of two anonymous telephone calls. Corey warned Dorothy that her daughter's life was in danger and that she should contact her.

Paul picked up Karla from work; he was incensed that she had failed to better cover her bruises with make-up.

The couple left for another smuggling run to the United States.

Around 6:00 that same evening, Karel, Dorothy and Lori Homolka drove to 57 Bayview Drive to find the home in darkness. There was no answer to a knock on the door. The threesome went to a nearby corner store and called 911 for emergency assistance. When two police cruisers and an ambulance responded, the family were advised that they could not legally force their way into the house; the emergency personnel departed and the Homolka's drove back home.

Karla's sister Lori began calling 57 Bayview Drive every five minutes, until Paul finally answered one of her calls a couple of hours later.

When she asked to speak to Karla, Paul asked, "What's it worth to you?"

Lori said she responded, "More than you'll ever know."

Paul acquiesced. "Okay then."

When Lori spoke to Karla, for about ten minutes, she found nothing out of the ordinary.

When Shelly saw Karla at work the next morning she was taken aback; could she have been wrong and Karla had really been in a car accident, she wondered.

They worked through the morning; Karla was stiff and moved slowly. Shelly took her lunch, going home at noon. Upon her return, Karla came from the rear, intending to take her lunch break. That was when Dorothy Homolka walked in the front door.

Dorothy had re-arranged her own work schedule so she could check on her daughter that afternoon. She later said that when she first saw Karla, she almost had a heart-attack. "I saw my daughter come out with black .. black eyes; she looked like a raccoon; [her] face was all swollen." Karla was initially cheerful -more upset over her mother's reaction to seeing her so battered than anything else. Dorothy stood, shaking; she couldn't comprehend what she was seeing. Karla cried at her mother's reaction.

"I know what's going on," Dorothy said. "You get your coat, you're coming with me for lunch."

"Mom, I'm okay," Karla repeatedly said. "I was in a car accident."

"I don't believe you!" said Dorothy.

Shelly told Karla to take as much time as she needed; or, to take the afternoon off and spend it with her Mother.

Dorothy drove to a McDonald's restaurant where she and Karla had a long talk. About two hours later, with Karla's promise to call her family that evening, Dorothy dropped Karla back off at work.

"Did you have a good talk with you're Mom? Is everything okay?" asked Shelly.

"I'm fine," Karla said. She wasn't, though, and this would be the last day she would ever work with Shelly.

They worked the rest of that afternoon in virtual silence. Shelly thought to herself: *My God, I must be wrong. It must have been a car accident!*

While Shelly worked to 6:00 p.m. that evening, Paul picked up Karla at 5:30 p.m. They were off on yet another smuggling run.

Paul, angered because Karla's bruises were still prominent, began beating her on the way to the U.S. He ordered her to put on some make-up and look respectable before they reached the border. In the U.S., they first stopped at *Smokin' Joe's* in upstate New York for cigarettes then stopped at

*Freddie's* for groceries. The groceries included fifteen to twenty bottles of spring water.

On the return trip Paul continued to mercilessly beat Karla.

When they reached home, Paul ordered Karla to unload the car, carrying every one gallon bottle of water to the basement cellar. Paul repackaged the cigarettes for delivery. When Karla finished unloading and Paul finished re-packing, he gave Karla a list of chores to perform while he left to deliver the contraband cigarettes.

Karla called home, speaking to her Father, Mother and sister then went to work on completing her chores before Paul returned. Karla knew, though, that both her marriage and her criminal partnership with her husband was over. She knew, even as she toiled away, that she'd leave, forever, that night. There was no way she could survive what had now become daily beatings. She was convinced that if she didn't agree to kidnap and kill another sex slave, Paul would kill her instead. Paul, this time, wanted a twelve-year old girl -young enough, he thought, that her virginity was assured. He even had a local newspaper clipping depicting a group of children from the St. David's girls' championship basketball team and a list of names to choose from. And this time, Paul said Karla would be the one who killed the sex-slave when they'd finished with her.

It was after 9:00 p.m. that Karel, Dorothy and Lori again drove to 57 Bayview Drive. The family was appalled to find Karla barely able to walk and in a state of panic. "I was very angry, confused ... upset," Lori later said. "Angry that she could stay with someone who could do that to a human being." Karla would later say that by the time her family arrived she no longer wanted to leave. It took over an hour of arguing before Karel finally picked up his daughter and physically removed her from her matrimonial home.

Karla, before leaving, searched her home, looking for a set of six eight millimetre videocassette tapes. Frantically, she crawled into the storage chamber in Paul's musical studio room. The tapes weren't there. Quickly, she ran downstairs and into the garage. She climbed up onto the rafter and searched, unsuccessfully, through the insulation. Paul's hunting knife was hidden there, but she left it and reluctantly abandoned her search. The tapes, she knew, were sexually explicit in depicting her in lesbian sexual poses with, among other persons, her sister Tammy, Leslie Mahaffy, Kristen French and Ashley Storm.

With her family, Karla left 57 Bayview Drive at approximately 10:00 p.m. on 5 January 1995. Of Karla's possessions, they loaded and took what they could fit in the family vehicle. They had to leave Karla's dog, Buddy, behind. Leaving Buddy and other possessions would eat away at Karla for months to come.

At the family home on 61 Dundonald Drive, Karla remained terrified. Paul, she said, had threatened to kill her whole family if she ever left him. She also worried that he'd find and kill her if she remained at her parent's home.

Within ten minutes, the family made arrangements and moved Karla to the home of Halley Timms, a girlfriend of Lori's whom Paul was unaware of. Halley's husband happened to be a Metropolitan Toronto police officer. When Mr. Timms saw the brutality of Karla's injuries and heard her tale of how Paul had beat her, he advised the family to contact the local police. They did. At approximately 1:00 a.m., on 6 January 1993, Lori and Constable Yvette Fleming escorted Karla to the St. Catharines' General Hospital. Dorothy Homolka returned to her own home.

Karla's injuries were recorded with photographs and she gave police an occurrence statement. Karla was admitted to the hospital where she would remain until 9 January 1993. After examining Karla, her personal physician, Dr. Christina Plaskos, prescribed Demerol to help ease the pain from her multiple injuries. The doctor also ordered an Iron supplement to re-build that lacking in Karla's blood. Hospital x-ray's and a *Computerized Axial Tomography (CAT)* scan test revealed an untreated ill-healed broken rib.

Dr. Plaskos later said she was horrified by Karla's injuries which included severe visible bruising to both of her eyes, her nose, both of her cheeks, her neck, chest, back, both of her thighs and calves and both of her feet.

*"On examination today, Karla is in distress, quite anxious and understandably so. Her eyes reveal racoon's eyes<sup>26</sup>, bruising all around the orbits, large contusion to her head with what feels like a depressed fracture, although x-rays have ruled this out. She has a subconjunctival haemorrhage in the left eye, which was seen by Dr.*

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<sup>26</sup>"Racoon eyes" are caused by a heavy blow to the back of the head, causing the brain to lurch forward and bump the front of the skull. This results in bleeding that leaks into the eye tissue.

*Marriott, and she was re-assured. She has several bruises down the left side of her neck, along her arms, with a very large bruise in the upper right arm which is about three centimetres by three. About 75% of her legs, from mid-thigh down, are bruised, quite dramatically, and swollen to touch. She cannot move them due to pain. On the right thigh, about 3 cm. above the right knee, there is a puncture wound which she says was caused by Paul Bernardo when he punctured her leg with a screwdriver. On the left leg, there is a large isolated contusion about 6 inches by 3 inches, quite warm and tender."*

**The following day, Shelly visited Karla in the hospital where she was finally allowed to see and know of the full extent of Karla's injuries.**

**On 6 January 1993, at approximately 4:45 a.m., police arrested Paul Bernardo and charged him with assault with a weapon. Paul was taken into police custody, charged, and released on an undertaking to appear in court and to keep the peace and be of good behaviour. In addition, Paul was not to contact, or attempt to contact, directly or indirectly, Karla Homolka.**

**Paul returned home and changed the locks on the house. He informed his landlord and his friends that his marriage was over. Alone now, Paul despaired over his failed marriage and felt he'd wasted his life. He lost the desire to live. Paul audio-taped a goodbye message that he intended to leave for Karla.**

**"I treated you like shit at the end but I really love you. I know I treated you like shit. It wasn't me. I don't know who it was, but it wasn't me. I smashed the flashlight against my own head. It hurts. I'm sorry! Why didn't someone come and give me the same beating? It would have been easier. Kar, if you can ever forgive me for the terror and hate and pain I have caused you, I will be eternally grateful. I wish I made love to you staring in your face; I wish I did that more. Some things are worth dying for. You're worth dying for Karla. I'm going to give you my life, okay? I'm going to give you my life. I'm going to give you my soul. I'm going to give you my power. Take care of yourself all right? You are always my best friend. Tough guys like me gotta go. Born a bastard, die a bastard. I'm out of here."**

**When a close friend found what he believed was a suicide note written by Paul, he intervened. He reminded Paul that he had many friends who cared for him and that that was reason enough to live.**

When Karla was discharged from the hospital on 9 January 1993, plans for her safety had already been organized. She was moved to live with her mother's brother -her Uncle Calvin and her Aunt Patti Seger in the Seger's Brampton, Ontario, condominium.

## CHAPTER FORTY-THREE

"He seemed to disappear off the face of the Earth.<sup>27</sup>," said one investigator in the *Scarborough Rapist* case. "We all thought, 'Where did he go?'. We knew people didn't just stop."

Indeed, as 1990 came to a close, the *Scarborough Rapist*, inactive since 26 May 1990, might as well have disappeared from the Earth. The investigations ground away to an unpleasant memory -not gone, but with the case cold, not a high priority. Metro investigators had no idea that Paul Bernardo had moved only eighty-five miles away -escalating his violent attacks as had been predicted, and, before the new-year, having already taken part in claiming a human life.

In St. Catharines, following the 6 April 1991 *Henley Island* rape, police conducted an exhaustive investigation, attempting to hunt down a rapist whose savagery was previously unknown in the peaceful city. There was great concern about repeat attacks.

On 8 April 1991, the *NRP* issued a *CPIC Zone Alert*. The alert<sup>28</sup> advised detachments of their own force, the *OPP*, and police forces in Hamilton Wentworth, Halton, Burlington, Peel, Haldimand-Norfolk, and Metropolitan Toronto of the investigation into the brutal rape.

*On Saturday, April 6, 1991 at 0530 hrs., a sexual assault (rape) of a fourteen year old female took place in the area of the Henley rowing complex, St. Catharines. The suspect is described as male, white, 20 years of age, 6 feet tall, 180 lbs, muscular build, reddish-blond hair, short on top and long in the back. The male vaginally penetrated the victim from the rear, then forced her to perform oral*

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<sup>27</sup>"When Bernardo stopped stalking and raping in Toronto and started stalking and raping and killing in St. Catharines and Burlington he might as well have moved to another country for a fresh start." -Mr. Justice Archie Campbell, 1996.

<sup>28</sup>A *CPIC Zone Alert* is an abbreviated report entered into the *CPIC* computer system and issued, through *CPIC*, to designated police forces in areas neighbouring the crime scene. The alert is used in investigations in which the criminal is considered a danger to public safety. It is a danger alert.

sex. He eventually ejaculated in her mouth. After completing the sex act, he ordered the victim to remove the rest of her clothing. He then ordered her to crouch down by a tree for five minutes. The male then left taking, with him, the victims red rowing jacket "Simcoe Crew". The male wore "Isotoner" style black gloves and had crumpled black nylons in his possession. These were not used to tie up the victim or disguise his face.

Any department with similar occurrences please contact the undersigned.

Sgt. E. Typer #8080  
Const. I. Cameron #1942  
Const. J. Whittel #8424

The *Zone Alert*, a description that mirrored reports filed during the Scarborough rapes, was received by Metro police, and should have been distributed to all Divisions and the offices of detectives. In 1996, nobody with the SAS investigating the *Scarborough Rapist* case could recall having seen the *NRP* alert.

Niagara investigators did not receive any replies to the *Zone Alert*.

A witness, recalling having observed a man following a young girl at the time of, and near the scene of the Henley Island attack, was interviewed by *NRP* investigators. Using Metro police facilities, from the witnesses' description of the attacker, a composite sketch of the suspect was developed. The composite was distributed to *all* police forces in southern Ontario.

In response to the composite, *NRP* Sgt. Cameron received two calls from Metro police. One of the calls reported a suspect resembling the composite who'd just been released from jail -the second, reported another possible resemblance. (Neither suspect was Paul Bernardo.) Sgt. Cameron investigated and eliminated both suspects.

It wasn't until 20 June 1991 that Metro investigators submitted further forensic samples in the *Scarborough Rapist* case to the *CFS*. Of the eight suspect samples submitted, two were requests for *DNA* testing if serology tests indicated non-secretors. Serology tests eliminated the two possible *DNA* requests.

On 17 October 1991, Kim Johnston reported on all serology tests submitted regarding suspects in the 26 May 1990 Scarborough rape. One-hundred and fifty-eight suspects were eliminated: results for seventeen suspects were inclusive; and forty-three suspects could not be eliminated. In addition, suspect samples in regard to *Scarborough Rapist* victims preceding 26 May 1990, remained untested. In total, seventy-nine suspect samples submitted to the *CFS* remained active.

At the time, *PGM* results for all remaining suspects were not yet available. However, five suspects fit the *ABO/PGM* profile required for *DNA* testing. Paul Kenneth Bernardo, as he had been since 13 December 1990, ten months earlier, was one of those five suspects.

Still, the *CFS* did not perform the requested *DNA* testing.

Incredibly, on 6 November 1991, the *CFS* returned almost all items related to the *Scarborough Rapist* case to Metro investigators. (Three frozen semen samples recovered from victims of the rapist, sufficient for *DNA* testing, were retained.) The *CFS*, apparently, had completed all serology tests. *CFS* policy dictated that the completed samples, and reports on the samples, be returned.

Again, the Metro request for *DNA* testing of five samples, including that of Paul Kenneth Bernardo, was overlooked. Now, effectively, it was negated. Detective Irwin was advised, by Kim Johnston, that suspect samples fitting the *ABO/PGM* profile established as a requirement for *DNA* testing would have to be re-submitted with requests for *DNA* testing.

Ms. Johnston said she was under the impression that, even though a manageable number of five suspects had been submitted one year previous, that Metro investigators would continue to eliminate suspects through other means. Only then would investigators re-submit a manageable list of suspect samples for *DNA* testing.

In 1996, Mr. Justice Archie Campbell quite rightly termed this a "*pointless exercise*".

Once the *CFS* returned the remaining samples, Metro investigators, busy working on other rape cases, including hunts for at least two other serial sexual predators, did little work on the *Scarborough Rapist* case. It had been one and a half years since the last known attack and their predator had disappeared. The trail had long since grown cold and police were convinced

the case would be solved in the *DNA* laboratory at the *CFS*. Investigators continued to submit new or updated samples as they became available and as time allowed.

In December of 1991, Metro Sergeant Bruce Smollett was promoted to Detective Sergeant: He officially joined Detective Steve Irwin and Detective Heather Clark-Kaiserward, lead investigators in the *Scarborough Rapist* case. Det. Sgt. Smollett later said that in December of 1991, the files for the ongoing investigation, contained in a five drawer filing cabinet, were in a state of disarray. Det. Irwin and Det. Clark-Kaiserward, he said, spent time, in early 1992, putting the files back in order.

Although he wasn't aware of specifics, Det. Sgt. Smollett said Det. Irwin, officially designated as the lead case investigator in March of 1992, kept in contact with the *CFS* through Kim Johnston.

Det. Irwin would ultimately answer to Det. Sgt. Smollett, but the Det. Sgt. said reports were verbal. Det. Irwin advised him of suspect developments, but no written reports were requested, nor were any submitted. The Det. Sgt. said he didn't have the time, nor did he have sufficient knowledge of the case, to closely monitor Det. Irwin's work. In addition, he didn't keep notes on monthly meetings because he didn't want those who served under him to get the impression that he didn't trust them.

As to the delay in *DNA* testing, Det. Sgt. Smollett said he had no knowledge of it. In fact, Det. Sgt. Smollett had no knowledge of any real suspect in the case until 1 February 1993.

Det. Irwin submitted one sample for serology testing on 27 March 1992. On 2 April 1992, Det. Irwin re-submitted five forensic samples from the remaining pool of seventy-nine suspects. One of those samples was that of Paul Kenneth Bernardo. His request was worded: "*For DNA comparison to samples retained by Kim Johnston.*" The Johnston samples referred to were the frozen semen samples. The completed *DNA* profile of the *Scarborough Rapist*, still hanging on the a wall in Pamela Newall's office, remained a secret born of ignorance.

Of the five forensic suspects samples re-submitted, four were those originally submitted in 1990. The only difference was that one of the 1990 suspects was since eliminated, via an alibi, and one was a new suspect fitting the required *ABO/PGM* profile.

At the *CFS*, one scientist and one technician were buried under a heavy workload. Despite a 19 February 1991 promise from then Ontario Solicitor General, Mike Farnan, of five million dollars to help the *CFS* process evidence faster, by 19 August 1991, the *CFS* was under pressure to produce results on samples submitted in two murders. Metro police were awaiting results of tests relating to the rape and murder of three-year old Kayla Klaudusz and Halton police expected imminent results in the murder of nineteen-year old Nina de Villiers.

*CFS* Director, Dr. Doug Lucas, due to the massive back-log, assigned the 2 April 1992 Metro request to Kim Johnston. Ms. Johnston, at the time of the assignment had not yet completed her training. She was not yet qualified to perform full *DNA* testing. However, Dr. Lucas felt her ongoing involvement in the *Scarborough Rapist* case made her the perfect candidate for the job. Due to this decision, another three months passed before, on 12 July 1992, Ms. Johnston logged the Metro request for *DNA* testing of five suspect samples under her name. On the same date, Ms. Johnston also logged three murders, and another rape case under her name.

Ms. Johnston, who effectively completed her *DNA* training in June of 1992, later said that her other cases had equal priority to the *Scarborough Rapist* case: At that time, knowing that *no* priority had been given the Metro test requests, this is not surprising. At that time, most any case would bump the cold *Scarborough Rapist* case.

In August of 1992, then Inspector Steve Marrier was assigned to the *SAS*. While he immediately began reviewing unresolved cases, he found other *current* investigations demanded his full attention. It wouldn't be until late December of 1992 that he began work on an agenda to deal with the outstanding *Scarborough Rapist* case.

Insp. Marrier and *SAS* investigators decided on a campaign to stimulate public interest in the cold case. He hoped that memories may be triggered and new information would result. Det. Irwin was asked to review all *CFS* exhibits, determine their status and brief the inspector of any results and/or progress.

The head of the *SAS*, Insp. Marrier, later said he didn't take an active role in the *Scarborough Rapist* investigations. He relied on Det. Irwin's history of working the case, and his own direction, to bring about new results. He asked Det. Irwin to draft a profile on exactly where the case was at, and where it was going -where Det. Irwin wanted to take it. In 1996, Mr. Justice Archie Campbell reported that no documentation of any ongoing

investigation existed. He said that, aside from re-submitting forensic samples to the CFS, SAS investigators did nothing to advance the priority of DNA testing.

It wasn't until 29 October 1992 that DNA tests logged by Kim Johnston, three and one half months earlier, began. Upon the beginning of tests, it was discovered that four of the five submissions weren't sufficient for full DNA testing. The forensic samples from Paul Kenneth Bernardo were sufficient, but the CFS requested Metro police collect, and again re-submit all five forensic suspect samples. On 12 November 1992, Metro police investigators re-submitted the requested samples. On 17 November 1992, Kim Johnston said she found two samples still insufficient for full DNA testing and requested another re-submission. No records exist to confirm the last request and Det. Irwin cannot recall the request.

Meanwhile, Ms. Johnston continued to work with sperm samples garnered from *Scarborough Rapist* victims.

Now living with her Aunt Patti and Uncle Calvin, Karla began collecting Canadian *Unemployment Insurance*. With that money, Karla shopped for new clothes, replacing those she was forced to leave behind when her parents removed her from her matrimonial home.

On 19 January 1993, Karla returned to St. Catharines. At 11:15 a.m., Karla attended the offices legal aid,<sup>29</sup> seeking legal assistance in obtaining a family lawyer in filing for legal separation from Paul. At 2:00 pm., she visited her doctor. Then, at 3:30 p.m., even though only two days later she would write of fearing being killed in St. Catharines by Paul Bernardo, Karla visited her hair stylist, also named Paul, and had her hair done.

After a few weeks of recovering, Karla began speaking to friends again. Her days, like those of her estranged husband miles away, were spent sleeping. Karla would later say of the time, *"I was feeling free. I finally escaped him. I was very afraid that he was going to come and find me and kill me like he threatened he would always do, but the fact that I was actually physically away from him and that my family knew that he had been abusing me, I felt free. I hate lying and I had lied to my family for so many years."*

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<sup>29</sup> *Legal Aid* is an Ontario programme designed to provide legal council for those who cannot afford to provide council themselves.

Karla wasn't being truthful in that telling though, as her diary of that time indicated. On 21 January 1993, Karla wrote: *"I'm so confused about what to do with my life. I don't know where I should live, or what career I should choose. What I want is security. I want so badly to go back home and live with Mom and Dad and Lori, work at Martindale again. I want to live freely in St. Catharines and not be terrified to go out alone. I need to live a normal life. I love being here where I am, but I miss my old world -not Paul but everything else. I don't want to give up all my personal possessions, but I'm afraid to go back, having him see me and rekindle the hatred he has for me. I'm not afraid he'll tell any of my secrets. He has everything to lose on two things and a lot to lose on a third."*

When, on 30 May 1994, prompted to elaborate on her "secrets," Karla said<sup>30</sup>, *"The first two would be the homicides of Kristen and Leslie and the third would be Tammy."*

In addition, she had yet to tell her family that she had taken part in the drugging, rape and death of her baby sister, Tammy. In fact, there was no indication she ever planned to tell them of her secret life with Paul Bernardo.

On 24 January 1993, Karla again returned to St. Catharines -this time for an overnight visit at her family's home. On 25 January 1993, Karla joined her family in celebrating her Father's 50th birthday. At 2:00 p.m., Karla met with family lawyer Virginia Workman for the first time. Afterwards, she returned to her Brampton *hideaway*.

Karla met with an old male friend in late January of 1993. Cheerful and smiling, Karla unburdened herself, describing to her shocked friend the alleged abuse she suffered at the hands of her husband. Afterwards, Karla returned to the Seger's feeling better than ever. Every person she told of the alleged abuse consoled her. With each new telling of her tale, Karla incited hatred for her estranged husband. It appears that, eventually, she slid into the singular role of having been just another victim of Paul Bernardo -she, as indicated by later psychiatric reports, even convinced herself that this was the case.

On 18 January 1993, Kim Johnston called Metro investigators, inquiring as to the submission of further forensic samples. There would be no more

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<sup>30</sup>This simple piece of evidence negates all of Karla Homolka's claims that she remained with Paul Bernardo because she was afraid he would expose her part in the three deaths.

submissions. Ms. Johnston confirmed this, on 26 January 1993, with Det. Irwin. She also advised Det. Irwin that *DNA* testing had begun on the remaining three suitable samples in her possession.

## CHAPTER FORTY-FOUR

An excited Detective Steve Irwin hung up the telephone and shouted, "*Holy sheep shit!*" The detective had just been advised that CFS scientist Kim Johnston had completed initial DNA testing on forensic samples from the three remaining suspects in the *Scarborough Rapist* case. Two suspects had been eliminated. And, the scientist, after what has been appropriately dubbed *The Deadly Delay*, had established a one probe<sup>31</sup> DNA match linking the third suspect to three victims of the *Scarborough Rapist*.

On the morning of 1 February 1993, twenty-five and one half months after having been originally submitted for testing, DNA profile 2708-90 B248, that of Paul Kenneth Bernardo and semen stain B1DF1A, that of the *Scarborough Rapist*, were found to be one and the same. SAS investigators finally had a name to match the face of the *Boy Next Door*.

Metro investigators gathered around recently promoted SAS leader, Staff Inspector Steve Marrier and began digging up and reviewing all information Metro had on file regarding Paul Bernardo. They discovered he'd recently been charged with an alleged assault upon his wife and that she'd left him.

Metro police secured the cooperation of a resident on Bayview Drive; from there, within a day of the DNA match, they kept Bernardo under twenty-four hour surveillance. Paul Bernardo's ten year crime spree had finally begun to unravel. Mobile surveillance teams watched as he cruised through cities from Toronto to Niagara Falls, stalking young women alone at night.

On 4 February 1993, through Dorothy Homolka in St. Catharines, Metro investigators attempted to contact Karla Homolka. On 5 February 1993, Metro investigators spoke to Karla Homolka. Karla advised the investigators that she couldn't meet with them until 9 February 1993. They arranged to interview her at her Aunt and Uncle's Brampton condominium.

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<sup>31</sup>Further probes rapidly tested positive on 8 February 1993, 15 February 1993, 22 February 1993, 8 March 1993, 22 March 1993, 29 March 1993, 19 April 1993, 26 April 1993, and the tenth probe matched on 3 May 1993. Paul Bernardo was linked to nine victims of the *Scarborough Rapist*. Evidence consisting of foot-prints and a scarf, collected at two separate crimes scenes and later compared, linked Bernardo to a tenth victim.

In the middle of the unravelling investigations, of which she had no knowledge, Karla Homolka revelled in her new found freedom. On 5 and 6 January 1993, Karla spent her nights, like those of her estranged husband miles away, trolling for mates who could provide sexual satisfaction.

Accompanied by her Aunt Patti Seger and a girlfriend, Kerry Lynne, Karla enjoyed her nights at the *Sugar Shack*, a popular night club in Brampton, just west of Toronto. Her evenings of partying, dancing and trolling for men, began around 9:00 p.m. and ended when the bar closed in the early hours of a new morning.

Karla nearly always wore a low cut black dress. A typical evening included being seated at her favourite table, near the dance floor, where she could watch the men dance. Karla danced with her girlfriends, and sometimes with the men grouped about her table. Other times she just sat, enjoying a drink of vodka and orange juice.

Karla had her pick of the many men interested in her and she sized them up, but she rejected all of them. Finally, she spotted the one she wanted. He was tall and blond with a muscular build -his appearance was similar to that of her estranged husband Paul. Karla cornered a waiter and recruited him to play her cupid.

*"I like him," she told the waiter, pointing to James Hutton, a sales representative. "I want to get to know him. Please set it up for me."*

Cupid cast his magic, and Karla and Jim became a couple.

In what would prove to be a sore spot with their Niagara counterparts, Metro police decided, upon beginning twenty-four hour surveillance, to hold off in notifying the *NRPIGRTF* of Bernardo's status. In 1996, nobody with Metro could answer why the decision was made, nor who made it. The only clear recollection, by most Metro investigators involved, was that it was a bad decision.

On 5 February 1993, then Staff Superintendent of Field Operations, David Boothby<sup>32</sup>, called then Insp. Vince Bevan and asked him to attend a

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<sup>32</sup>David Boothby would eventually become Police Chief of the Metropolitan Toronto Police Department.

Toronto meeting on 8 February 1993.

On 8 February 1993, Inspector Bevan attended a meeting that included the top officials from Ontario's largest metropolitan police department. In attendance were Staff. Supt. Boothby, Staff Insp. Marrier, Det Irwin, Det. Sgt. Smollett, Inspector of Intelligence Operations, Robert Strathdee and Deputy Police Chief, in charge of Detective Operations, Charles Maywood.

The high powered contingent informed Insp. Bevan that *DNA* evidence indicated that Paul Bernardo was the serial *Scarborough Rapist*, that he lived in St. Catharines and that he was currently under twenty-four hour surveillance. They advised the inspector of the imminent interview with Bernardo's estranged wife, Karla Homolka. When Insp. Bevan was notified of the details of the brutal sex attacks and shown flow charts detailing the *Scarborough Rapist's* activities, his attention turned to the *Henley Island rape*. The *modus operandi* of the *Henley Island Rapist* was exceedingly similar to that of the *Scarborough Rapist*.

The following day, Niagara investigators turned over the *Henley Island rape* case files to Metro investigators.

On 9 February 1993, Niagara police re-opened the investigation into the Christmas 1990 sudden death of Tammy Lyn Homolka.

The *GRTF*, as had Metro, pulled together all information they had regarding Paul Kenneth Bernardo, now the prime suspect in the murders of Leslie Erin Mahaffy and Kristen Dawn French.

On the same day, before her interview with Metro authorities, Karla visited her personal physician, Dr. Christine Plaskos, at 9:00 am., then her family lawyer, Virginia Workman, at 10:00 a.m. There is no indication that Karla discussed, with either of the women, her impending police interview.

At 7:30 p.m. on 9 February 1993, *SAS* investigators, Det. Sgt. Bruce Smollett, Det. Ron Whitefield and Det. Constable Mary Lee Metcalfe met with and interviewed Karla Homolka. They advised her that her husband was suspected in a series of rapes and that his arrest was imminent. Karla concentrated her conversation on the alleged abuse she suffered at the hands of her estranged husband. Although they questioned her of details of her sexual relationship with her husband, and, indirectly, of any

knowledge of the French abduction and murder, they reported Karla as hostile and uncooperative.

When police left, Karla was irritable and argumentative with her relatives. Eventually, in the early morning hours of 10 February 1993, Karla's carefully crafted and protected bubble of secrecy, that encompassed her warped life, burst. She confessed to her Aunt Patti, that Paul was the *Scarborough Rapist*. Further, she confessed to the abductions, rapes and murders of Leslie Erin Mahaffy and Kristen Dawn French -and, she confessed that the rapes had been recorded on videocassette tapes.

Karla's confession would, when police later interviewed the Seger's, loosen her strangle-hold position during bargaining for immunity in exchange for her testimony against Paul Bernardo.

On 10 February 1993, Karla called Niagara lawyer, George Walker, and scheduled an appointment for the following day. On 11 February 1993, Karla called Metro police and requested a ride to her new lawyer's office. Det. Cont. Mary Lee Metcalfe and Det. Ron Whitefield gladly provided transportation for their potential witness. Karla gave, to Det. Cont. Metcalfe, George Walker's telephone number and advised the detective that she could call Mr. Walker once Karla had spoke with him.

George Walker was expecting a client in relation to a domestic assault so when Karla began detailing her involvement in three deaths, including the murders of Leslie Erin Mahaffy and Kristen Dawn French, he was initially sceptical. Karla told her Aunt Patti that it took several visits to George Walker before he believed that she was being truthful with him.

After the meeting the Metro detectives drove Karla back to Brampton. That evening, Crown attorney's and police investigators, from both Metro and Niagara, desperately sought out George Walker.

On 11 February 1993, Mr. Walker met with St. Catharines' Crown Attorney, Raymond Houlahan. Mr. Walker advised Mr. Houlahan that Karla Homolka had information regarding the murders of Leslie Mahaffy and Kristen French. Karla, he said, was willing to assist police in exchange for full immunity from prosecution. Mr. Houlahan, referred the matter to his superior, Regional Crown Director, James Treleaven, in Hamilton, Ontario. Mr. Treleaven immediately contacted his superior, Michael Code, Assistant Deputy Attorney General, Criminal Law Division. Mr. Code assigned the case to

Murray Segal, Director of the Crown Criminal Law Office.

Mr. Segal, a top government official, made an appointment to meet at Mr. Walker's office on 14 February 1993.

On the morning of 12 February 1993, Mr. Houlahan met with Inspector Bevan of the *GRTF* and advised him of the current state of contact with Karla Homolka, including her request for total immunity. Further information would be forthcoming.

When, on 13 February 1993, work began on drafting a search warrant for 57 Bayview Drive, serious legal technicalities arose. While search warrants would be submitted for both the *Scarborough Rapist* case and the murders of Leslie Mahaffy and Kristen French, police investigators had no hard evidence that either Paul Bernardo or Karla Homolka were responsible for the two sex-slayings. *Disclosures from Karla Homolka, as related by George Walker, were of no legal value in the applications for search warrants. In fact, one investigator would later comment on the evidence against Bernardo at the time, saying they had no evidence indicating he was a killer. All they knew was that forensic tests indicated that he was a serial rapist and that he lived in St. Catharines.*

If they went into 57 Bayview Drive under a search warrant regarding the rape case and discovered evidence that pertained to the murders, that evidence might not be admissible in court.

The only way to pull it off<sup>33</sup> was to arrest Paul Bernardo on simultaneous charges of being both the serial *Scarborough Rapist* and of having abducted, raped and murdered teenagers, Leslie Mahaffy and Kristen French.

The Ministry of the Attorney General appointed Michal J. Fairburn, Counsel, Crown Criminal Law Office and Casey S. Hill<sup>34</sup>, General Counsel to the Ministry of the Attorney General, to assist Detective Steve Irwin in drafting and organizing the Metro search warrant. Due to the chaos of the

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<sup>33</sup>Eventually, similar fact evidence would be added to the warrant application, allowing the search to proceed. The *FBI* was consulted, and the opinions of Special Agent McCrary were carefully considered upon the application for, and the granting of, the search warrants.

<sup>34</sup>On 31 May 1994, Mr. Hill was appointed as an Ontario judge. He became, The Honourable Mr. Justice Casey S. Hill, Ontario Court of Justice, Criminal Division, Brampton.

Metro files on Bernardo, compiling the several hundred page application for a search warrant became a painstaking, time consuming process.

Unknown to all investigators, time was running out.

Karla didn't know it, but on 12 February 1993, she was placed under surveillance. Teams of investigators began to monitor her actions. They watched as she entered the Sugar shack on 12 February 1993. When the *Sugar Shack* closed, at 1:40 a.m. on 13 February 1993, they watched as Karla hopped into a cab with Jim and spent the night at his apartment. At 8:12 a.m. that morning, Karla took a three minute cab ride back to the Seger's and by 8:15 a.m. was on her way to visit her lawyer, George Walker, in his Niagara Falls office, for a 10:00 a.m. meeting.

At 10:00 a.m., on 13 February 1993, at Mr. Walker's office, Karla authorized Mr. Walker to continue to act on her behalf, seeking full immunity. Her's was a handwritten authorization.

*"I, Karla Leanne Bernardo, of 61 Dundonald [Dr.], St. Catharines, Ontario, do hereby authorize and instruct my counsel George F. Walker, Q.C., to continue with his discussions and negotiations with Messrs, R, J. Houlahan, Q.C., Casey Hill & Mary Hall of the Attorney General Ministry.*

*That I am desirous of obtaining blanket immunity against prosecution for any offences alleged to have been committed by me, or any offences that I am alleged to have been a party to, or accessory to.*

*That I am willing to provide statements to these representatives of the Attorney General's Ministry, or their designates, subsequent to receiving this blanket immunity. That further, I understand that such blanket immunity does not extend to perjury.*

*That I undertake to provide information or what information I can, in relation to the French, Mahaffy, and the Scarborough rapist investigations in return for the said blanket immunity.*

*That if during the course of the proceedings [of] those statements other criminal conduct surfaces, the blanket immunity must extend to those matters also.*

*Dated at Niagara Falls, Feb 13th/93*

*Karla Leanne Bernardo"*

On the early morning of 14 February 1993, surveillance teams monitoring 57 Bayview Drive panicked when Paul was accompanied home by a lone female.

Investigators were prepared, in the event of an emergency, to enter the house and immediately arrest Paul Bernardo. The woman's life was, they thought, at stake.

While investigators outside worried themselves, inside, Paul and his old girlfriend Marina spent some time together. When Paul and Marina left, police shifted into mobile surveillance.

On 14 February 1993, Murray Segal met with George Walker. Mr. Walker offered disclosure as authorized by his client, Karla Homolka.

Mr. Segal, in preparation of the meeting, met with *NRP/GRTF* investigators and was briefed on the case. The investigation had been long term and police had no real evidence on any suspects.

Mr. Walker advised Mr. Segal of the disclosure of information known<sup>35</sup> only to police, as told to him by Karla Homolka.

Karla disclosed that Kristen French had worn a black brassière and, under her skirt, she wore a pair of men's boxer shorts bearing the crest of the *University of Georgia Bulldogs*. Karla Homolka admitted to having had an active role in the abduction of Kristen French, but police, she said, were mistaken as to the route her abductors had followed. Police were also mistaken as to the type of car used in the abduction. Karla admitted to having had an active role in the rape of Kristen French, and she said she watched as her husband strangled Kristen to death on Easter Sunday of 1992. Karla admitted cutting Kristen French's hair before assisting her husband in disposing of her body. Of the rapes upon Kristen French, Karla said that some were recorded on videocassette tape.

In the case of Leslie Mahaffy, although Karla hadn't been a participant in the abduction, she described the events as related to her by Paul Bernardo. When Karla spoke of Paul's taking of trophies from his victims, she related that he had shown her Leslie Mahaffy's identification. Of the

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<sup>35</sup>In the course of a police investigation, information is withheld from the public domain. This procedure is followed to discount false confessions and to confirm any statements from true perpetrators. In addition, during police interviews, a suspect may inadvertently divulge such information and therefore provide police investigators with a form of circumstantial evidence against that perpetrator.

rapes upon Leslie Mahaffy, Karla said some were recorded on videocassette tape.

Karla disclosed details of the rape and death of Tammy Homolka. Disclosure was, at first quite limited, then, as Homolka prepared to engage in a plea bargain, she disclosed her version of the whole affair. Karla said it began with Paul expressing a wish to have sex with Tammy. She described being upset, and arguing with Paul after he and Tammy left a party and failed to return for hours. Paul, she said, pressured her until she agreed to drug her sister unconscious -then she fraudulently obtained and stole the drugs to do so. Karla said that while she applied the Halothane soaked clothe to Tammy's face, Paul assisted in drugging her drinks beforehand, and she did monitor Tammy's pulse and breathing while they raped and sexually assaulted her -and she managed to perform this while videotaping her fiancé as he raped her baby sister. She was also disgusted when Paul instructed her to perform oral sex on her menstruating sister. Paul, she said, was angry over her alleged revulsion. He shut off the videocassette camera, says Karla, and hit her. Paul turned the recorder back on and taped Karla in the incestuous sexual assault. Paul, Karla disclosed, may not have ejaculated into the unconscious teenager while Karla's parents, Karel and Dorothy, and her sister Lori slept upstairs. And when Tammy died, well Paul attempted to resuscitate her. He failed though, so she hid the incriminating videocassette tape behind her Mother's canned pickles, disposed of the remaining Halothane and lied to emergency workers and police regarding Tammy's sudden death.

In addition, Karla said Paul Bernardo had admitted to her that he was the *Scarborough Rapist*. Karla related Paul's telling of the *Henley Island* rape and of seeing the teenage victim's rowing jacket before it was burned in their fireplace. Paul, she disclosed, had claimed of raping many more women than ever attributed to the *Scarborough Rapist*. (At a later date Karla would relate to investigators that, "Paul used to say his rapes benefitted women, because more attention was paid to sexual assault and, therefore, more rapists would be deterred and caught.")

Of Mr. Walker's disclosures, Mr. Segal asked that he obtain further unknown information so that authorities could further determine how truthful and reliable Karla Homolka was being. Mr. Walker, still himself unsure of how truthful Karla Homolka was, asked Mr. Segal for investigative disclosure that he could use in testing Karla Homolka's integrity. At that time, Mr. Segal also advised Mr. Walker that full immunity, considering Karla Homolka's active participation in three deaths, was not a possibility. The two lawyers agreed to meet again.

Murray Segal, following his meeting with George Walker, travelled to the Beamsville headquarters of the *GRTF*. There, he met with fellow representative from the Attorney General's Crown Criminal Law Office, Ms. Michal Fairburn, Inspector Vince Bevan, Staff Sergeant Murray McLeod and his brother, Staff Sergeant Steve McLeod, Detective Sergeant Bob Waller, and Detective Steve Irwin.

Mr. Segal advised the gathering of Homolka's disclosures and of his refusal to grant full immunity. The investigators confirmed Murray Segal's information. Karla Homolka was the genuine article and as such, was invaluable in their ongoing investigations into her estranged husband, Paul Kenneth Bernardo. The gathering of police investigators from four Ontario jurisdictions and Ontario government officials, at the time, had no idea just how involved, was their potential witness, in the crimes she so easily ascribed to Bernardo.

Investigators, because they had yet to secure the cooperation of Karla Homolka, proceeded to interview friends of both Bernardo and Homolka. On 16 February 1993, police first interviewed Ashley Storm (whom they then knew only as a friend of Karla Homolka).

Ashley described to police the first time Karla called her for an overnight visit. Paul wasn't home at the time, she said, but he was there when she awoke. Ashley began visiting the couple frequently and had even travelled to Toronto with them, she told police. Eventually, Ashley said, she gave in to Paul's sexual demands and began performing oral sex on him. Her relationship with the couple came to an abrupt end, in December of 1992, when she refused to have full sexual intercourse with Paul.

Ashley had no information concerning Leslie Mahaffy or Kristen French. Investigators, at this time, neither knew of, nor informed Ashley of any sexual assaults upon herself.

On 17 February 1993, Global Television reporter, Sue Sgambati, reportedly acting on a tip from a high ranking Metro official, followed a Metro investigator to the *GRTF* headquarters in Beamsville.

The cat was out of the bag.

At the Beamsville *GRTF* headquarters, other Toronto area media outlets began calling in. They asked investigators what time the arrest would take place. They not only knew of the arrest, but they knew *where*

the arrest was going to take place and they knew *who* was going to be arrested. While the search warrant wouldn't take effect until 19 February 1993, a report indicated that one media outlet planned to announce Bernardo's name: The media leak threatened to blow the whole arrest. Investigators felt that, should Bernardo see or hear his name broadcasted, he might destroy evidence or otherwise take steps to avoid arrest.

Time was up.

Karla Homolka later said of the days between her hiring a lawyer and the arrest of her estranged husband, that they were surreal.

*"I was scared. I felt like ... in a way I felt like my world was coming to an end and in another way, I felt relieved that I was able to get everything that happened out in the open and not to have to lie anymore and not to have to hide anything anymore. I was upset. I felt a lot of different things."*

Karla Homolka was so scared that on 16 February 1993, she again spent the night with her new lover, Jim Hutton.

On 17 February 1993, at 2:55 p.m., Det. Sgt. Beaulieu finally sat down with Det. Irwin to discuss strategy. They were discussing the details of the arrest. Should the arrest be made by a female officer? What would be Bernardo's reaction to that? What would be the advantage? What about the disadvantage? At 3:15 p.m. a knock at the door effectively ended the meeting. Insp. Bevan stood in the doorway; Staff Insp. Marrier loomed over his shoulder: Bevan spoke.

"Get your suits on, he's going to be arrested."

Det. Sgt. Beaulieu said it was the worst day of his life. The two investigators were ordered to move to the Halton station and await Bernardo's arrival for interrogation. Det. Irwin said that, during the short trip, they briefly discussed strategy.

The search warrant was incomplete. The interrogation team was unprepared. The assigned arresting officers, Detective Constable Brent Symonds, with the *GRTF*, and Detective Constable Jim Kelly, with the Metro *SAS*, hadn't been informed of the arrest plan. There was nobody in charge of the most important arrest in Canadian criminal history.

At 4:10 p.m., on 17 February 1993, the arresting officers knocked on the door of 57 Bayview Drive. When Paul Bernardo answered, he was taken into police custody.

Detective Constable Jim Kelly advised him that he was under arrest as the serial *Scarborough Rapist*. Det. Const. Kelly advised Bernardo of his right to maintain his silence and to contact defence counsel of his choice. Bernardo advised him he would contact his lawyer. However, Det. Const. Kelly abruptly changed the plan and advised Bernardo that he would have to wait until he was transported to a police station before he could contact his lawyer.

Detective Constable Brent Symonds then advised Bernardo that he was under arrest for the murders of Leslie Erin Mahaffy and Kristen Dawn French. Det. Const. Symonds repeated the same cautions as had Det. Const. Kelly. Bernardo advised him he would contact his lawyer when they reached the police station.

Of the change in plans, a Metro report on the whole *Scarborough Rapist* investigation, reported of the incident:

*"He was arrested without incident however, he was not allowed to call counsel as it was felt proper security could not be maintained if privacy was given. Therefore, he was transported to Halton Regional Police Headquarters with the understanding he that could contact counsel upon arrival."*

Simultaneous to Bernardo's arrest as the *Scarborough Rapist*, and alleged school-girl murderer, Toronto media announced that he had been arrested and charged as both the *Scarborough Rapist* and as a serial sex murderer. Though grossly inaccurate, the following day, the story began circulating through media outlets across southern Ontario. Paul Bernardo would eventually face murder charges ... but not until another three months had passed.

Karla Homolka, returning from her boyfriend's apartment, was in the underground parking lot of her Aunt and Uncle's condominium when she heard a radio announcement declaring the arrest of her estranged husband, Paul Kenneth Bernardo. Although Karla knew of Paul's impending arrest, she was not privy to the date. The arrest came as a complete surprise to her.

On 18 February 1993, Karla met with her lawyer, George Walker.

When a television report of the arrest of Paul Bernardo was broadcast, showing 57 Bayview Drive and Bernardo's parked Nissan, Shanna Patrich recognized the car that had been used in the stalking of both herself and her sister. She drove to 57 Bayview Drive and confirmed that it was the same car. The car, a Nissan 240-SX with tinted windows, had a tinted plate cover and bore the plate number 660 HFH.

Police later recovered the stalking videotape of the Patrich sisters sitting in *Robin's Donuts*.

Upon Bernardo's arrest, Sydney Kershen lamented over the failure of Niagara police to fully investigate her report of having been stalked by Paul Bernardo.

*"I keep thinking that if he had pursued it maybe Kristen would be alive. I keep thinking about that all the time."*

Paul Bernardo was transported to the Halton Regional Police Headquarters, but nobody passed on the fact that he'd not yet had a chance to contact a lawyer. Bernardo was led straight into the interview room without being given the opportunity to contact counsel. In addition, nobody bothered to ask Bernardo if he was consenting to an interview, nor if he consented to having the interview recorded on videocassette and audio tapes. Neither Detective Irwin, nor Detective Sergeant Beaulieu, were aware of those details, though.

The interview plan, as little of it as there was, was to proceed with questioning regarding the most serious accusations, those being the homicides. Even though not discussed, that meant Det. Sgt. Beaulieu would lead the interview. That didn't happen though.

Det. Sgt. Beaulieu said that as soon as the door closed behind Paul Bernardo, Det. Irwin pounced on him. He accused Bernardo of crimes that Det. Sgt. Beaulieu wasn't even aware he was suspected of having committed. Shocked and confused, the detective sergeant knew he had few options. He chose to remain in the room.

Detective Irwin said the plan was for himself to begin with

introductions. He would remind Bernardo that he was one of the investigators who had interviewed him, on 20 November 1990, in connection with the Scarborough rapes. What Detective Irwin didn't bother to share though, was that he'd spent the previous evening in consultation with Metro interview specialist, Steve Ressor. Det. Irwin proceeded according to the plans he and Steve Ressor had pre-determined would be most effective.

The interview that began in confusion, quickly deteriorated. Paul Bernardo continually requested that he be allowed to contact his lawyer. The teams of interrogation experts, forensic psychiatrists and criminal profilers watching the interview were of no use when, ultimately, Bernardo gained control of the interview and Det. Irwin's questioning dissolved into argument.

When the investigators realized that Bernardo's requests to contact his lawyer weren't about to abate, they left the interview room for advise. Staff Inspector Steve Marrier gave the investigators the wrong advise. He advised them that he believed that case law existed that made allowances for the current situation. They should ignore Bernardo's request, he advised, and continue the interview. Only if Bernardo's request became a *demand* should they allow him to consult with his lawyer. The forensic advisors agreed that the interview should continue: Their aim was to gain insights into the mind of Paul Kenneth Bernardo. The argumentative interview continued past midnight. Outside the room, several hours into the interview, someone, figuring the first videocassette tape was near its end, inserted a new tape. It was after the interview that investigators determined that nobody had inserted the first videocassette tape. Of the eight hour interview, only ninety minutes were visually recorded.

It really didn't matter though. Once Staff Insp. Marrier incorrectly advised Det. Irwin and Det. Sgt. Beaulieu to continue the interview, ignoring Bernardo's request to contact counsel, the whole interview became inadmissible for legal purposes.

Of the state of the art audio recordings, six hours of recording was rendered useless when it was discovered that the digital audio tapes used were unsatisfactory for the purposes of voice recognition.

Det. Irwin, in what would become an embarrassment for the Crown, took possession of the audio tapes on 22 February 1993. The tapes remained in his gym bag, forgotten says Det. Irwin. When Bernardo's defence counsel submitted a request for copies of the tapes, the Crown advised the defence that none existed. In a subsequent discussion with Det. Irwin, the

Crown took possession of the tapes in late May of 1993.

Staff Inspector Marrier, the ranking investigator during the Bernardo interview, said he had no idea what went wrong. He wasn't privy to any -if any existed- arrangement between Det. Irwin and Det. Sgt. Beaulieu. He was aware, though, of Det. Irwin's discussions with Steve Ressor; he himself had suggested that Det. Irwin make that contact. Staff Inspector Marrier said he never questioned Det. Irwin regarding the disastrous process.

Inspector Vince Bevan later commented on the debacle. He said he regretted having, after reaching an understanding with Metro investigators, not attended the interview himself. Inspector Bevan, perhaps the one person who could have held the operation together, left the Niagara interests represented by Detective Sergeant Bob Waller, and worked on other aspects of the Bernardo case. Unfortunately, nobody with the *GRTF*, including Inspector Bevan, knew that Metro had their own agenda.

While Inspector Bevan and Det. Sgt. Beaulieu accept responsibility for the disastrous interview, Staff. Insp. Marrier, who was responsible, steadfastly refused to accept any responsibility. It wasn't his police facility being used, he said. Detective Sergeant Bob Waller, with the *GRTF*, and a Halton investigator, knew the facility, he said. Inspector Bevan should have been there, he said.

In the early morning hours of 18 February 1993, Metro police detectives, Darryl Campbell and John Winter transported Bernardo to 41 Division in Scarborough where he was charged with multiple sex-related offences. It was 3:00 a.m. before Paul Bernardo was finally allowed to contact his lawyer, Barry Fox.

Barry Fox was with Bernardo later that day, when he appeared in court for the first time. It was a thirty-second appearance before Justice of the Peace, Jimmy Allen. In the middle of Winter, Bernardo wore only a wrinkled black designer tee-shirt and off-white cotton pants.

Mr. Fox blasted both police and media for convicting Paul Bernardo of murder charges of which he had not been charged. Two days later Mr. Fox would again launch a verbal attack, directed at police who, he said, didn't have one iota of evidence connecting his client to any crime in the Niagara area. In the case of the abductions, rapes and murders of Leslie Mahaffy and Kristen French, his declaration was correct.

Barry Fox, then, as he had been since 1988, a partner in the Toronto based Danielson firm, would soon be replaced as Paul Bernardo's defence attorney. Mr. Fox already represented Van Smirnis, Paul's former partner and best friend, on cigarette smuggling charges. Van Smirnis, it was thought, at the time, would become a witness for the Crown, testifying against Paul Bernardo. On Monday 22 February 1993, after a personal fax from Paul Bernardo, Newmarket lawyer, Ken Murray, first met with Bernardo.

Ken Murray would accept Bernardo's case within days, adding lawyer Timothy Breen to deal with Crown disclosure matters. Mr. Murray would later be joined by a partner, lawyer, Carolyn MacDonald.

On 18 February 1993, Staff Inspector Steve Marrier criticized the media for reporting the arrest before they'd had time to brief all of the *Scarborough Rapist's* victims. On this day, however, Chelsea Hagen saw the man who had raped her, and now she knew his name. Chelsea contacted SAS investigators and on 11 May 1993, she met with Detective Ron Whitefield and Detective Constable Mary Lee Metcalfe. Chelsea finally unburdened herself; she gave the SAS investigators a full account of her rape at the hands of Paul Bernardo.

Although police had information from George Walker's relation of Karl a Homolka's disclosures, those, on the advice of the local Crown Attorney, could not be used in the application for a search warrant. Police had no evidence that Paul Bernardo had carried out the execution style murders of school-girl's, Leslie Mahaffy and Kristen French. In compiling data for use in the original *GRTF* search warrant application, Inspector Vince Bevan turned to the United States, in particular, to forensic expert, Gregg McCrary of the *FBI*.

A document filed by Special Agent Gregg McCrary, was convincing in that it documented the expected behaviour of persons fitting the profile of Paul Kenneth Bernardo. Special Agent McCrary was of the opinion that Bernardo would keep trophy's consisting of personal items from his victims and that he would be reluctant to part with such items. In addition, Special Agent McCrary adduced that another person fitting the psychological profile of Bernardo and living in the same area was unlikely in the extreme. In the absence of any evidence indicating Paul Bernardo was the murderer of Leslie Erin Mahaffy and Kristen Dawn French, Special Agent McCrary's findings were crucial in securing the search warrants for 57 Bayview Drive.

**"Supervisory Special Agent Gregg O. McCrary has twenty-three years experience with the *FBI* and is a Criminal Investigative Analyst with the *NCAVC* at the *FBI Academy* in Quantico, Virginia. *NCAVC* is a law enforcement oriented behavioural science and computerized resource center which consolidates research, training and investigative support functions to assist law enforcement agencies with violent crimes which are particularly complex or bizarre. Since 1981, *NCAVC* has focused its research capabilities upon serial killers and severe sexual offenders utilizing behavioural science methodology to develop a reliable data base and analytical framework for use in law enforcement. The unit reviews and studies information contained in hundreds of cases which are submitted each year for consultation purposes. The foundation of its data base is empirical research into the case histories of some thirty-six serial killers, forty-one rapists, fifty arsonists, seventeen child abductors/molesters and thirty sexual sadists.**

**Agent McCrary serves both as a consultant to law enforcement agencies and a research project coordinator. He entered on duty as a Special Agent with the *Federal Bureau of Investigation* in 1969 and served in various investigative capacities throughout the United States. He has been associated with the *National Center for the Analysis of Violent Crime* since 1985.**

**He consults in the investigation and prosecution of such crimes as serial murder, serial rape, sexual homicides, kidnappings, and child abductions/molestations.**

**He has provided expert witness testimony before Select Senate Committees on Sexual Violence as well as in homicide trials in the United States. He has consulted on thousands of cases throughout the United States, Canada, Central America, Australia, England, Austria, Italy and China. Agent McCrary has provided consultation or instruction to the *Central Intelligence Agency*, *Federal Bureau of Investigation*, *Drug Enforcement Administration*, *Royal Canadian Mounted Police*, *National College of District Attorneys*, *National Criminal Intelligence Service of the Netherlands* and numerous other local, state, federal and international agencies.**

**Agent McCrary's formal education includes a Master's degree in psychology from Marymount University. He is a featured speaker to legal, medical, law enforcement and private sector audiences throughout the world.**

**Special Agent McCrary and his colleagues at *NCAVC* studied the available information (most of which is provided herein) about the first eight offences of a then unknown offender called the *Scarborough Rapist*. During those offenses the rapist displayed several sexually sadistic characteristics and was becoming more and more violent as**

demonstrated by his punishing and beating of the victims. As a result of the behaviour of this offender, Mr. McCrary was able to predict that the danger posed by this person would escalate. The use of force beyond that necessary to subdue the victims, together with the psychological abuse, assisted in identifying this offender as a sexual sadist.

Special Agent McCrary is of the opinion that as time passed the sadistic component of this offender's actions would continue to grow. Research has demonstrated that such an offender will not stop of his own volition. He only stops with the exertion of external forces, that is he either dies or is in custody. The offenses may stop in a given area because this type of offender moves, but Mr. McCrary would expect to see the offender act out in the area to which he has relocated.

In the case of Paul Bernardo, he moved from the Scarborough area and the offenses attributable to the *Scarborough Rapist* stopped. Within nine weeks of Bernardo's arrival in St. Catharines, a rape occurred in close proximity to his new home. This rape clearly demonstrated the same modus operandi used by the *Scarborough Rapist* as described elsewhere in this document. This pattern is predictable in the case of the sexual sadist. Mr. McCrary would expect to see another offence in close proximity to the offender's new home and the cycle would start all over again.

Mr. McCrary predicted an escalation in the nature of offenses based upon a lifestyle change. In the case of Paul Bernardo, while living in Scarborough, he was in a home which was controlled by his parents. Once he moved to St. Catharines, he had a home of his own over which he was able to exert complete control. This change in his circumstances, aids him in the escalation of his offenses to the point where he can now bring his victims home.

Abduction is a predictable progression for the sexual sadist. However, abduction of a victim virtually guarantees that murder will result. If the sexual sadist has held a victim he feels in his own mind that he can't possibly let them go. As his fantasy escalates he needs more control and gains that control through abduction and forcible confinement of his victims. The ultimate fantasy of a sexual sadist is to totally possess his victims, both physically and psychologically. He seeks to achieve control over their life and ultimately over their death as well.

In the expert opinion of Mr. McCrary it is predictable that some of the *Scarborough Rapist's* victims would be killed by this point in time.

*Rapists identified as sexual sadists are statistically less than 2% of all of these types of offenders. Therefore, the probability of having more than one of these type of offenders in the geographic*

*area and population we are concerned with is statistically very remote. There is a high probability that the Scarborough Rapist and the sexual sadistic murderer of Mahaffy and French is the same offender.*

*Further, sexual sadist tendencies when combined with a very rare phenomenon where hair is collected from victims, as Bernardo did with two women in Scarborough, and as happened with Kristen French, is a strong indicator this is the same offender. The taking of hair satisfies Bernardo's need to punish, degrade and disgrace his victims. It also serves as a trophy.*

**Special Agent McCrary and his colleagues at NCAVC studied the available information on the murders of Leslie Mahaffy and Kristen French and concluded that they are likely victims of a sexual sadist. Paul Bernardo demonstrates almost all of the characteristics which are typically found in the sexually sadistic serial killer.**

**The following characteristics, from the police investigation apply to Paul Bernardo:**

***White male: Same. Above average intelligence:*** Investigators have established that Bernardo completed a four year University Degree in three years. ***Neat and well groomed:*** Surveillance has established that Bernardo presents himself very well in a social setting, especially during daytime. However, during the hours of darkness while stalking potential victims, his appearance changes. ***Parental conflict:*** Family members report that Bernardo expresses hatred for his Mother and thinks she is crazy. At age 14 years Bernardo learned that who he had thought of as his Father was actually his step-father since he was a product of his mother's affair with another man. ***Will select an occupation which makes him an authority figure:*** When asked about employment, Bernardo told his wife's parents, who have been interviewed, that he was involved in a secret 'project'. He currently claims to be involved in writing 'rap' music and has told his sister-in-law that he will be the white 'M.C. Hammer' a popular black rap musician. ***Fascination with weapons:*** Several people have reported that Bernardo has a 'special' knife that he usually keeps in his car under a seat. A prior girlfriend, who also became a victim, describes this knife as having a personal inscription on the blade. A knife has been used in numerous offenses. Family members have disclosed that Bernardo has purchased a 'Stun gun' and normally keeps it under his bed. ***Compulsive driving:*** Surveillance has established that Bernardo, for several days in a row, drove an average of 650 kilometres. ***Initially presents the image of a sincere, caring, loving and attentive individual:*** Past girlfriends and his wife's family all report that Bernardo, during the early stages of his relationships, showered the women with gifts and attention. He maintained an outward appearance

of being loving and attentive. *Dominating personality:* Family members report that Bernardo told his wife how to wear her hair and chose her clothing. Over the course of time he isolated her from her former friends. A close friend of Bernardo, Van Smirnis, disclosed that he observed many occasions when Bernardo treated his wife with a total lack of respect. In January 1993, after charges were laid against Bernardo for beating his wife, she disclosed a long history of physical abuse. *Obsession with sexual sadism; suffers from an overpowering compulsion to inflict pain upon and totally dominate any sexual companion:* A former girlfriend has disclosed that Bernardo was unable to achieve an erection unless he frightened or inflicted pain on her. With that woman, Bernardo used ligatures around her neck while engaging in anal intercourse. He also used foreign objects including bottles and sticks by inserting them into both vaginal and anal cavities of his victims. Further, any non-compliance on the part of his victims or willing sexual partners resulted in violence. *Compulsively collects and uses pornography:* A friend, Van Smirnis, has reported that Bernardo made a videotape of himself having sex with an unknown woman. He then showed the video to his wife. Smirnis also reports that Bernardo disclosed that his wife had been searching their home for a video tape that recorded her having sex with another woman. Further, Bernardo is known to own a video camera and playback equipment. He, as a matter of habit, videotapes people and events and collects these. *Collects and keeps as trophies and mementos personal items belonging to past victims (e.g., undergarments, shoes, jewellery, wallets or identification); such trophies then serve as a source of perverse gratification and enrich the offender's sexual fantasies:* Investigation has revealed that each victim has lost an item during the attack which could be characterized as a 'trophy'. Trophies include photo identification, articles of clothing, jewellery, head and pubic hairs. *Selects victims who are particularly vulnerable -favours the young:* Most victims are young women found alone at the time of the attack. Victims all have the appearance of being between 14 and 18 years of age. *Married at time of offense:* Paul and Karla Bernardo lived together from February 1991 at 57 Bayview Drive. They were married June 29, 1991. Therefore they were in at least a common-law relationship at the time of Mahaffy and French. *Known history of Peeping or Obscene telephone calls:* In at least one of the Scarborough Rapist offenses Bernardo told the victim he had watched her inside her home. One other victim reported receiving telephone calls after her attack. In addition, the victim in the Henley Island attack also reported phone calls. *93% of sexually sadistic serial killers plan their crimes carefully:* Surveillance has established evidence of stalking victims

during both the daytime and night-time. The method of disposal of the body in the Mahaffy case is indicative of planning. The condition of the body in the French case also indicates planning since the body was cleaned to remove trace evidence. All rape attacks occurred in dark areas where there was some sort of cover. Also, during the rapes he forced victims to swallow semen in order to destroy biological samples.

According to Special Agent McCrary, the *NCAVC* research found that the sexually sadistic serial killer exhibits a high degree of predictability in his criminal behaviour. *Accordingly, Special Agent McCrary believes that it is not a question of whether, but when, Paul Bernardo will offend again.* Since there is no limit upon his appetite for sadistic gratification, it is only a question of time until his next victim does or refuses to do something which he perceives as a threat to his control over her. When that happens, he will react as he has always reacted. *The documented case histories demonstrate conclusively that offenders like Paul Bernardo cannot stop raping and killing of their own volition. They stop only when they are stopped by external forces.*

Offender activity may be suppressed for a time. Close brushes with law enforcement would lead to a period of inactivity. In Bernardo's case, he was interviewed as a suspect in the *Scarborough Rapist* case in November 1990. No offence was committed in that area after that time. This behaviour is consistent and predictable. However, this quiet period will consistently be followed by renewed activity by the offender. Hence the offence in St. Catharines in April 1991.

Special Agent McCrary agrees with those who attended the case review conference that Paul Bernardo will react as predicted.

Finally, with respect to the likelihood that tangible evidence will be recovered through additional searches, Special Agent McCrary indicated to the Task Force in the month of May, 1992, that he believed that such evidence does exist and can be recovered for the following reasons.

Supervisory Special Agent McCrary relates that a prime characteristic of the sadistic offender is to keep and conceal journals, graphic materials and particularly audio and video tapes which will feed his fantasies and enable him to relive the exhilarating moments of his past offenses for continual gratification. Indeed, 53% of the sexually sadistic offenders studied by *NCAVC* actually memorialized their offenses in some tangible form. Depending upon the particular offender's living arrangements and how secure he feels in any particular location, this collection of memorabilia may be hidden but will be somewhere within reasonably easy access. Paul Bernardo

should feel relatively safe in his home because although he was a suspect in the Scarborough Rapes and provided biological samples, 27 months have elapsed since he gave those samples and nothing has happened to him. He has no reason to believe that he is currently the target of any police investigation. Hence, he is likely to have his stash of 'trophies' and mementos of the kind described above concealed in his home or in a related storage area, the location of which a thorough search of the home should reveal.

The high risk nature of the abduction of Kristen French was a predictable action of a sexual sadist such as Paul Bernardo. Since he believes he was not detected when biological samples were collected from him in November 1990, his confidence has grown and he has developed a sense of invulnerability. He will begin to think he won't be apprehended and therefore he indulges in more high risk offenses.

The opinions and information above described, provided by Special Agent Gregg McCrary, have been reviewed by Peter I. Collins, M.C.A., M.D., F.R.C.P. (C). Doctor Collins concurs with the opinions offered by Mr. McCrary. Rapists who are also sexual sadists are rare. Doctor Collins is the Consultant Psychiatrist, Violent Crime Analysis Section of the *Royal Canadian Mounted Police*."

The consultation with, and opinions expressed by S.S. Agent Gregg McCrary were of vital import in the *NRP/GRTF* application for a search warrant.

Police, following Bernardo's arrest, continued to work on obtaining search warrants. In the interim, police sealed 57 Bayview Drive from the public. Bernardo's Nissan was covered. Twenty-four hour security teams monitored all movement around the scene. A log was kept of all persons entering and leaving the secured premises. The *Hamilton Wentworth Police Department* loaned the joint forces investigators their Mobile Command Post vehicle - a dedicated converted mobile home. Within days, the locks on all doors had been changed.

Preceding, and following, the arrest of Paul Bernardo, police scrambled to speak to his friends. On the day of Paul's arrest, one of those friends, Michael Stephen Donald, related to police a story told him by Paul. That of the existence of a videocassette tape depicting Karla Homolka raping and killing her sister, Tammy Lyn Homolka. This statement, leading into the search warrant, was a mixed blessing for police. On one hand, they had third party information, confirming a disclosure by Karla Homolka. On the other, here was an independent witness to a prior statement by Paul Bernardo. Unfortunately, the information related to Mr. Donald also

included a statement that Bernardo wouldn't keep such incriminating evidence in his home.

While the information might be useful in the application for a search warrant, and during the search itself, the government was still engaged in active bargaining to secure the cooperation of Karla Homolka. Should that particular tape be discovered, and none other, the damage to Homolka's credibility would be overwhelming.

As it happened, police did not discover any of the alleged videocassette tapes. The information, though, proved invaluable during active bargaining with Homolka; it allowed investigators to bluff her in an attempt to keep her honest.

On 19 February 1993, Justice Silverman granted both the Metro SAS and the Niagara GRTF initial search warrants. Insp. Bevan met with Sergeant John White, a member of the team who worked on the Niagara warrant application, and discussed limitations. Chief among the limitations was that no evidence, except that expected and documented in the warrant, would be removed from the property. This meant that while investigators searched for videotape evidence, the approximately one hundred videocassette tapes discovered had to be viewed within the premises. Secondary to that, was that damage to the property would be kept to a minimum. This meant investigators could not tear away walls and ceilings in their search for the videotapes allegedly depicting the rapes of Tammy Lyn Homolka, Leslie Erin Mahaffy and Kristen Dawn French.

The initial Niagara warrant, delivered to 57 Bayview Drive by Insp. Bevan, was effective until 15 March 1993. It was executed by Constable Michael Kershaw and Constable Richard Cizek. The Metro warrant was effective until 26 February 1993. It was executed by Detective Sergeant Brian Ward and Detective Cory Bockus. When the Metro warrant expired, investigators on the scene assisted Niagara authorities with their search.

The main reason for strict conditions attached to the GRTF search warrant was that while the Metro SAS had strong scientific evidence on Bernardo, GRTF investigators had little but for the McCrary profile largely drawn on inferences from the Metro SAS warrant and between the murder investigations and other allegations against Bernardo. With no hard evidence, Justice Silverman was generous in granting them any search warrant.

Police set up the Hamilton Command Post in front of 57 Bayview Drive.

Investigators used the Command Post during strategy sessions and as a buffer between the outdoors and the inside of the Bernardo home. All persons entering 57 Bayview Drive were required to dress in protective footwear and officer protection suits. There would be no contamination of evidence. Inside, damage was kept to a minimum as required by the conditions of the search warrants.

Bernardo's Nissan, and a Mercury Marquis found in the garage of 57 Bayview Drive were searched then loaded onto flat-bed trucks and transported to the *Ontario Provincial Police* Forensic Laboratory for examination.

Additional and updated search warrants would be granted regarding the *GRTF* murder investigations. On 15 March 1993, a second search warrant was authorized until 15 April 1993. A third warrant extended the search until 30 April 1993. On 15 March 1993, Metro investigators obtained a second, one-day, search warrant to seize business and financial documents. Seventy-one days after the original search warrants were granted, investigators completed the search and gave up possession of 57 Bayview Drive.

On 21 February 1993, police discovered a videotape, locked in a briefcase, inside Bernardo's second story music room. Upon viewing, it was found that a short segment of videocassette tape depicted Karla Homolka, in the master bedroom of 57 Bayview Drive, performing lesbian oral sex upon an unidentified and unconscious female.

It was later determined that that woman was Ashley Storm.

During the search, *RCMP* Corporal Pat Laturus, with Research and Identification, examined the area of the basement in which Leslie Mahaffy was dismembered. The corporal sought *DNA* evidence. No evidence was found.

In fact, though police would later praise and pat themselves on their collective backs for having discovered 937 exhibits, including *DNA* evidence that linked Leslie Mahaffy and Kristen French to 57 Bayview Drive, they had discovered next to nothing.

Evidence consisted of audio tapes on which Bernardo claims he is about to commit suicide: Stolen license plates which Bernardo, allegedly planned to use during cigarette smuggling activities (and which supports Bernardo's own testimony that he encountered Leslie Mahaffy while looking to steal license plates in her neighbourhood); and multiple fingerprints of both

Bernardo and Homolka -but not a single print of Leslie Mahaffy's nor of Kristen French's. In addition, police had a great deal of potential evidence, but had no idea of the value of such evidence.

When the last search warrant expired, police were no closer to proving Paul Bernardo had murdered, or even held captive, Leslie Mahaffy and Kristen French, than when they had begun.

## **CHAPTER FORTY-FIVE**

As the search of 57 Bayview Drive progressed, George Walker and Murray Segal bartered for Karla Homolka's well being in exchange for her cooperation.

On 22 February 1993, Murray Segal, Ray Houlahan, Insp. Bevan, Casey Hill, James Treleaven and *NRP* Deputy Chief Parkhouse met in a St. Catharines court office. They discussed evidence of murder against Karla Homolka and Paul Bernardo: They had none. They agreed to continue trying to come to an arrangement with Karla Homolka.

On 23 February 1993, Murray Segal met with George Walker. Mr. Walker advised that hospital records existed which would suggest his client was an abused spouse. Mr. Segal advised him that no amount of abuse would account for her participation in three deaths, including the two murders. Mr. Segal suggested that Karla should give police a induced<sup>36</sup> statement. While Mr. Walker did not agree, they carried the conversation of that possibility into the following two days.

On 25 February 1993, Murray Segal travelled to Mr. Walker's Niagara Fall's office and directed Mr. Walker's attention to a still photograph investigators had extracted from the videocassette tape discovered in Bernardo's briefcase on 21 February 1993. Mr. Segal, and other authorities, at the time, believed the unidentified female to be Kristen French.

Mr. Segal, at that meeting, suggested, if evidence indicated that Karla Homolka had not actually caused any deaths, that prosecutors were open to a deal in which Homolka would plead guilty to lesser charges and receive a pre-determined and set sentence. Karla Homolka, though, must give police a full disclosure of her part in the crimes. Homolka would also be required to testify against Paul Bernardo. Mr. Segal suggested a sentence of a ten year prison term was appropriate.

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<sup>36</sup>An induced statement is one in which a party does not give up their right to not have that statement used against themselves. Otherwise, it is much the same as a confession. A cautioned statement is a statement made under oath with the understanding that the information being provided can and will be used, against the party cautioned, during legal proceedings in a court of law.

Mr. Segal and Mr. Walker agreed to continue discussions via the telephone.

On 26 February 1993, Karla Homolka showed up at the *Martindale Animal Clinic*, drunk and in the mood to talk. She met with Shelly Tanner and her former boss, Dr. Patricia Weir, a veterinarian. Homolka told them of the legal dilemma she faced.

In his 15 March 1996 review of the handling of the Homolka case, The Honourable Patrick T. Galligan, Q.C. wrote:

*"While counsel were negotiating with great care and delicacy, I think I should put the situation bluntly. On the one hand, Karla Homolka had something to sell which the police needed desperately; her cooperation. On the other hand, she knew that she was in a precarious situation and she was not in a position to hold out for too high a price.*

*In an ideal world, there would be perfect justice: all offenders would be brought to trial, they would be convicted of all offences which they had actually committed, and they would receive sentences fully reflective of the seriousness of their crimes. In the real world, however, some compromises have to be made.*

*Negotiating with an accomplice to obtain his or her evidence against another perpetrator is always a distasteful business."*

Another example of the allure of plea bargaining can be found in Eric van Hoffman's, 1990 work, *A Venom in the Blood*. The book chronicles the crimes of Gerald Armond Gallego and Charlene Adelle Williams. As is the case with Bernardo and Homolka, Gallego and Williams formed one of the five known husband and wife serial killing teams in documented criminal history. On page 260, van Hoffman writes of a decision authorities made to plea bargain with Williams.

*"There was a good deal of bitter debate among factions in the law enforcement establishment -how could they in good conscience cut a deal with an equally cold-blooded, self-admitted aider and abettor, coconspirator and accomplice to such heinous murders? The answer to that hypothetical question was easy: in order to send one of them to the gas chamber they had to allow the other one to do a flat sixteen years, eight months. It was necessary for the prosecution to adopt the following approach, as allegedly expressed in the words of a DA from another county: '... You don't look a gift horse like this in*

*the mouth. You kiss its ass and go for the death penalty on the man. You'd never get a death sentence on a woman anyway."*

While the need to protect society from Paul Bernardo would be cited, by The Honourable Patrick T. Galligan, Q.C., as an additional concern that would lead to a plea bargain with Karla Homolka, the reality is that the Metro SAS case grew stronger by the day. Among the sex-related charges Bernardo faced, at least eight carried the sentence of life imprisonment.

Once Paul Kenneth Bernardo was taken into custody and charged with sexual offences committed during his reign as the *Scarborough Rapist*, the public received as much protection from Paul Bernardo as it would ever be allowed.

In the process of events that followed, though, the public will need to fear Karla Homolka.

On 2 March 1993, Murray Segal and George Walker met in Niagara Falls. When it became a real possibility that Homolka might provide an induced statement and cooperate with authorities, Mr. Segal suggested a sentence of a ten year prison term on charges of two counts of manslaughter. Mr. Walker, though, advised Mr. Segal that Karla Homolka would undergo psychiatric assessment before she would enter into any plea bargain agreement.

Mr. Segal advised Mr. Walker that police would continue to investigate both Bernardo and Homolka; if evidence was found implicating Homolka in the homicides, she would face murder charges. All negotiations were called off at this time. The proposed plea bargain agreement was withdrawn. Mr. Segal and Mr. Walker, though, agreed to maintain their telephone contact.

On 3 March 1993, Dorothy Homolka accompanied Karla to Mr. Walker's office. There, Karla Homolka signed various medical release forms, and authorized her lawyer to continue negotiations on her behalf.

*"I, KARLA LEANNE BERNARDO, of 61 Dundonald Dr., St. Catharines, Ontario do hereby authorize and instruct my counsel, George F. Walker, Q.C., to continue towards finalizing my plea bargain arrangement with Murray Segal, Esq., of the Ministry of the Attorney General for Ontario.*

*I understand that I must co-operate fully with the investigating officers, be truthful and frank in providing answers to all questions asked, and to provide full details of my knowledge and/or participation in the Mahaffy and French investigations and any others. That I will provide induced statements to the investigators at a time and place convenient to the officers.*

*I understand that I will be called upon to testify against my husband at his trials and I hereby agree to do so. That this agreement is null and void if I commit perjury.*

*I understand that I will enter a plea of guilty to 1 count of manslaughter, vis-a-vis, Mahaffy and 1 count manslaughter, vis-a-vis, French and at least one other charge in relation to each victim.*

*That I am to receive sentences totalling 10 years in custody.*

*That the Crown will not seek an increase in the period before parole eligibility.*

*That the Crown will write to the Parole Board, will include a record of my trial proceedings, will indicate my co-operation, remorse, etc. and will indicate on behalf of the police and the Crown that they will leave the matter of when releases and/or parole should commence, up to the Parole Board without further comment.*

*That my counsel and the Crown will go before the Justice beforehand to ensure the terms of the agreement are acceptable.*

*That when charged I will go before a Provincial Court Judge, waive my preliminary hearings, be brought before a Justice, enter my pleas of 'guilty' and be released pending sentencing.*

*That the Attorney General's Office will indicate to the Federal Correctional Authorities and Provincial Authorities that they are not opposed to the offender being transferred from a Federal to a Provincial Institution to serve my sentence.*

*That I have had all my rights explained to me by my counsel and have been advised that I am free to contact another lawyer for another opinion but have advised my counsel that I fully understand and wish to proceed with the agreement forthwith.*

*DATED at the City of Niagara Falls this 26th day of February, 1993.*

*Signed*

*Karel Homolka*

*Signed*

*Dorothy Homolka*

Notarized by GEOFFREY HADFIELD Signed

Karla Leanne Bernardo"

Investigators did work on gathering evidence against Karla Homolka. On 3 March 1993, police interviewed Karla's former work-mates, Shelly Tanner and Dr. Patricia Weir. They told investigators of the conversation in which Karla spoke of going to jail.

"We started talking about Buddy and I asked how he was fitting into the new house, because it is a rather small house and he is a big dog," said Ms. Tanner. "And she said it was okay; that her Dad was tolerating him, but that she was going to have to find a new home for him soon. And I asked her why? Why did she have to find a new home? Did her Dad not want to keep him there? And she said: *'Well ... I'm not going to be around to look after him.'* And I said, Why not? And she said: *'Well I can't look after him if I'm in prison.'* And, Patti and I just said, Well, what makes you think you're going to prison? And she told me that she was going to be charged, probably, with two counts of manslaughter. Patti and I were shocked of course, and we told her that she shouldn't say anything else. And she said that she really needed somebody to talk to and asked that we not tell anybody. She then went on to say that she was meeting with her lawyer that day at 5:30 and that they had planned on going to the police station the next day, on Saturday, for her to make a statement. And, if she didn't do that, she could probably be charged with two counts of first degree murder, and that she would probably go to prison for life. But, if she went on Saturday, and I guess confessed, that she might get three years to ten years in Kingston penitentiary."

Dr. Weir's statement was less informative, but supported the theme of the conversation.

"Our conversation was mainly just to do with faith, but we did share some information about the case ... that she would be getting a new home for her dog Buddy because of where she was going, and that she said in confidence. She said: *'I'm telling you, only because you are my friends ... I will probably be going to jail.'* That, if I didn't plead guilty, or if I didn't do this, then I would be charged with first degree murder. But since a deal had been struck, she said she would probably be going for three and a half years, to up to ten years,

possibly to Kingston penitentiary. She was hoping for something less than that ... She said: *'If I don't share information that I know and ... they find out information that I know, ... I could be charged with first degree murder.'*"

This information was useful as evidence that Homolka had admitted complicity in at least two murders. Although not hard evidence, it was a large step in gaining a minor stranglehold in securing Homolka's eventual cooperation.

While police interviewed her former workmates, at 2:33 p.m., on 3 March 1993, Karla, Dorothy and Karel Homolka attended Mr. Walker's office. There, Karla Homolka first met with, psychiatrist, Dr. Hans Arndt and clinical psychologist, Dr. Alan Long.

On 5 March 1993, Karla Homolka, under the pseudonym Karla Seger, was admitted to Toronto's *Northwestern General Hospital* for psychiatric assessment. While authorities were likely annoyed, they also had time to continue gathering evidence against Homolka. Dr. Arndt, forensic psychiatrist Dr. Andrew Malcolm and Dr. Long worked on assessing Karla's mental state. Doctors compared Karla's mental state to that of survivors of Nazi concentration camps.

Of course, doctors had only Karla's word to work with, and, later, Karla would prove an accomplished liar<sup>37</sup>.

Karla would prove herself manipulative.

Karla would prove herself remorseless.

On 1 April 1993, Calvin and Patricia Seger, represented by legal counsel, were interviewed by police investigators. They disclosed the content of Karla's confessions of abduction, rape and murder. Authorities could not use the Seger statements in a prosecution of Paul Bernardo. Against Karla, however, the Seger statements formed ample evidence to support the laying of murder charges.

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<sup>37</sup>In his 1996 report (p.368), Mr. Justice Archie Campbell declared Karla Homolka as having a "strong capacity for lying and manipulation". In various letters from prison, published by *The Sunday Sun* (11 September 1994) and *The Toronto Sun* (12 September 1994), Karla Homolka demonstrated no remorse for the crimes she has committed.

Not only was there evidence to support murder charges against Homolka, this was the second large step in securing Homolka's eventual cooperation. Authorities now held all cards -except evidence of murder against Bernardo. They were virtually guaranteed Homolka's cooperation. But, this was also the zenith of all police investigations into both Karl a Homolka and Paul Bernardo.

Authorities, should they have chosen, could have prosecuted Karl a Homolka on charges of first degree murder. They could have prosecuted Paul Bernardo on multiple charges of aggravated sexual assault. They could have had both Homolka and Bernardo jailed for life. They chose, instead, to remain focused on *nailing* Paul Bernardo and so chose to guarantee the eventual freedom of Karla Homolka.

On 23 April 1993, Homolka was discharged from the hospital and returned to live in St. Catharines, in her parents' home.

Negotiations between George Walker and Murray Segal resumed.

Mr. Walker attempted to use the Homolka psychiatric assessment as a basis to request a sentence ranging from eight to ten years. Mr. Segal, now armed, was having none of that, and, after a series of meeting between authorities and Mr. Walker, all came to a head.

On 5 May 1993, Murray Segal and George Walker met in Mr. Walker's Niagara Falls' office. Mr. Walker was informed that the government was prepared to accept guilty pleas to two counts of manslaughter and recommend<sup>38</sup> a twelve year jail term. Further, Mr. Walker was informed that he had only one week in which to consider the offer: In one weeks time, said Mr. Segal, the government intended to arrest Karla Homolka on charges of first degree murder, second degree murder, abduction, confinement, aggravated sexual assault and offering an indignity to a dead human body. Mr. Walker, subject to consultation with his client, opted to accepted the offer.

If the agreement in principle was accepted, the facts surrounding the death of Tammy Lyn Homolka would be read into the record before the trial judge as an aggravating circumstance. The aggravating circumstance would allow the conclusion -or, perhaps, illusion- that Karla Homolka had been

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<sup>38</sup>Under Canadian law, such an agreement requires the rubber stamp of the trial judge. The submission to the trial judge is referred to as a joint submission. That is, a submission of recommendations by the Crown or the defence that is called acceptable to both parties.

coerced into committing all offences following the death of her sister. It would also mean that, the circumstance having been considered during sentencing on other offences, Karla Homolka would never face charges for her part in the death of her baby sister.

Karla Homolka agreed to the offer. The Ontario Attorney General, then Marion Boyd, was informed of the resolution and accepted the deal as conceived by representatives of her office.

When police searched 57 Bayview Drive, the search included the removal of electrical outlets and light fixtures. The areas cut out when these outlets and fixtures were originally installed were searched.

One of the light fixtures was in the master bathroom, on the second floor of the home. Previous to his arrest, Paul Bernardo noticed that Karla Homolka had searched the home looking for six eight millimetre videocassette tapes -the tapes that depicted, among other crimes and pornographic scenes, the rapes of Tammy Homolka, Leslie Mahaffy and Kristen French. Each tape was four inches long, two and one half inches wide and three-quarters of an inch in depth. Bernardo, after removing the light fixture, reached in and placed the tapes as far back as his reach allowed. He then re-assembled the master bathroom light fixture.

At the time of the search warrants, Constable Michael Kershaw used a ladder to reach the same light fixture. After disassembling the fixture, he reached in as far as he could -which was to the point of his elbow. Failing to feel anything, he examined the area with a flashlight. He found nothing in that area.

Once the search warrants expired, though police kept the house under surveillance, Bernardo's legal team was allowed access to remove his personal belongings.

On 6 May 1993, Ken Murray, Carolyn MacDonald and legal assistant, Kim Doyle, entered 57 Bayview Drive. Mr. Murray balanced himself on a counter and the toilet as he reached into the dismantled light fixture<sup>39</sup>. He was able to reach further than was Cont. Kershaw, managing to reach in to his

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<sup>39</sup>Mr. Murray allowed an exclusive interview with investigative journalists, Alan Cairns and Scott Burnisde. The interview was published by *The Sunday Sun* on 15 October 1995.

shoulder. When he removed his arm, he had the tapes -all six.

Mr. Murray later said his first reaction was one of disbelief. He knew he was holding videocassette tapes, but he at first believed he'd been set up -that someone had placed them there. Mr. Murray couldn't believe that police, during a seventy-one day search, could have missed finding them. At the time, Bernardo had yet to be charged with anything regarding the homicides: Although curious as to the contents, Mr. Murray placed the tapes in his briefcase and the defence team left the house for the day.

The tapes, according to Ken Murray, remained a curiosity until after charges of murder were laid against his client. It was after the charges that he first viewed the tapes. It would be his position, then, that the tapes were valuable defence material which would be used during the cross-examination of Karla Homolka.

The defence team kept the existence of the tapes secret until September of 1994. At that time, Mr. Murray went to the *Law Society of Upper Canada*, informed them of his situation and requested direction. The *Law Society*, to which Mr. Murray's actions are accountable, advised him to give up possession of the tapes to the trial judge, Mr. Justice Patrick LeSage<sup>40</sup>. That didn't happen.

In a series of legal manoeuvres, Mr. John Rosen, a prominent Canadian criminal lawyer, replaced Mr. Murray as Paul Bernardo's defence counsel; Mr. Rosen, on 12 September 1994, then took possession of the tapes. After Mr. Rosen reviewed the tapes, noting their significance to the defence, he turned the originals over to the police on 22 September 1994.

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<sup>40</sup> Ken Murray's handling of the videocassette tapes caused a great deal of controversy. Authorities responsible for the Homolka deal, Ray Houlahan and Murray Segal, have effectively directed public hatred over the deal towards Ken Murray. The stance is, forget that Mr. Murray was not privy to private dealings with Homolka: forget that police searched 57 Bayview Drive for seventy-one days and missed recovering the tapes; forget the second Homolka deal; forget the government interference in the Bernardo prosecution and forget that Mr. Murray did seek guidance from the Law Society. The official stance is simple: Divert all attention and responsibility for the Homolka deal towards Mr. Murray.

On 21 February 1997, The Law Society of Upper Canada announced that a complaint of 'Professional Misconduct' against Ken Murray had been issued. The Society is reviewing a report prepared by Toronto lawyer Douglas Hunt.

On 25 February 1997, Ken Murray and Carolyn MacDonald surrendered themselves to police on charges of Obstructing Justice, Conspiracy to Obstruct Justice and Possession of Child Pornography. In addition, Mr. Murray was charged with Making Obscene Material for his alleged duplication of the videocassette tapes for safe-keeping.

On 2 May 1997, in St. Catharines, Ontario, all charges against Ms. MacDonald were withdrawn due to lack of evidence. The charge of Conspiracy to Obstruct Justice against Mr. Murray was withdrawn. Mr. Murray faces a trial on the remaining charges on 20 June 1997.

The Law Society of Upper Canada is, as of 12 May 1997, still reviewing the matter.

On 13 May 1993, George Walker met Murray Segal in Toronto and agreed upon technicalities regarding the Homolka plea bargain. Then, with an exchange of letters dated 14 May 1993, what would become infamously known as *The Sweetheart Deal* was founded and cemented.

Ministry of the Attorney General, Ontario  
Office of the Director

May 14, 1993

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Niagara Falls, Ontario  
L2E 6V6

Dear Sir:

I am writing to confirm our mutual understanding respecting a proposed resolution as between the Crown and Karla Bernardo. It has been arrived at after lengthy discussions. If you are in agreement I would be obliged if you would confirm same in writing.

As I understand it, your client, after receiving legal advice, had chosen to engage in a process that may lead to a resolution of certain investigations in her case. Your client's position is that she is permanently estranged from her husband with no interest nor prospect of reconciliation. She had received legal advice regarding certain matters as described below.

The outline of the proposed resolution is that your client will provide an induced statement. If the authorities are satisfied at that stage, she will provide cautioned statements. At that point your client will be charged, waive the preliminary inquiry, plead guilty, and be sentenced to twelve years imprisonment, subject to a judge's approval. I have now had the opportunity to discuss, in general terms, the proposed agreement with the families of the victims. I am totally satisfied that there exists admissible evidence respecting your client's involvement in the crimes for which pleas will be entered. I am in a position to proceed with the proposed resolution. The following represents the terms of our understanding.

**(A) Induced Statement**

1. Your client will attend upon the police.
2. The induced statement will not be used against her in any criminal proceedings.
3. She will give permission for audio and video taping.
4. It will be forthright and truthful. It will be complete, bearing in mind it is an initial statement.
5. No assurances can or will be given respecting derivative

evidence.

6. Upon completion, the Crown and the police will assess it to determine whether they are satisfied that it has been given in a forthright and truthful manner.
7. The police may decide that a second induced statement is required if insufficient time is set aside for the initial one.
8. If the authorities learn through any means that your client has caused the death of any person, in the sense of stopping life, any proposed resolution will be terminated at the suit of the Crown, regardless of the state the process is at.
9. If any of the above matters are not to the satisfaction of the Crown, resolution discussions will be terminated and if no cautioned statement has been taken, the induced statement will not be used against her.
10. The statement and any subsequent statement will be a full, complete, and truthful account regarding her knowledge and/or involvement or anyone else's involvement in the investigations into the deaths of Leslie Mahaffy; Kristen French; alleged rapes in Scarborough; alleged rape on Henley Island; the death of Tammy Homolka; and any other criminal activity she has participated in or had knowledge of.

**(B) Cautioned Statement(s)**

1. They will be under caution.
2. They will be under oath.
3. Permission will be granted to audio and video tape.
4. They will provide no protection for a prosecution if it's discovered that she lied, including prosecution for obstruct justice, public mischief, fabricating evidence, perjury, inconsistent statements and/or false affidavits.
5. The video taped statement(s) will be used at any criminal proceeding if she recants, or if the Crown otherwise tenders them, or if a judge permits their use.
6. They will be complete, full, and forthright.
7. She shall fairly set out roles or knowledge of all parties and witnesses to crimes under investigation, including her role and knowledge.

**(C) Other Assistance**

1. She will provide all reasonable and lawful assistance in

*permitting the police to recover real evidence, and providing written authority to police to recover real evidence relevant to their inquiries. She will assist the police in their inquiries relating to any real evidence in relation to anyone who is associated with the crimes under investigation.*

2. *She will voluntarily provide fingerprints, handwriting, hair and blood samples, and like matters.*
3. *She will provide a witnessed, written consent to the seizure of all items from 57 Bayview Drive, St. Catharines from February 19 to April 30, 1993, and such other consents respecting real evidence and information as may be requested by the Crown.*

**(D) Charge, Plea, and Sentencing**

1. *Upon conclusion of the receipt of voluntary cautioned statements at such time as police require, she will be charged.*
2. *She will be charged with two counts of manslaughter in relation to the Mahaffy and French homicides. The defence will consent to the reading in of facts of any other crimes as the Crown deems appropriate, the sentence of twelve years and twelve years concurrent taking into account any such additional matters.*
3. *She shall waive the preliminary inquiry when the Crown deems appropriate.*
4. *An indictment shall be presented.*
5. *A joint submission shall be made for a total sentence of twelve years, comprised of two terms of twelve years concurrent with each other. A s.100<sup>41</sup> weapons order will be sought.*
6. *It is not the intention of the Crown to seek an increase in parole eligibility, given the circumstances of these matters, including the total sentence that will be sought.*
7. *The Crown is prepared to agree that your client be remanded out of custody, subject to the court's approval, for three weeks, but on satisfactory sureties and in an amount exceeding \$100,000 and with such conditions as the Crown may require pending sentence.*
8. *The acceptance of the pleas of guilty, the charges, the sentences, the period of parole ineligibility, and remand out of custody pending sentence are subject to acceptance by the trial judge.*

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<sup>41</sup>An s.100 order refers to a section of the *Criminal Code of Canada* that provides for a life-time ban on the ownership of weapons, ammunition and explosive substances.

9. *A refusal by a judge to accept the charges upon which pleas are to be entered, or the proposed sentences, will result in a trial being held on whatever charges the police and Crown deem appropriate. In such circumstances, the admissibility of the cautioned statements is not affected.*
10. *The Crown's position on sentencing of twelve years, and no less, will take into account any assistance given and proposed, the early pleas, and like factors. The Crown may read in such facts as the Crown deems fit. The Crown is prepared to receive any reasonable suggestion respecting such facts. The Crown will fairly describe to the court the effect that the pleas and assistance will and may have respecting all participants in the crimes.*
11. *Her counsel will voluntarily provide at first opportunity to Crown counsel, an opportunity to inspect a copy of any psychiatric, psychological, or other medical reports.*
12. *The Crown will, in its discretion, supported by the defence, and subject to the approval of a judge, tender victim impact statements and related material, and/or move to call the parents of the victims at the sentencing hearing.*

**(E) Charge, Plea, and Sentencing**

1. *Your client need provide sworn testimony in any or all proceedings to which she is subpoenaed by the Crown arising from her cautioned statements and she will tell the truth.*
2. *The Crown<sup>42</sup>, on behalf of the police, is prepared to write Correctional Services Canada and/or the Parole Board, attaching a full transcript of all proceedings and making full reference to any assistance offered and received in relation to interviews, testimony, and like matters, all of which will be for*

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<sup>42</sup>In a *Toronto Star* report published on 8 November 1996, Queen's Park Bureau Chief, William Walker, said that the current Ontario government will oppose early parole for Karla Homolka. Attorney General Charles Harnick and Solicitor-General Bob Runciman were reported as having had documents filed with the *National Parole Board* in opposition to the granting of parole in her case. An un-named government official was quoted as saying, "There is no way this [Homolka's release] is going to happen under our watch. We will be intervening most forcefully." In Canada, parole is considered once an inmate has served one third of the term of their sentence. In most cases, even should parole have previously been rejected, an inmate is released after serving two thirds of the term of their sentence. In sentences other than a life sentence, it is the exception that an inmate is required to serve the full term of their sentence. Karla Homolka is currently eligible for unescorted day passes from prison. She is eligible for day parole, or a bed in a half-way house, though she has yet to apply for the privilege, in February of 1997. Karla Homolka is eligible for full parole from prison on 6 July 1997.

*the exercise of the discretion of Correctional Services Canada and/or the Parole Board. In the event the accused applies for transfer for purposes of psychiatric treatment while in custody, the Crown and the police will leave such matters to the discretion of Correctional Services Canada and/or the Parole Board.*

- 3. Neither the Crown nor the police will make any other warranties respecting post-sentence custody or parole and like matters. The Crown and the police agree that such issues will be in the discretion of Correctional Services Canada and/or the Parole Board.*
- 4. While in custody she will continue to fully assist authorities.*
- 5. If released prior to the termination of all trials involving others implicated in the investigated crimes she will make herself available to be fully interviewed and to testify as required.*
- 6. If the sentencing judge imposes a sentence greater than twelve years, nothing prevents the defence from appealing against the sentence to seek a reduction to twelve years.*
- 7. The Crown is prepared to confirm any aspect of this agreement to a court or any government agency for the purposes of carrying out what is contained in this agreement.*

**(F) Other Matters**

- 1. She will not give an account, directly or indirectly, to the press, media, or for the purpose of any book, movie, or like endeavour.*
- 2. She will not seek or receive, directly or indirectly, any compensation relating to the above, including any and all events and occurrences arising from the police investigations, criminal proceedings, or any statements given by her to the police.*

*Thank you,*

*Yours very truly,*

*Signed*

*Murray D. Segal*

*Director*

On the same day, George Walker wrote back, on behalf of Karla Homolka and her family, confirming receipt of the letter. And, acceptance of the terms of the proposed agreement.

When the warrants for the search of 57 Bayview Drive expired, the home owners quickly moved to place no trespassing signs on their property. At that time, the owners publicly stated that they had no idea what was to happen regarding the damage. On 7 April 1993, police, with the consent of at least one pair of the home owners, and with the Bernardo lease terminated, assumed control of the property.

The home, listed at over a quarter of one million dollars, was owned by three families as an investment property. There was, apparently, some confusion as to whom was dealing with what government authority. One pair of the owners said they hadn't been advised as to financial compensation. On 22 April 1993, one pair of the owners announced they were seeking the assistance of their Provincial Member of Parliament, Jim Bradley. Mr. Bradley said he wasn't aware that the home owners hadn't been compensated and that they were innocent parties.

Representatives of the provincial government did begin talks with the owners. Originally, talks were of compensation for damages and the renting of the home to authorities. Eventually, the Ontario government purchased<sup>43</sup> the home outright. Two reasons for the purchase were listed in two later reports that probed the investigations. One claimed the home was purchased to avoid it being exploited for financial gain due to its notoriety. Another said the reason was for any further search and the possibility that a jury, when Paul Bernardo reached a trial, may need to view the interior of the home.

On 4 May 1993, Van Smirnis, Paul Bernardo's former best friend and partner, was acquitted on charges of cigarette smuggling, allegedly due to a technicality in police handling of the evidence.

Deal done, at 7:45 p.m., on 14 May 1993, Karla Homolka began her induced statement to police investigators. During the course of the interview,

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<sup>43</sup>The house at 57 Bayview Drive was purchased by the Ontario government. Under government order, on Tuesday 5 December 1995, the house was demolished by a group of twenty volunteers. The debris was removed to an undisclosed land-fill and buried. The original consortium of owners maintained possession of the land.

Homolka provided police with their first piece of real evidence linking Bernardo, 57 Bayview Drive and Leslie Mahaffy together.

When Paul Bernardo purchased cement, to encase the dismembered body parts of Leslie Mahaffy, from *Beaver Lumber*, he bought too much. Bernardo returned the excess cement to the store, providing identification that was recorded on the return receipt. Upon Homolka's word, police recovered that receipt. With that receipt, police were able to link the cement purchase to residual cement on a shovel and rake previously discovered inside 57 Bayview Drive. The cement proved to be a unique mixture exclusive to the cement Bernardo had purchased and returned.

Police agreed that Homolka had satisfied term A of the plea bargain proposal.

In Whitby, Ontario, over a three day period from 15 May 1993 and until 17 May 1993, Homolka provided police with cautioned statements. On 16 May 1993, police showed Homolka the still image obtained from the single videotape discovered on 22 February 1993. Homolka provided no additional information; she believed the second party may have been her sister, Tammy. At that time, police still believed the unknown person in the photograph was Kristen French.

On the final day of the cautioned statements, Karla spoke of the time immediately after Bernardo was arrested for assaulting her.

*"I felt so happy I couldn't believe how happy I was. I felt like I was 17 years old again. I locked everything in a corner of my mind. I forgot about Tammy; I forgot about Leslie; I forgot about Kristen; I forgot about everything. And, like, I made myself forget and I went out and I had a great time."*

With the cautioned statements, and other information related by Homolka to investigators, she accompanied police to 57 Bayview Drive and lead the investigators to places where important events had occurred. As a result, further evidence was recovered from 57 Bayview Drive. Other evidence, police already possessed, and Homolka advised investigators of the value of such evidence.

While much was recovered, two items in particular were instrumental in the laying of murder charges against Paul Bernardo.

A quilt, already recovered by police, contained a blood stain from Leslie Mahaffy. With Homolka's assistance, *DNA* experts then knew exactly what to look for. During most of the period of Kristen French's captivity, she was held in the master bedroom of 57 Bayview Drive. While captive, Kristen French had vomited onto the carpet inside a bedroom closet. With Homolka's assistance, the section of carpet was removed and forensic investigators extracted, from the previously unexposed back-side of the carpet, *DNA* unique to Kristen French. Also, the vomit stain contained sperm that matched the *DNA* profile of Paul Bernardo.

## **CHAPTER FORTY-SIX**

When, on 17 February 1993, police arrested Paul Bernardo as the *Scarborough Rapist*, it was expected he would face further charges in unrelated matters. It would be three months before Bernardo would face murder charges. At the same time, police acknowledged that they had a second suspect, but refused to comment on why that suspect was still at large.

On Friday 20 February 1993, in Beamsville, Inspector Vince Bevan met with a crush of journalists. The media clamoured for news of when police would charge Paul Bernardo with the two homicides. Insp. Bevan, much to the delight of southern Ontario journalists, had stepped down as a media spokesperson in July of 1992. On this day however, he was the figure of authority. He complained about media interference in the investigations he headed. Toronto media published photographs of Bernardo, he complained.

"We had the possibility of photo identification. The possibility has been taken away from us."

On Friday 19 February 1993, *The Toronto Sun* featured exclusive photographs, beginning on the front page, of Paul Bernardo. The photographs were purchased, from Haig Semerjian, the man who was employed to photograph the Paul Bernardo and Karla Homolka wedding. In a bidding war between *The Toronto Sun* and *The Toronto Star*, *The Toronto Sun* won and bought exclusive rights to the package of photographs for \$10,000.

At the media conference, Insp. Bevan confirmed that the *NRP/GRTF* had the second suspect under twenty-four hour surveillance. He refused to comment further. Citing media speculation as a possible hindrance to ongoing investigations, Insp. Bevan announced the imposition of a government ordered news black-out regarding the case.

News black-out or no, the following day, reporters Christie Blatchford and Tracy Nescoly of *The Toronto Sun* quoted sources as saying Karla Homolka was under constant police surveillance and was being questioned about the

extent of her involvement in the Leslie Mahaffy and Kristen French murders. Homolka, they said, had a defence lawyer and had already requested, from the Crown, immunity from possible prosecution. Norman De Bono, of *The Hamilton Spectator*, was later quoted by James Chatto, in an article, *The Bernardo Industry*, published in the May 1994 issue of *Toronto Life*. Mr. De Bono spoke of the media black-out.

*"Very early in the investigation the cops did something to the media that is the worst thing you can do in a case like this: They gave them nothing to lose. They wouldn't answer or return calls; they wouldn't speak on the record about things that were fairly safe and not evidentiary. They cut them off from information so completely that the media said, Well Fuck you, I'll go get the story myself."*

Aside from the *Toronto Sun* article, both the media and public were kept in the dark regarding ongoing police investigations into Paul Bernardo's alleged crimes. It was with little warning then, that police whisked Bernardo's then wife, Karla Homolka into a St. Catharines' court.

In any news-room, in any city in any country, editors and journalists pour through competitor's material and news wire feeds looking for news they may have first missed. In the early morning hours of Tuesday 18 May 1993, journalists across southern Ontario, hearing only rumours of Homolka's imminent court appearance, descended on St. Catharines, Ontario. A *Canadian Press* item originating in the *St. Catharines Standard* was the catalyst for the massive interest.

Investigators, who had hoped to move under a shroud of secrecy, offered no cooperation when inquisitive journalists, acting on the rumour, attempted to confirm it. Police would only say that there would be a media conference held the following day. Local court officials indicated no knowledge of any documentation regarding Homolka.

Unaware of which Niagara Regional court -or which Niagara Regional city- Homolka would appear in, journalists alertly staked out the St. Catharines' police department and court buildings. They waited to follow investigators known to be close to the Paul Bernardo investigations.

It was mid-afternoon when Insp. Bevan appeared and became the first one to break the tension. He also created a new round of tension, when he rushed

past journalists. "I'll see you at the press conference tomorrow," he said as he entered the Crown Attorney's Office on the third floor in the St. Catharines courthouse.

Forty minutes later, at 3:15 p.m., Karel and Dorothy Homolka, accompanied by their daughter Lori, and escorted by *NRP* Staff Sergeant Steve McLeod, entered the same Crown office as had Insp. Bevan. Still, there was no comment.

While all attention was on the offices of the Crown Attorney, *NRP* Detective Sergeant Gary Beaulieu surreptitiously crept about the court's corridors.

Det. Sgt. Beaulieu swore information alleging Paul Bernardo committed two counts each of kidnapping with intent to unlawfully confine, unlawful confinement, aggravated sexual assault and first degree murder. A single charge was laid regarding the dismemberment of Leslie Mahaffy: Offering an indignity to a dead human body.

In Toronto's Metro East Detention Centre, Paul Bernardo was notified of the new charges against him. Bernardo waived his right to, within forty-eight hours of the laying of charges, appear in court for a formal arraignment.

When Insp. Bevan emerged from the Crown office, reporters crowded him, launching a barrage of questions his way.

Still, there was no comment.

Outside the court building, a flutter of activity began: Karla Homolka was driven past a crowd of photo-journalists. A burgundy Dodge Caravan shuttled Homolka into a secured underground parking lot.

Inside the court building, there was no doubt now ... that something was happening. Journalists followed long familiar investigators into a courtroom, packing it. Around 4:00 p.m., four of the half-score of top investigators and local police officers escorted the Homolka family into the courtroom. Karel, Dorothy and Lori all took front row seats, sitting, hands clasped, dreading the reading of the indictment against Karla Homolka.

The courtroom was eerily silent.

Karla Homolka entered and kept her gaze forward as she approached

the lawyer's tables. Her long blonde hair was held in place with a brace and flowed down her back; she wore a plaid kilt -she appeared as though a school-girl. It was a look she would pose several times in the future. Homolka nodded to, and took her seat beside her silver haired lawyer, George Walker.

Karel Homolka struggled to control his emotions -a flood of tears threatened to burst from his red eyes as he watched his eldest daughter sitting with her criminal lawyer.

The talented and respected George Walker was no stranger to personal tragedy. In 1983, his adopted son, Robin, was convicted of the 1982 rape and murder of eighteen year old Janet Zeiter in Niagara Falls, Canada. Robin received a life sentence.

Raymond Houlahan, head Crown prosecutor for the Regional Municipality of Niagara, next entered. He was followed by Murray Segal. This was no regular bail hearing. Homolka, never formally arrested, was appearing in court as if on a theatre stage.

This appearance was a mere formality. It was a carefully choreographed daylight public display that would ink the deal cut in the dark shadows of justice.

When Justice of The Peace, His Worship H.E. Edmonstone, entered the courtroom, tears did spill from Karel Homolka's eyes. He cleared his throat and wiped his tears away.

Mr. Walker began by requesting a publication ban, as prescribed under s.517 of the *Criminal Code of Canada*. His Worship Edmonstone so ordered the publication ban. There would be no publication on the details of Karla Homolka's arraignment and bail hearing. The order would remain in effect until the charges against Karla Homolka were discharged -until she was acquitted or convicted.

George Walker indicated Homolka, accused of two counts of manslaughter, would waive her right to a preliminary inquiry and was requesting trial by judge alone.

Attention was turned to bail.

It was Mr. Murray Segal who addressed the court. He read, into the court record, the allegations against Karla Homolka in respect to the

**manslaughter charges she now faced and ongoing investigations concerning Paul Bernardo.**

**As previously agreed to by George Walker and Murray Segal, a list of twelve strict conditions that Karla was to abide by upon release, were read into the court record. Karla would be released after agreeing to, and meeting these conditions.**

- 1./ She be released on a \$110,000 surety.*
- 2./ She must reside with her parents at home, and if she lives anywhere else, it must be approved by Niagara Police Inspector Vince Bevan.*
- 3./ She must remain in Ontario*
- 4./ She must report to Insp. Bevan, or another designated officer between 9:00 a.m. and 4:00 p.m. every day.*
- 5./ She, or her lawyer, must notify Insp. Bevan one hour in advance of leaving home, reporting her destination, mode of travel and return time. She must again call Insp. Bevan within one hour of her return, advising him of the same.*
- 6./ She must not associate with anyone who has a criminal record.*
- 7./ She must abstain from communication with Mr. Teale (Paul Bernardo), or any other Crown witness, except via a lawyer.*
- 8./ She must abstain from non-prescription drugs and alcohol.*
- 9./ She must be amenable to psychological treatment.*
- 10./ She must surrender her passport and birth certificate to Insp. Bevan.*
- 11./ When outside her home she must be accompanied by a family member or be with her family doctor.*
- 12./ She must appear in court as ordered.*

**His Worship Edmonstone asked Karla if she would like to add anything to the proceedings: she didn't. Homolka was remanded to next appear in court on 7 June 1993 at 11:00 a.m., at which time a trial date would be assigned. Karla, now officially in custody and accompanied by her family and investigators, was led through a side door from the courtroom. Her parents would assign their home as collateral and Karla would sign the forms for her immediate release.**

**George Walker, outside the court building, told journalists that he wanted a quick resolution to the charges his client faced.**

**"I want to make it clear, these matters will not be protracted. It's not my client's intention to prolong the agony or the trauma that's befallen the families of these victims, her family or this community." Mr. Walker added:**

"As far as I know, there will be no additional charges laid against my client."

He said the Homolka family were fully supportive of their daughter, putting their home on the line as collateral for her release. They've borne up quite well, he said. When asked if his client planned to divorce Paul Bernardo, Mr. Walker said that a family lawyer would handle the matter.

Mr. Walker said his client was indicted after numerous weeks of discussions with the Crown. The discussions were stalled for seven weeks, he said, when his client was hospitalized in March of 1993, being both depressed and suicidal. He refused to say in which hospital she stayed. Mr. Walker refused to comment on what his clients plea would be nor if she would testify against Paul Bernardo.

Alan Young, a professor at *Osgoode Hall* law school, said that the manslaughter charges Karla Homolka faced in two killings were usually laid when a death was caused by a spontaneous or impulsive action. Abduction shows the mental state of the accused. It shows intent. Under normal circumstances, it is inconceivable that someone would be charged with manslaughter when there is evidence that the victim was abducted. Professor Young, though, was not privy to the details of the indictment and bail hearing covered under a publication ban.

On 19 May 1993, in a news conference, Insp. Bevan confirmed Paul Bernardo was facing new, and long-awaited, charges.

On 16 April 1993, *The Toronto Star* had quoted police sources as confirming that investigators had a third homicide suspect under surveillance. The *Star* reported they had spoken to the third suspect's Mother who confirmed police were in contact with him. He was a follower, the newspaper reported sources as saying, and posed no threat to public safety.

Insp. Bevan, during the news conference, denied a third suspect was being sought in the homicides.

The alleged third suspect was, in truth, Van Smirnis.

On 27 May 1993, Paul Kenneth Bernardo appeared in court for formal arraignment on charges that he abducted, confined, raped and murdered fourteen-year old, Leslie Erin Mahaffy and fifteen-year old, Kristen Dawn

French.

Karla soon grew bored; the constant media attention was beginning to irritate her. As she lay bathing in the sun beside her family's in-ground pool, she decided she needed some outside fun.

She knew she would soon spend some time in jail so now she was going to withdraw some time from the party bank. Karla likely felt that with her secret deal inked, she was too important for investigators to hassle her over a bail violation. Tossing caution aside and shedding any passing thought of guilt, Karla resolved to cut loose and enjoy herself. Later, in a letter to Debbie - a letter which excerpts of were eventually published by Alan Cairns and Scott Burnside of *The Toronto Sun* - Karla described the occasion.

*"I brought a bottle of Beaujolais (to a party) and drank the whole thing and wasn't even halfway drunk. My tolerance is ridiculously high. But I had a really good time. It's nice to get out of the house once in a while."*

In another letter to the same friend, Karla wrote of playing cat and mouse with photo-journalists. When the letters were published in September of 1993, *The Toronto Sun* asked: "Where's The Remorse?" Later, as Canadians' saw multiple facets of Karla Homolka's personality, hundreds of thousands of Ontario residents petitioned the Ontario government asking the same question.

*"The reporters keep coming back and hanging around because they don't have a really good current photo of me yet. It's kind of like a game now, trying not to let them get a picture ... I plan to move, on my own, to Brampton. I can't stay in St. Catharines, people hate me here, and I will never get a job. I had such a good time in Brampton and I have a lot of good memories there, plus an Aunt and Uncle who are fantastic. I really need single girlfriends to go out and meet men with."*

As Karla readied for her trial, result and sentence already crafted in a back-room and awaiting only a judge's stamp of approval, she threw a party.

On Sunday 27 June 1993, journalists again descended on the Homolka

home, this time specifically focusing on their back yard. Karla was seen, joined by ten or fifteen family and friends, partying on the patio pool deck. Photo-journalists, unrestrained by a park adjacent to the Homolka rear yard, snapped photographs of the revellers. It was a going-away party.

Karla refused media requests for interviews -a condition of her then secret deal. Photographs weren't, so it was with apparent malice towards the media, representatives of the public, that Karla sat with her back to the park, avoiding photographers. A large sheet of cardboard was moved to shield her whenever she moved from her chair.

Guests frolicked, drinking both alcoholic and non-alcoholic beverages; they chattered and laughed and they swam.

In the years that followed, some of those present -including some of her own family- would come to abhor the very existence of Karla Homolka.

Karla Homolka never faced a trial. On 28 June 1993, proceedings regarding the plea she was to enter began. Over the next two days, lawyers for the Crown, defence and media lawyers fought over the possibility of a publication ban on the hearing. The Crown and Homolka's counsel supported a ban. Paul Bernardo's defence team, and all media lawyers, opposed such a restriction. On 30 June 1993, the trial judge, Mr. Justice Francis Kovacs, remanded the court until 5 July 1993, at which time he would reveal his ruling on the matter.

In St. Catharines, on Monday 5 July 1993, the courtroom, as it had been since the Homolka hearing had begun, was packed with over 150 people. The French and Mahaffy families sat in the first five rows on one side of the public spectator gallery. Karel, Dorothy and Lori Homolka sat on the other side.

Justice Kovacs said he agonized over his decision -then he ruled that a publication ban on evidence presented during Karla Homolka's hearing would be imposed. In a three hour statement, he allowed accredited Canadian journalists, three police officers from the *Green Ribbon Task Force*, Crown and defence lawyers, the accused, the families of the victims, and court personnel to hear evidence. Bernardo lawyer Timothy Breen would be allowed to attend the trial, but was not allowed standing to address the court. The American media were banned from the proceedings, and, incredibly, Kovacs also banned the Canadian public, saying that a spectator may act as a secret source for the American foreign media.

*"I make the following order under s.486(1) of the Code in the interest of the proper administration of justice. (1) The Canadian media on proof of accreditation to the Court Services Manager may be admitted to the trial. (2) For reasons given, the public is excluded from the courtroom except, (a) the families of the victims, (b) the family of the accused, (c) counsel for Paul Bernardo-Teale who will not have standing, (d) three police officers, (e) the Court's law clerk, Mrs. Padeanu. (3) For reasons given the foreign media is excluded from the courtroom. (4) There will be no publication of the circumstances of the deaths of any persons referred to during the trial. And they shall not be revealed directly or indirectly to a member of the foreign press. The following may be published, (1) The contents of the indictment. (2) Whether there was a joint submission as to sentence. (3) Whether a conviction was registered but not the plea. (4) The sentence imposed. (5) That part of the Court's reasons under the following headings: (a) The Prosecutorial discretion (as referred to in the court's reasons on sentencing only), (b) The Principles of sentencing applied by the Court."*

**Inside court, angry spectators vented their frustration and booed the Kovacs' decision.**

**Once again, professor Alan Young spoke out; he said the ban was very strange. The fact that a publication ban was granted at the request of the prosecution and supported by Homolka's lawyer, George Walker, when Bernardo's lawyers were opposed, was, he said, completely unfounded and disturbing. Sarcastically, Professor Young suggested that since the prosecution had requested the ban because of their concerns that Bernardo's right to a fair trial could be compromised without it, Crown Attorneys might want to continue to show the same concern for an accused persons rights in the future. "What I would like to see is Crown's raising constitutional claims on behalf of the accused," he said. "If this is the way Crown's are going to act, they should start saying, 'That evidence shouldn't go in, My Lord, because it could prejudice the accused.'"**

**Professor Young ended his scathing attack by stating, "I've never heard, really, in an adversarial system of justice, of an adversary protecting and promoting the rights of his or her opponent. I don't know how the Crown has the gumption, quite frankly."**

**On 6 July 1993, the courtroom was devoid of the public to which it is supposed to be accountable. Court began.**

**HIS HONOUR:** Firstly, my apologies for the delay. I had a meeting with the staff to emphasize the confidentiality of that part of the proceedings on which I ordered a non-publication ban. Secondly, I would like to thank the media for the very orderly way that you came in this morning, without any problem and that you freely and readily identified yourself to the Court Services Manager, and for signing in, in that process. I want to be sure that there is no one in this courtroom who should not be here, in other words, that every person here is an accredited member of the Canadian media. Is there anyone in this courtroom who is not, does not fit into that category? There is no one standing, or so indicating.

I shall call upon the clerk.

**MR. WALKER:** Yes.

**HIS HONOUR:** Arraign the accused, please.

**CLERK OF THE COURT:** Mr. Walker, is that the accused, Karla Bernardo, also known as Karla Teale, standing next to you?

**MR. WALKER:** It is.

**CLERK OF THE COURT:** You stand indicted by the name of Karla Bernardo, also known as Karla Teale as follows: Karla Bernardo, also known as Karla Teale stands charged that on or between the 14th day of June, 1991 and the 29th day of June, 1991, inclusive, at the City of St. Catharines in the Regional Municipality of Niagara, did unlawfully kill Leslie Erin Mahaffy and thereby commit manslaughter, contrary to the provisions of Section 236 of the *Criminal Code of Canada*. On count one of this indictment, how do you plead, guilty or not guilty?

**THE ACCUSED:** Guilty.

**CLERK OF THE COURT:** You also stand charged that between the 16th day of April, 1992 and the 30th day of April, 1992, inclusive, at the City of St. Catharines in the Regional Municipality of Niagara, did unlawfully kill Kristen Dawn French and thereby commit manslaughter, contrary to the provisions of Section 236 of the *Criminal Code of Canada*. How do you plead to count two of this indictment, how do you plead, guilty or not guilty?

**THE ACCUSED:** Guilty.

**CLERK OF THE COURT:** Harken to your plea, the Court has recorded

it, you plead guilty to count one and guilty to count two?

**MR. WALKER:** She does.

Acting Crown Attorney Murray Segal rose, and for the next twenty-seven minutes, read from a statement of fact jointly agreed to by the defence and the Crown. Lori Homolka, Karla's surviving younger sister, began to weep. Many of the privileged few allowed in the courtroom were stunned by the brutality and torture the victims suffered. They were astounded by the callousness with which the blonde woman sitting in the prisoners box participated in these murders. The Mahaffy and French families, after enduring the reading of the Crown's statement, were emotionally drained. Justice Kovacs called a recess until the families could compose themselves.

Court re-convened about 45 minutes later. Debbie Mahaffy, Mother of Leslie Mahaffy, read a statement detailing the impact of the murders upon her and her family. Donna French, Mother of Kristen French, did the same. After hearing from the Crown and the mother's of the victims, nearly every person in the courtroom was outraged; many openly cried.

Justice Kovacs called another recess.

When Court re-convened, a joint sentencing agreement, produced by the defence and the Crown, was presented to Justice Francis Kovacs. At 4:30 p.m., Justice Kovacs turned his attention to Karla Homolka and began a 75 minute lecture.

*"This next part, members of the press is not to be reported pending the order for the ban of publication. The aggravating factors are self evident even to a callous observer. The conduct of the accused was nothing short of monstrous and depraved. It was not isolated conduct. The acts leading to the abduction of Kristen French were coldly and calculatingly planned, with full participation of the accused. She was present at the death of Leslie Mahaffy and, at least passively, participated in the planning of her death. The facts leading to the death of her own sister indicated planning on her part. The accused obtained the anaesthetic which was used to keep the victim unconscious and could likely have caused the victim to vomit. The victims were but 14 and 15 years of age. It is an aggravating factor because the victims at such a young age were so much more susceptible to be lured to their deaths. The impact on the victim's families has been unimaginably traumatic. In this case, particularly, the emotional wounds of the victims of these crimes are not allowed even a quiet time to heal, in view*

of the constant publicity. While the accused is not the one doing that, it was the nature of the crimes she committed which has drawn that deeply hurtful publicity to these victims. She must accept the full responsibility for that resulting publicity as an aggravating factor. The impact on the communities of these victims of these horrible crimes is also an aggravating factor. Where previously there were community feelings of trust and tranquillity, there developed deep rooted fear and concern for the safety of the young women in these communities. Parents worst nightmares, so grievously suffered by these parents, were aroused. I agree with the Crown's submission that there was a deep concern in the community of a breakdown of the basic moral code by which society operates. Aggravating factors, as well, were the circumstances which lead to the deaths of Leslie Mahaffy and Kristen French, including cruel confinement, sexual assault, torture and wanton cruelty. The careful attempt to cover up the circumstances of the death of Tammy Homolka and the meticulous and planned attempts by the accused to eliminate evidence of the deaths of Leslie Mahaffy and Kristen French, all are aggravating factors. It goes to the consciousness of evil thought processes of the accused. A most disturbing aggravating factor is that the accused was left alone with Kristen French. She did nothing to help her escape. To the contrary, she stood guard over her with a rubber mallet. The accused, too, had an opportunity to help Leslie Mahaffy when the accused was in a room with the victim. She sought no help for that victim. The role of the accused in luring Kristen French to the car indicated that she was willingly the 'cover'. Without the accused's participation, the trust of that victim would less likely have been obtained. The accused placed her own interest and that of Paul Bernardo-Teale ahead of the interests of the victims. That is the greatest crime against charity. The crimes shocked not just the victim's two communities but the whole province and now the country. It caused, too, a most intensive investigation. Throughout all these events and over a considerable period of time afterwards the accused continued to carry on her normal activities, apparently unconcerned for other potential victims. She came forward only when her own life was in danger. The accused was in the most grievous breach of trust to her young sister, who was but 14 years of age. That trust tragically was misplaced by Tammy Homolka and it led to her death. The accused has also inflicted grievous and yet untold hurt to her own parents and sister who lost a daughter and sister to death and now must endure the accused's profound breach of the law for these horrendous crimes. The accused's acts would cause pain to any parent, and so much more to this accused's parents who were loving, kind and trusting of the accused throughout her life. I have paused periodically in the course of these remarks because it is important that this accused reflect on the horror of these acts."

*"These are mitigating factors that I shall cover next, and they are not to be reported, as well, members of the press, under the temporary ban. This accused, by her guilty pleas, has obviated a trial in respect to her and has avoided inflicting additional trauma on the victim's families. The law regularly and quite properly, accepts the fact that a plea of guilty is the first step and a clear sign of remorse in many cases. More importantly for this young person who is only 23 years of age, the acknowledgment of that guilt is hopefully the first step in her rehabilitation. I have considered her youth; she is 23 years of age. I have considered her previous unblemished character is also an important mitigating factor. I have considered too, that she was described by experts as a battered wife who endured terribly harsh physical beatings. Her self esteem was gradually destroyed. Her sense of propriety and moral convictions were sublimated. In the accused's case, not only was she beaten, but she had to hide physical evidence of beatings or she would be again beaten. She could not get medical attention for fear of reprisals by Paul Bernardo-Teale. When she was finally seen in January 1993 in the hospital, the emergency room physician, as I said, is reported to have said, that it was the worst case of wife battering he had ever seen in his professional experience. I have considered too as a mitigating factor that these events, albeit of her own making and for which she must accept responsibility will require her to continue to be under psychiatric care and as I said, she will have psychological scars. The most significant and compelling mitigating factor has been her cooperation with the police and her agreement to cooperate with the prosecution until justice has been done. In view of the great care that was taken by the accused in concealing her horrendous crimes, her cooperation is particularly significant. Her cooperation is particularly significant in that it has lead, I understand, to other evidence."*

**Justice Kovacs addressed Homolka, asking if she had anything to say before he began. Mr. Walker responded for her.**

*"Your Honour, I have reviewed this with my client; given the nature of the offenses to which she's plead to, anything that she could say would certainly sound trite when compared to the facts. She only hopes that by entering the pleas and continuing to assist the Attorney General's office and employees with regard to the unresolved issues to follow, that in some small measure she can begin to try and, albeit in a marginal way, try and undo some of the harm that she has done. But, she ... as indicated to, she has a long way to go and she's taking one step at a time."*

*"This [principles of sentencing] may be reported and is not part of the temporary ban on publication. The Crown has charged the accused under s.236 of the Criminal Code with manslaughter. The maximum sentence for manslaughter is life imprisonment. The maximum sentence in law is reserved for the worst offence committed by the worst offender. This accused has committed the worst crimes, however she is not the worst offender -for whom the maximum sentence is designed. I find she is not the worst offender because:*

*(1) She has no previous criminal record. (2) Most significantly she has cooperated with the police in giving evidence, some of which might not otherwise be available in this type of crime, particularly in confinement cases. She gave that cooperation not only in respect of her own involvement in the crime. This cooperation was, and will be of particular assistance, partly in view of extraordinary steps taken in an attempt to conceal evidence in the crime, with respect to another offender. (3)*

*By her plea of guilty she has obviated a trial and thus avoided additional trauma for the victim's families. Therefore, while the crimes fit into the category of the worst crimes, the offender does not fit into the other category, i.e. the worst offender which category is required to impose the maximum sentence. It is for that reason that the maximum sentence of life imprisonment is not applicable in this case. The paramount consideration in applying the principles of sentencing in a case involving shocking acts of violence is that the sentence must be long enough to deter others in the community from acts of violence. I keenly appreciate the community must be satisfied the sentence reflects the necessity for the protection and safety of the community. In this case, no sentence that I could impose would adequately reflect the revulsion of the community against the accused for the death of two completely innocent young girls, who both had lived their young lives beyond reproach in the eyes of their communities. I am keenly aware of all of that as well. I understand the righteous outrage which the community feels, and properly so. It is the court's responsibility to be objective and to consider the very special circumstances of this case and this accused. There are serious unsolved crimes, here and elsewhere. There can be no room for error in the successful prosecution of the offender for the safety of the community, whoever that offender may be, and I ask that no inferences may be drawn from my remarks in that instance. As I said, the accused gave significant and perhaps invaluable cooperation beyond her own crime. The rehabilitation of the individual accused is also a principle to be considered. The accused is 23 years of age and will require extensive psychiatric care. I am satisfied on the basis of the reports which I have and hope that she can be rehabilitated. The specific deterrence of the accused is a principle that courts consider as well, so that the length of the sentence will impress upon this accused never to commit a crime again. Society too must be*

satisfied that the sentence is of sufficient length that society is protected from the danger of the accused. The length of sentence and the parole board's review procedure, I am satisfied will be a protection to the public. The hurt this criminal has inflicted on the victims and their families is also an important consideration in the imposition of sentence. It is fundamental that in this case the victim's families were kept fully informed and had meaningful input before the joint submissions were made."

"As I have said, I have reviewed the expert opinions as to her psychiatric history and prognosis. It is for all of these reasons that I accept the joint recommendation as to the sentence. Stand up. I sentence the accused as follows:

(1) 12 years imprisonment on count one. (2) 12 years imprisonment on count two, which is to be concurrent to the other sentence in count one. (3) There will be an order, mandatory under s.100 of the Code, prohibiting the offender from having in her possession any firearm or any ammunition or explosive substance for her life. I make no order under s.741.2 of the Code for an increase in the time of parole ineligibility. I make no such order because the length of sentence is the most important factor in the Crown's submission, and I agree. I also do not make such an order as I do not wish to fetter the parole board's discretion in her placement. I understand that the placement possibilities for women are limited. I do not wish to hamper the treatment of the accused by imposing a period of ineligibility for parole. I am advised that the latter term on the sentence was also with full input from the victim's families and the police."

The proceeding ended at 5:55 p.m.

**Outside, Ted Barrigan of St. Catharines commented on the 12-year sentence.** "It's ridiculous. It's a terrible tragedy. Two girls mutilated and she gets a slap on the wrist. Everyone here is sick about it." **Another angry member of the community added,** "I smell a rat. It's like they bargained for a conviction. It's like 'Let's Make A Deal'. She got a deal for opening her mouth."

**A Niagara police officer drove the mini-van from court again, this time Karla stayed behind while her family was returned to their home. The mini-van returned to the court and picked up Karla. Spectators waiting at the rear entrance of the court shouted obscenities at Karla as police drove away. Karla was delivered to the Kingston Prison For Women.**

Justice Kovacs was escorted from the court to his car under police guard.

The debate over the publication ban and the light sentence Karl a Homolka received remains a sore topic and is angrily debated to this day.

## CHAPTER FORTY-SEVEN

Two weeks had passed and Karla was safe in jail. Some of the uproar caused by public disgust over Karla's hearing and subsequent trivial prison sentence had abated. At 8:00 a.m., on 20 July 1993, Deputy Chief Coroner Dr. Jim Cairns arrived at *Victoria Lawn Cemetery in St. Catharines*. He was joined by investigators with the *Green Ribbon Task Force*, city workers, and funeral directors from the Toronto firm of *MacKinnon and Bowe*.

"The decision to disinter a body is not taken lightly, because of the dignity of the deceased's family," said *NRP* Inspector Michael Locke. The Homolka family had been contacted for consultation. They considered Paul Bernardo evil and consented to this ungodly phase of the investigation. City workers began digging away the soil under which the body of Tammy Lyn Homolka lay. Tammy's body was being exhumed for further forensic testing based on information from the principle person responsible for her death -her eldest sister, Karla Homolka. Shortly after the noon hour, the body was removed and taken to Toronto's *Centre of Forensic Sciences* for examination.

When investigators opened Tammy's coffin, they found a letter that Paul and Karla, before the final closing of Tammy's coffin, had slipped inside. The letter from the grave was written on their marriage invitation paper and dated 27 December 1990.

*Dear Tammy, my dearest little sister, words cannot express the deep sorrow and regret that I now feel. You gave me your love, and trusted me like your big brother. We shared a lot of good times and you touched my heart in a way that no one else ever could. I loved you Tammy. I always have and always will. I miss you so much and my life will never be the same now that you're gone. If I ever caused you any harm or pain, Tammy, please forgive me. I only wanted the best for you. Just for you to be happy and to experience the joys of this world. I'll love you from now 'til eternity and I'm looking forward to seeing you again once I die.*

*Love,*

*your brother Paul  
XOXO*

*Dear Tammy  
I have so much to say to you that words cannot express. I've talked to you every night and you know how I feel about everything. I know this card shouldn't be used, but I want to give you the thoughts it holds to carry with you. I love you deeply and will hold you in my heart forever.*

*Your big sister,  
Karla  
XOXO*

*P.S. I love and miss you with all my heart. I hope you're in God's hands. I love you and can't wait to see you again. Kar.*

**The second autopsy was performed in Toronto by Dr. David King, head of pathology with Hamilton's *General Hospital* and Dr. Noel McAuliffe. Chief Coroner, Dr. Alan Young and Dr. John Groves, who'd performed the first autopsy, stood as witnesses.**

**At 8:15 p.m. that same day, a black hearse returned Tammy's body to Victoria Lawn Cemetery.**

**Media and curious onlookers awaited the return of Tammy's body. They were kept at bay by a human shield of *Green Ribbon Task Force* officers and a yellow tape police line. A make-shift canvas sheet partition surrounded the grave-site and the investigators installed a tent style roof. Karel, Dorothy, and Lori Homolka arrived in black limousine with tinted windows. They were here to bury their beloved Tammy a second time. Two and one-half years after the first painful ceremony, the Homolka's were joined at the site by a small group of family friends. The friends and neighbours of the Homolka family carried flowers. Reverend James Gibson presided over the re-burial, and by 9:30 p.m. the ceremony was complete. The yellow taped police line, and privacy walls and roof were removed. City workers replaced the newly consecrated earth, filling Tammy's grave, and left.**

**It was December of 1993, when, after a succession of delays, Dr. Jim Cairns finally explained that results of the Tammy Homolka autopsy would**

**not be available until mid-January 1994.** *"What happens is that some tests lead to other tests," said Dr. Cairns. "One must remember that we exhumed a body that had been in the ground for nearly 2 1/2 years. There are additional complexities in doing tests under these conditions."* **Doctors, though, knew exactly what they were looking for and were determined to take whatever time was necessary to fully investigate the death and attempt to secure the evidence they needed to prove that Tammy's death was a manslaughter.**

**When, in 1994, the provincial coroner's office announced the investigation into Tammy's death was completed, they also announced that the results were handed over to the Niagara investigators with the *Green Ribbon Task Force* to help determine if any charges would be laid. *"It's now up to them to make a decision whether charges will be laid and what time-line they want to take,"* said deputy chief coroner, Dr. Jim Cairns.**

**Later, Dr. Jim Cairns would declare that the dead can't talk, but their bodies can tell many tales. *"Think dirty,"* he said, and presume all deaths are homicides. In the case of Tammy Lyn Homolka though, it took the living Karla Homolka to convince Tammy's body to talk -it took the confession of Tammy's killer.**

**The 28 April 1994 report indicated new evidence and new conclusions.**

- (a) *Apart from lung changes suggestive of mild bronchitis Tammy Homolka was in good health.*
- (b) *There was evidence of the aspiration of gastric contents.*
- (c) *There was evidence of patchy "burn-like" injury to the skin of the face, mainly the left cheek and around the mouth and a small area on the back of the left shoulder. There was no evidence that whatever had caused the burns had been ingested or swallowed. In the experience of the pathologists present, vomitus does not cause skin injury. The burns were consistent with chemical burns produced by an irritant or corrosive fluid. These injuries were not abrasions caused by the face being dragged and rubbed on a rough surface.*
- (d) *The burns had most probably been sustained shortly before or at the time of death.*
- (e) *Toxicology analyses revealed traces of alcohol in the blood and the presence of Triazolam, a hypnotic, was found in a number of organs. Triazolam is commonly known as Halcion.*
- (f) *While death may result from asphyxia due to the aspiration of stomach contents this rarely occurs in the absence of another pre-disposing*

*or proximate condition or causative factor, e.g alcohol intoxication or stupor of other cause, especially in an otherwise healthy young person. Although the second post mortem did reveal two areas of contusion in the left angle of the jaw and beside the right eye their significance could not be determined and Dr. McAuliffe referred at trial to trivial injuries probably related to resuscitative measures.*

- (g) There are indications of other possible factors that could have caused stupor or unconsciousness, i.e. the presence of a hypnotic drug (Triazolam) and the possible application of some substance (probably fluid) to the face, especially the mouth and nose area. It is possible that death could have resulted directly from the toxic effects of one or both of these substances.*
- (h) The possibility of death resulting from asphyxia from smothering during the application of some fluid to the face also has to be considered.*

**While the results didn't indicate the exact method of death, nor was a finding of sexual assault made, the report was, later, supportive in the laying of a manslaughter charge against Paul Bernardo.**

**On 30 July 1993, Karla Homolka filed a petition for divorce, citing "physical and mental cruelty". Paul Bernardo, in jail, was served notice of the divorce petition on 3 August 1993. He did not respond. Mindful of the publication ban on her plea hearing, Homolka later withdrew her petition. On 14 January 1994, Karla Homolka re-filed, citing having lived continuously separate from her husband since 5 January 1993. "I have carefully considered the possibility of reconciliation and do not wish to reconcile," Homolka stated. On 25 February 1994, Mr. Justice Francis Kovacs approved the divorce application.**

**The Kovacs' ordered Homolka publication ban would become an embarrassment to all Canadians.**

**It was the British tabloid, *The London Sunday Mirror*, that, on 19 September 1993, first published details regarding Homolka's plea hearing. The tabloid, with 2.1 million readers, published Killer Ken and Barbie's Video of Horror, by Tim Miles in New York, U.S.A. Tom Myatts, a spokesperson for the Canadian distributor, *Gordon & Gotch Periodicals Inc.*, said the company acted on orders from Ontario's Ministry of the Attorney General, when they withdrew and shredded all copies of the edition carrying that story.**

**On 28 October 1993, a U.S. tabloid television show, *A Current***

*Affair*, ran a story on the case. The Ontario government called it banned. In Canada, *A Current Affair* viewers saw a different segment than their American counterparts. That is, all except those millions of Canadians with satellite dish receivers. Details of the story, which drew twenty-million viewers, quickly spread across Ontario. On 20 October 1993, *A Current Affair* ran a second show, also termed ban-breaking. The process was repeated. Those without the technology watched a replacement; those with the technology watched the U.S. episode and shared it with those without.

On 19 November 1993, Gordon Domm, a retired veteran *Ontario Provincial Police Constable* turned justice activist intended to mail out two-hundred copies of the U.K. *London Sunday Mirror* article. He had left his home and was on his way to a *Canada Post* mailbox to deliver the requested article when Guelph, Ontario police stepped in and arrested him. Mr. Domm was taken into custody long enough for police to seize his intended mailings; he was advised that local police would seek advice from the Ministry of the Attorney General, then police released Mr. Domm.

The largest breach of the ban, and one that would embarrass Canada on an international scale, occurred on 23 November 1993. Anne Swardson, after gathering leaked details of the Homolka hearing, wrote Unspeakable Crimes: This Story Can't Be Told in Canada. And So All Canada Is Talking About It for *The Washington Post*. The article was immediately ordered banned in Canada. It was too late though. Now all Canadians did want to know the truth. The article made its way into Canada via facsimile, regular mail and over computer bulletin boards. On 28 November 1993, *The Buffalo News*, *The Detroit Free Press*, *The Detroit News* and *The Boston Globe* reprinted the article. In Canada, the Ontario government ordered police to monitor border crossings of delivery trucks working for the *Buffalo Evening News*. The directive read: "*Buffalo Evening News* trucks will be searched and papers seized if the publication ban is breached."

Canadians flocked across the Canada-U.S. border to purchase copies of the newspapers. Upon return to Canada, vehicles were stopped by *Customs Canada*, persons with the banned foreign press report were turned over to the *NRP*. Police arrested the parties, seized the newspapers then released them without charges. As the day grew long, *NRP* officers allowed each person to carry, and keep, a single copy of the offending newspaper into, and in, Canada. A single copy, it was said, could not be construed as being for "distribution".

If the border arrests were an embarrassment, what next occurred was a mortal wound to Canadian pride. On 30 November 1993, Canadians tuning in to Buffalo's *WKBW* and other Buffalo television stations during news hour were astonished when a hum accompanied a message that glared from their television sets. according to the court ordered ban, the operators claimed, they were required to black out portions of U.S. news.

On Buffalo radio station *WGR*, to the background of Nazi marching music, radio hosts Tom Ragan and Karen Pingar compared Canada to the former Soviet Union. They read from the *Washington Post* article, sharing it with their oppressed Canadian brethren.

Buffalo disc jockey, Darren McKee took the streets. On the free side of the border -the U.S. side of the Peace Bridge- Mr. McKee used a voice amplifier and cried: "Hear ye, hear ye! Let freedom ring out for all our brothers and sisters to the North!" He commenced reading the *Washington Post* article to those on the Canadian side of the border.

In Canada, authorities warned newspaper distributors that there would be no tolerance for those caught selling copies of the foreign media accounts of the Homolka hearing. Then Premier of Ontario, Bob Rae, spoke of U.S. media having no respect for Canadian authorities. Ontario's Conservative Party leader, Mike Harris, now Premier of Ontario, resigned himself to the ban's failure.

"The fact of the matter is we're now perhaps acting irrationally to enforce this ban. It's starting to get pretty silly."

*Newsweek Magazine*, *USA Today*, *CNN's Larry King Live* (29 Nov/93) and news segments from *ABC's World News Tonight* and *NBC's Now* (1 Dec/93), were all banned in Canada.

On 1 December 1993, Gordon Domm, under the watchful eyes of the media, and police, successfully mailed out two hundred copies of the *Washington Post* article to replace the promised U.K. article previously seized.

Earlier that same day, Detroit radio station *WXYZ* ran a one hour, 8:00 a.m., programme violating ban -heard in Windsor and parts of southwestern, Ontario. Michael Packer, V.P., made the decision to have the *Washington Post* story read on air after he assessed the border arrests.

The Ministry of the Attorney General acted by way of the issue of a media

statement requesting compliance with the now infamous ban.

## NEWS RELEASE

**Ontario  
Ministry of  
the Attorney  
General**

### **IMPORTANCE OF RESPECT FOR PUBLICATION BAN STRESSED BY CROWN, POLICE AND VICTIMS' FAMILIES**

**DECEMBER 2, 1993**

**TORONTO** -- *In response to numerous media inquiries relating to the publication ban in the Homolka case, the Ministry of the Attorney General, the Green Ribbon Task Force and the families of Kirsten French and Leslie Mahaffy are asking the media and the public to continue their efforts to respect the court-ordered ban in the interest of protecting the right to a fair trial. The vast majority of persons in Canada, and the Canadian and American media have behaved in a responsible fashion in adhering to the ban. Although the ban does not apply on American soil, most segments of the American media have not transmitted or distributed publications that violate the ban in Canada. There has been controversy surrounding the ban itself and there is strong opposition to it in some quarters. Various organizations have appealed the granting of the ban to the Ontario Court of Appeal. That appeal has been expedited and is scheduled to be heard on January 31, 1994. At that time, the Court of Appeal may review the propriety of the ban and determine whether it continues. Respect for the rule of law is a strong tradition in this country that distinguishes us from many societies. When individuals disagree with a court order that affects them, they must obey it until a higher court sets it aside. The Ministry is continuing to apply its policy of reviewing all potential breaches of the publication ban and all potential contempts of court. It views any potential breach very seriously. In the interim, the Ministry of the Attorney General and the Green Ribbon Task Force, with the full support of the French and Mahaffy families, would ask everyone to respect the ban until the matter can be heard by the Ontario Court of Appeal. The Ministry expresses its appreciation to newspaper distributors, cable companies, computer news services, libraries and media outlets who have indicated that they will respect the ban and not publish any*

*material or provide access to any material which would violate the ban. The police, the prosecution and the two victim's families strongly urge individual members of the public who wish to defy the court's order to think very carefully of the seriousness of the matters before the court and not do anything that would impair the fairness of that trial. The Ministry has an obligation to enforce the court order, and it is making all efforts to do so. No further comment will be made on specific instances of potential breaches of the publication ban or contempts of court.*

**-END-**

The Ontario Court of Appeal, in fact, did nothing to expedite the media appeal of the Kovacs' ban other than set a date to hear arguments then delay the date for one month. On 31 January 1994, Crown Attorney Michal Fairburn, requested that the court quash the appeal rather than hear arguments. The court did hear arguments from media lawyers following the Crown application, on 1,2 and 3 February of 1994. The court reserved judgement on a decision.

Eleven months later, on 19 December 1994, the Ontario Appeal Court again heard arguments from media lawyers and from government officials, Crown Attorney's Michal Fairburn and S. Casey Hill. The Appeal Court ruled that they didn't have the jurisdiction when they first heard the media appeal. The appeal was quashed and leave was given for the media to apply for appeal to the Supreme Court of Canada.

On 4 May 1995, the Supreme Court of Canada refused to hear the media appeal.

On 12 December 1993, Ken Murray, still representing Paul Bernardo at the time, said Attorney General Marion Boyd and her staff were destroying Bernardo's right to a fair trial by allowing the issue of the ban to have exploded into an international affair. Most Canadians, he said, were still believing misleading and incorrect rumours regarding the Homolka case.

On 15 December 1993, Campbell Irwin, a partner in *The Victorian*, a small British Columbian newspaper, became the first Canadian media to violate the Kovacs' ban. He, without the knowledge of his partner, re-published the Washington Post article, distributing about seven thousand and five hundred copies in Victoria. Then British Columbian Premier, Colin Gabelmann, said the provincial Crown Attorney would assess the possibility of action against Irwin. The Premier insisted that B.C. residents must turn copies of the paper

over to the Victoria city police. No action was taken.

On 21 February 1993, Guelph Police Sergeant Alan Kozak attended the residence of Gordon Domm and served him with a notice to appear in court on charges of attempt to disobey a lawful order and disobey a lawful order in regard to his so-called violations of the Kovacs' publication ban.

Gordon Domm became the first and only Canadian arrested for violating the Kovacs' publication ban.

Gordon Domm, on 20 May 1994, became the first and only Canadian convicted of violating the publication ban. The Ontario Appeal Court, on 5 September 1996, heard his appeal. The court reserved judgement. On 6 December 1996, the Ontario Appeal Court ruled that, all arguments of the legality of the Kovacs' ban aside, Mr. Domm is guilty of violating an order from an Ontario judge.

Mr. Domm, on 4 February 1997 Mr. Domm filed application to appeal to Canada's highest court, the Supreme Court of Canada. The court accepted an application from Mr. Domm's lawyer, Frank Addario, arguing that in not allowing Mr. Domm to attack the legality of the original Homolka publication ban, his constitutional rights to fundamental justice had been violated by lower courts.

Writing for the Attorney General of Ontario, high-ranking Crown Attorney Graeme Cameron stated that the province did have the authority to create the Homolka publication ban, based on common-law, and urged the court to reject the appeal. The Crown's arguments were based on the premise that a common-law ruling by a non-elected provincial court judge, supercedes Canada's Constitution.

At 2 p.m. on 8 May 1997, Gordon Domm's four-year battle for freedom of speech ended. the Supreme Court of Canada refused to allow Mr. Domm's appeal. The court did not issue a reason for their decision.

On 26 July 1994, *A Current Affair* ran a third so-called ban breaking episode. The show, like its predecessors, was banned in Canada. This episode, however, featured Karla Homolka's Aunt Patricia and Uncle Calvin Seger. The same relatives to whom Karla Homolka had previously confessed her crimes to. Those relatives, that Karla called "fantastic," now told the

world that their niece was a cold-blooded killer who did not receive suitable punishment for her crimes.

A sympathetic American recorded the 26 July 1994, *A Current Affair* episode. It was transcribed and, through computer bulletin boards, and other means, widely distributed throughout southeastern Ontario.

High-tech ban violaters, using computer bulletin board systems, gathered most of the details of the Homolka plea hearing; many details were accurate while many others were unsubstantiated flat-out rumour. The information was compiled into a digest format and on 12 January 1995 released to anyone with computer access to the Internet. Printed copies were distributed, outside Paul Bernardo court appearances, for those without the same high-tech access.

## CHAPTER FORTY-EIGHT

On 20 September 1993, police interviewed Ashley Storm for the second time. All indications are that police, at this time, still believed the unidentified female in the videocassette tape discovered on 22 February 1993, in 57 Bayview Drive, was Kristen French. It wasn't long after this police visit, though, that Karla Homolka began to *remember* things she had neglected to disclose to police during her cautioned statements. *Things that her mind protected her from. Things that while she watched them happen and participated in them, her mind protected her from actually seeing them,* Homolka said.

Karla Homolka, from prison, wrote to her lawyer of her new-found memories.

**6 October 1993**

*Dear George,*

*I'm having a major problem. I've remembered something else that I have to tell Bob<sup>44</sup>. Paul raped Ashley Storm, a friend of mine. I don't remember much of it. I can picture it happening in our living room. She was drunk and had passed out. The next thing I remember is her falling off of the bed upstairs. I have been racking my brain for days now, trying to piece the whole thing together but I just can't. I can't even go to my doctors for help because they'll just report it. What I am really afraid of is that I was more involved than I remember. Bob and Mary Lee<sup>45</sup> showed me a still photograph taken from that videotape and I couldn't identify it. What if it was me with Ashley Storm? Why didn't I remember all of this when they first questioned me? I have to tell them but what if they nail me for this too? Can you do something to make sure they don't?*

*I can't talk to you on the phone at all because the conversations are recorded and listened to. They never read mail to and from lawyers -they can't- so this is the only safe way for me to talk to you. Please write back soon with some advice. And also remember that I want to tell them. I feel guilty and have to get it off of my*

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<sup>44</sup>Then Niagara Regional Police Services Detective Sergeant Robert Gillies.

<sup>45</sup>Detective Constable Mary Lee Metcalfe of the Metropolitan Toronto Police Department.

*conscience.*

*Thanks, George. I feel like I'm going crazy.*

*Karla*

Investigators received disclosure of Homolka's letter on 2 November 1993. Acting on this new information, police reexamined the segment of videocassette tape. On 6 December 1993, NRP officers were in prison to interview Homolka. When she attempted to bring up the subject of Ashley Storm, the investigators advised her that it was no longer a Niagara concern: Metro investigators would meet with her on another date.

On 2 February 1994, Metro investigators, Det. Sgt. Whitefield and Det. Constable Metcalfe, did interview Karla Homolka, who confirmed for them, that which she wrote in her 6 October 1993 letter. She said she further recalled that Bernardo told her to bring Ashley to 57 Bayview Drive, then drug her. Her memory wasn't really clear, she said, but she could recall that once Ashley passed out, Bernardo instructed her to lay with her back to him while he raped the unconscious teenager. She couldn't remember when this happened, but believed it was around the time of her wedding. Her memories were mired in a haze in her mind, but she recalled an aborted 911 call. Her mind had a way of protecting itself, by allowing her to view happenings but to not really see anything, but she recalled being mad at Paul for allowing Ashley, now curiously in the upstairs master-bedroom, to fall off their bed. And, she recalled her valiant effort in remaining awake, guarding Ashley's health through the night.

Karla Homolka didn't recall though, that it was she who made arrangements for the teenager to visit. She didn't recall that she drugged Ashley then anaesthetized her with the potentially lethal drug, *Halothane*. She didn't recall that Paul came home only once she'd rendered Ashley unconscious. She didn't recall that she, as a paedophile lesbian, sexually assaulted the unconscious teenager.

With new information in hand, on 12 February 1994, police interviewed Ashley Storm for a third time. At this time, police informed her of a videocassette tape on which she is seen being molested by Karla Homolka. She was further advised that, according to Karla Homolka, she'd been drugged and raped by Paul Bernardo.

Ashley, even upon being informed, had no recollection of the assault. (It was still thought there was only one assault at this time.) However,

already emotionally shattered by her relationship with Bernardo and Homolka, this new information affected her deteriorating mental state.

What Ashley recalls is that she had feelings of brotherly love towards Paul Bernardo and she had feelings of sisterly love for Karla Homolka. And she recalls these feelings turning to feelings of intimidation, manipulation and betrayal. She recalls feeling threatened and abused by Paul Bernardo. And, she recalls being hurt and manipulated by Karla Homolka.

What Ashley now lives with is chaos and enormous stress. Amnesia. Sleep disorders. Eating disorders -she lost 20 pounds when she finally escaped the evil kingdom in which Bernardo and Homolka ruled. She no longer trusts men nor does she trust women. She suffers mood swings, at times feeling hopelessly confused, sad and suicidal. She feels a sense of powerlessness. She feels her life was shattered by Paul Bernardo and Karla Homolka.

When the date of Paul Bernardo's preliminary<sup>46</sup> hearing was close, Crown Attorney's Ray Houlahan and Gregory Barnett spent five weeks, during February and March of 1994, preparing Homolka to testify. They grilled Homolka in nine separate areas.

- 1./ Items disclosed arising from interviews regarding the time period before she met Paul Bernardo.
- 2./ Items disclosed arising from interviews with Karla Teale<sup>47</sup> (Bernardo-Homolka) regarding the time period between her meeting with Paul Bernardo and the death of Tammy Homolka.

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<sup>46</sup>Under Canadian law, a preliminary hearing is held to determine whether Crown prosecutors have sufficient evidence to proceed to a full trial. In addition, the preliminary hearing is the initial chance in which defence attorney's test the Crown's key witnesses. If the witness gives testimony at a preliminary hearing, that witness must be truthful. If the witness gives contradictory testimony at a full trial, that witness may face criminal charges. In addition, if a judge rules that such contradictory evidence has impaired the ability of the jury to remain impartial, a mistrial may be declared.

<sup>47</sup>There are multiple reported reasons for Paul Bernardo's name change. Among them are that he wanted to disavow himself from his heritage: that he'd fought with his Mother; and that he wanted an Anglo Saxon name for business reasons. In any case, on 15 May 1992, Paul Bernardo and Karla Homolka applied for a legal name change. On 13 February 1993, days before his arrest, the Registrar General of Ontario approved the name change. Paul Bernardo became legally known as Paul Jason Teale. Karla (Homolka) Bernardo became know as Karla Teale. Since 1993, both have legally used their rightful birth names: Paul Kenneth Bernardo and Karla Leanne Homolka.

- 3./ Items disclosed arising from interviews with Karla Teale regarding the death of Tammy Homolka.
- 4./ Items disclosed arising from interviews with Karla Teale, regarding the period between the death of Tammy Homolka and the kidnapping and murder of Leslie Mahaffy.
- 5./ Items disclosed arising from interviews with Karla Teale, regarding Leslie Mahaffy.
- 6./ Items disclosed arising from interviews with Karla Teale, regarding the period between the disposal of Leslie Mahaffy's body parts and the kidnapping of Kristen French.
- 7./ Items disclosed arising from interviews with Karla Teale, regarding Kristen French.
- 8./ Items disclosed arising from interviews with Karla Teale, regarding the period after the murder of Kristen French and up until the time she left Paul Bernardo.
- 9./ Items disclosed arising from interviews with Karla Teale regarding the time period after she left Paul Bernardo.

When on 30 March 1994, Attorney General Marion Boyd invoked s.577(c) of the *Criminal Code of Canada*, a direct indictment, bypassing Paul Bernardo's preliminary hearing, it was called a *rarely used* section of the Code. As a result, Bernardo's 4 April 1994 preliminary hearing date was cancelled. The work of prosecutors, Mr. Houlahan and Mr. Barnett was not in vain though; they would adopt the form of questioning, used to grill Homolka, in a later prosecution of Bernardo in a double murder trial.

On 2 May 1994, Attorney General again invoked the *rare* s.577(c) - twice. This time she cancelled a preliminary hearing, sending Bernardo directly to trial in regard to the *Scarborough Rapist* charges. The third *rare direct indictment*, charging Bernardo with Sexual Assault, Sexual Assault Causing Bodily Harm, and Sexual Touching, involving two St. Catharines' teenagers and with manslaughter and aggravated sexual assault in the death of Tammy Lyn Homolka, was issued on this same date.

On 3 May 1994, the original assault with a weapon charge against Bernardo was stayed<sup>48</sup>. Crown prosecutors claimed the staying of the charge was so other trials Bernardo faced could proceed. Bernardo's defence decried the move that denied them a final chance to cross-examine Karla Homolka before Bernardo's double murder trial.

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<sup>48</sup>On 3 May 1995 the time limit during which stayed charges may be indicted expired. Paul Bernardo was never tried on the January 1993 allegation that he assaulted Karla Homolka.

On 4 May 1994, with "not guilty" pleas, the double murder trial of Paul Bernardo officially began. The initial stage of the trial, the hearing of legal motions, lasted until April of 1995. During that time, a change of venue was ordered, moving the trial from St. Catharines to Toronto.

Karla Homolka, in the days following her February 1994 interviews with Metro police, began having *dreams*. Dreams in which she was raping Kristen French, except it wasn't Kristen French, she said: It was really Ashley Storm.

Homolka said she went to her prison psychiatrist, Dr. Brown, and spoke of her dreams. Dr. Brown said dreams are not representative of reality. Homolka said she also spoke to Crown Attorney's Ray Houlahan and Gregory Barnett, during their preliminary hearing preparations, of her *dreams*.

On 30 May 1994, then Bernardo defence lawyers, Ken Murray and Carolyn McDonald began a series of prison interviews with Homolka. The opportunity was offered as an amendment to the first direct indictment which took away their right to cross-examination.

The defence lawyers may as well have saved their time.

The first interview, witnessed by Det. Sgt. Bob Gillies and Crown prosecutor Raymond Houlahan, was a disaster. The defence was still without full Crown disclosure and so had to speculate during questioning. The interview was intended to have been presided over by a court appointed mediator who would act as a judge of sorts. That didn't happen. Mr. Houlahan took every opportunity to act as personal counsel for Homolka, denying answers to almost every question the defence team asked. He continually cited solicitor-client privilege -and Homolka agreed. Eventually Homolka caught on and began invoking solicitor-client privilege on her own.

The defence team, having had already viewed the videocassette tape of Homolka sexually assaulting Ashley Storm, attempted to glean any information Homolka may have had regarding possible charges. They had to use caution in ensuring that nobody present would learn of their possession of the videocassette tapes. Homolka said she did not expect charges against herself in that matter. Throughout the interviews, the defence team learned precious little.

It was 6 October 1994, when police first reviewed *new evidence* captured

on videocassette tape. Lawyers John Rosen and Tony Bryant had replaced Ken Murray and Carolyn MacDonald as Bernardo's defence counsel. Investigators determined that Karla Homolka had indeed sexually assaulted Ashley Storm. She was also depicted in the paedophilic lesbian sexual assaults upon fourteen-year old Leslie Erin Mahaffy and fifteen-year old Kristen Dawn French. And she was also seen drugging and participating in a paedophilic, lesbian and incestuous sexual assault upon her baby sister, fifteen-year old Tammy Lyn Homolka.

It was Ashley Storm that the authorities had to worry about though: They had already plead away any possibility of Homolka paying the full tab for those *other* sexual assaults, near-deaths and deaths.

On 21 October 1994, Scarborough Crown Attorney Mary Hall met with Ashley Storm and her Mother. Ms. Hall disclosed the fact that police now had possession of videotapes that clearly depicted Karla Homolka drugging Ashley, and depicting her rape and sexual assault at the hands of Paul Bernardo and Karla Homolka.

Ashley read a transcript of the segment in which she was raped. The reading intensified her emotional chaos. She neither wanted to view the tapes nor hear the audio portions of the videocassette tapes.

Crown Attorney Mary Hall was, by 4 November 1994, reportedly, disgusted with the lack of progress in regard to the murder charges Bernardo faced. She felt the Crown was ready to proceed in prosecuting Bernardo on the *Scarborough Rapist* charges, the *Henley Island* rape and the rape of Ashley Storm -one of sexual assault, and another in coercing the teenager into performing oral sex on him. Ms. Hall requested that *Ontario Legal Aid* provide funding for Bernardo's defence so that they could proceed to trial regarding the rape and sexual assault charges.

That didn't happen.

On 17 November 1994, Mr. Justice Patrick LeSage scheduled 1 May 1995 as the day jury selection in the Bernardo double murder trial would commence.

On 2 December 1994, Insp. Bevan asked Crown, Ray Houlahan, if the government intended to prosecute Karla Homolka for the drugging and sexual assault of Ashley Storm. The sexual assault, after all, was not disclosed to investigators during Homolka's induced and cautioned

statements. On 9 January 1995, Crown, Ray Houlahan, Crown Criminal Law Director, Murray Segal and acting Inspector Anthony Warr of the Metro SAS met to discuss the issue of whether charges of sexual assault should be filed against Homolka in regard to the assault on Ashley Storm. No decision was made. Further investigation by Insp. Bevan was agreed upon.

On 6 February 1995, Scarborough Crown Attorney Mary Hall resigned from the *Scarborough Rapist* case. Ms. Hall was replaced by Crown, Leslie Baldwin.

On 8 February 1995, Mr. Segal advised Mr. Walker that his client might face new charges in the sexual assault of Ashley Storm.

On 20 February 1995, at the *Kingston Prison for Women*, investigators once again interviewed Homolka regarding the sexual assault upon Ashley Storm. This time, police confronted Homolka while armed with videocassette tapes that clearly depicted her committing the crimes. Homolka had nothing new to add.

*It was the opinion of Crown prosecutors, Raymond Houlahan and Gregory Barnett, that charges of sexual assault against Homolka would damage her credibility as a witness at Bernardo's trial. Authorities blamed The Sweetheart Deal on lawyer, Ken Murray, for not coming forth, earlier, with the videocassette tapes. They said that Karla Homolka, had they had the videocassette tapes, would have sat beside Bernardo facing the same charges as did he. However, when presented with the opportunity to actually do both, -a second chance- they proved themselves hypocrites: Their new concern was the possibility of damage to Karla Homolka's credibility.*

The family of Ashley Storm hired legal counsel and on 25 February of 1995, Freya Kristjanson and Dennis O'Conner were given legal standing at the Bernardo trial, regarding the issue of who would be allowed to view the evidentiary videocassette tapes. Ashley didn't want the public to see her as depicted on those tapes.

Bernardo's lawyers, between 20 and 23 March 1995, consulted with Ashley's lawyers. They attempted to ascertain if Ashley Storm planned on laying a private information with police, and pursue charging Karla Homolka with sexual assault on her own. Ashley, though, was in a deteriorating mental state and wanted only her own privacy.

On 30 March 1995, another meeting between senior investigators and Crown representatives was held to discuss the Karla Homolka, Ashley Storm problem. On 3 April 1993, Bernardo's defence counsel asked Insp. Bevan when they could expect to see charges laid against Homolka for sexual assault. On 14 April 1995, Insp. Bevan wrote to Niagara Regional Crown Director, James Treleaven, seeking his advice on the laying of sexual assault charges against Homolka.

On 21 April 1995, the first of two high level meetings was held. In attendance was Assistant Deputy Attorney General, Criminal Division, Michael Code, Niagara Regional Crown Director, James Treleaven, Regional Director of Crown Attorneys for Central West Ontario, Leo McGuigan, Crown Criminal Law Director, Murray Segal, *NRPIGRTF* Leader, Inspector Vince Bevan and acting Inspector Anthony Warr of the Metro SAS. Their decision was to defer a decision until Ashley Storm and her family were consulted and further investigations were conducted.

Although posturing and acting busily concerned, there was never any real question as to sexual assault charges against Karla Homolka. In his Report to the Attorney General of Ontario on certain matter relating to Karla Homolka, The Honourable Patrick T. Galligan, on page 165, reveals the truth -in his own words.

*"I asked George Walker and Karla Homolka what position they would have taken had a charge been laid. They said that under no circumstances would Karla Homolka have pleaded guilty, nor would she have entered into any further resolution discussions with the Crown. It is the opinion of Karla Homolka, and the advice of her counsel, that any offence arising out of her participation in crimes with Paul Bernardo was covered by both the letter and spirit of the original resolution agreement. If she were charged, not only would the Crown be acting in violation of that agreement but, in her view, the Crown would have been treating her unfairly and would not be entitled to her further co-operation."*

On 18 May 1995, the day the double murder trial of Paul Kenneth Bernardo began, another high level meeting was held.

Michael Code, James Treleaven, Leo McGuigan and Regional Director of Crown Attorneys for Metropolitan Toronto, Jerome Wiley, met with

George Walker. Mr. Walker disclosed the position of himself and of his client. The group assembled, known as the *Management Committee*, decided that Karla Homolka would face no further charges.

On 26 May 1995, James Treleaven, wrote to Insp. Bevan and acting Inspector Anthony Warr, advising them of the *Management Committees'* decision.

*Ministry of the Attorney General*

*Regional Director of Crown Attorneys*

*Central South Region  
May 26, 1995*

*Private & Confidential*

*Inspector Vince Bevan and  
acting Inspector Tony Warr  
Green Ribbon Task Force*

*Dear Sirs:*

*Re: Karla Homolka*

*You have sought legal advice from Michael Code, Leo McGuigan, Jerome Wiley and myself as to whether a charge, or charges, should be laid against Karla Homolka as a result of an aggravated sexual assault on a young female by Paul Bernardo and Karla Homolka. The assault is portrayed on videotape.*

*I think it would be helpful to set out the chronology. The police came into possession of video tapes in October of 1994 and entered into an extensive investigation with regard to a number of aspects, including this incident and the need to attempt to fix the date of its occurrence. A cautioned statement regarding this matter was taken from Homolka in February of 1995. This statement was transcribed and the investigation was concluded in April of 1995. On April 21st we met with you and requested further investigation in the form of psychiatric reports. On May 18th we met with George Walker, counsel to Homolka.*

*As we understood your position when you met with us, you believe you do not have reasonable and probable grounds to lay a charge of perjury against Homolka, because you accept the medical*

*advice that she genuinely has suffered post-traumatic amnesia. We are all of the opinion that there is a proper basis in law for this conclusion. On the other hand, you do have reasonable and probable grounds to believe that Homolka, and of course, Bernardo, committed an aggravated sexual assault because of what is disclosed on the tape. We also agree that there is proper basis in law for this conclusion.*

*We were assisted in arriving at our conclusions by our discussions with you and background information from Murray Segal and George Walker. We have reviewed the tape and the transcript and considered the psychiatric reports from Drs. Brown, Hucker and Jaffe. We have reviewed the videotaped interrogation of Homolka regarding this incident. We have also discussed the relevant considerations with, and have received input from, counsel to the victim and her family.*

*The issue then becomes, in all circumstances, whether a charge should in fact be laid.*

*This is an extremely serious offence, involving as it did the planned drugging and sexual violation and degradation of an innocent young girl who had placed her trust in Paul Bernardo and Karla Homolka. They violated that trust in the most grievous fashion. The video taping of the whole sordid incident significantly aggravated the circumstances.*

*We observed that this crime has significant similarities to those committed against Tammy Homolka. The attack took place at a point in time shortly after Tammy died in like circumstances. Indeed the victim appeared to stop breathing at some point and a 911 call was made, only to be cancelled when she revived. It also appears that the assault on the victim may well have been repeated on a second occasion.*

*We must be concerned for the victim and her family. The revelation of this crime long after it took place, and its shocking details, and the potential public knowledge of her identity through the Bernardo trial has, and will undoubtedly continue to have, a significant and devastating impact on the family, and particularly the victim.*

*Public perception is important. While we cannot avoid making difficult decisions simply because they would be unpopular, the public is entitled, once the facts are known, to assess whether justice was indeed done. Because of the way in which these events unfolded there has been no public acknowledgment by Karla Homolka of her role in this offence, although it will undoubtedly be admitted by her in her testimony. We expect that the information on the video tape will be an appropriate consideration for the Parole Board, at such time as it is called upon to exercise its discretion on releasing Homolka, and you*

should ensure that the Board will have before it full knowledge of Homolka's conduct in relation to this further offence.

We have concluded that there is an air of reality in Karla Homolka's claim that, during the period of time from attending at George Walker's office in February 1993 and leading to her guilty plea, she did not recall the incident involving the victim. This opinion is supported by the statements of psychiatrists that Homolka suffered from post-traumatic stress disorder and their advice that this memory loss is consistent with that diagnosis. We note as well that it is accepted by our medical experts that individuals in such circumstances generally recall incidents incrementally. Shortly after Homolka's incarceration, Dr. Brown, based on appropriate professional concerns, discouraged her from attempting to recall other dream-like incidents in order to treat her. We note that the first mention of the victim, and the first knowledge of these particular incidents, was contained in a letter that Homolka wrote to George Walker, dated October 6th, 1993. This was at a time when the police, prosecution and indeed the victim herself had no knowledge of this matter. Mr. Walker turned over a copy of this letter to the police almost immediately.

Particularly compelling was the fact that Homolka had maintained from the outset that Bernardo had video taped his sexual assaults. She assisted the police in attempting to locate the tapes and insisted that he would not have destroyed them. If she recalled the attack that is video taped, she must have known that once the tapes were found the attack itself and her involvement therein would come to the attention of the police<sup>49</sup>. Her disclosure to George Walker of a beginning of a recollection of the incident was made at a time when the police no longer had any expectation of locating the tapes. We observe that Karla Homolka appears to have revealed, in graphic detail, her involvement in significant and disturbing crimes, save in respect of this victim, as is now confirmed by the video tapes.

This was an extremely grievous crime. However, the circumstances surrounding the death of Tammy Homolka were, because death resulted, even more serious. Homolka gave explicit details of the attack on Tammy<sup>50</sup>. Her credibility with regard to that incident is

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<sup>49</sup>Karla Homolka, maintained throughout the double murder trial of Paul Bernardo, that she always believed that police were in possession of the videocassette tapes.

<sup>50</sup>It should be noted that Karla Homolka had no choice, once she began bartering with authorities, but to disclose her complicity in the death of Tammy Lyn Homolka. Videocassette tapes aside, had Homolka held back on disclosure, Paul Bernardo's defence team would, without doubt, have used that information of manslaughter against her during cross-examination.

supported by what appears on video tape.

We do not ascribe to the theory that Homolka withheld information because this victim was alive. We base this on your thorough investigation and the medical evidence. Aside from the fact of the disclosure at a time when there appeared to be no likelihood of the tapes being found, her admission of her involvement in her sister's sexual abuse and death, and her proposed plea and incarceration, required her to deal with her own parents and other family members.

A further consideration is the impact that earlier admission would have had on a guilty plea and sentence. While it cannot be said with certainty that the sentence imposed would necessarily have been greater, any additional punishment would not have added significantly to the sentence of twelve years imposed by the court. It should be noted as well that Justice Kovacs was advised on the plea that Homolka had procured young female friends for Bernardo's sexual gratification, based on her memory recall at that point in time. However, it is appreciated that the video and subsequent investigation disclosed a significantly more serious set of facts than was placed before the sentencing court in relation to this victim. We also point out that much more is now known about the persistent physical and psychological harm that Homolka suffered at Bernardo's hands which, aside from the impact it might have had on her ability to recollect, undoubtedly mitigates and explains to some extent her role in all this. As shocking as the crime was, Homolka's role is at least partially explained by the trap into which she felt she had fallen as a result of Bernardo's allegedly holding over her, her role in Tammy's death.

We found particularly troublesome the segment of a tape in which Homolka smiles at the camera while apparently administering Halothane to the unconscious victim, while the victim was being sexually violated by Bernardo. Although there were misgivings, Homolka's explanation that she was forced to perform in this fashion by threats of violence from Bernardo is borne out by the evidence, including medical opinion, recently obtained by you. We note that Kristen French was at one point forced by Bernardo to smile for the camera.

The potential impact on the Bernardo trial is also a consideration. A charge laid at this point in time, aside from the tactical considerations of how and when to deal with the prosecutions of Homolka, may deflect the attention of the jury and others from the trial itself. There is a risk of a mistrial. A charge at this juncture may, as well, create an impression that we are responding to public pressure and were in fact conceding that Homolka's initial sentence was inadequate. In any event, the charge would add significantly to the pressures already being brought to bear on Homolka in her role as

a witness. It is worthwhile remembering that she has given a consistent version of events from the outset and has cooperated fully with the requests of the police and the prosecution. She voluntarily provided key information to the identification of the murderer of Kristen French and Leslie Mahaffy at a point in time critical to the police investigation. There appears little doubt that she would regard herself as being unfairly dealt with if charged. Certainly her counsel George Walker indicates this view.

A charge would undoubtedly have some impact on her effectiveness as a witness. The courts have repeatedly indicated that an accomplice should have all charges against him/her disposed of before testifying and accordingly we must consider the effect of the timing of a charge now on Bernardo's trial, as we do not have the luxury of being able to wait until after his trial is over.

Aside from the questionable timing of the charge when the prosecution is underway and Homolka is expected to testify in the near future, the role of Bernardo and his former counsel Ken Murray cannot be disregarded. Bernardo disclosed the location of the tapes to Murray and Murray came into possession of them at a time when the police search had been completed but negotiations regarding a plea had not yet been completed with Homolka and her counsel. Had Murray turned the tapes over to the police, as he as a lawyer was obliged to do, then the issue surrounding this assault, and Homolka's role and recollection regarding it, would not confront us now. At least it would have been dealt with at the time of Homolka's guilty plea. There is substantial likelihood that discussions with Homolka's counsel would have ceased and that there would have been a joint prosecution on murder and other charges. Clearly Bernardo and his current counsel cannot complain about any alleged benefit to Homolka which accrues to her, at least in part, from the alleged improper actions of his former lawyer. We are satisfied that the police acted with reasonable dispatch to carry out the investigation that was required once the tapes were disclosed. We also observe that Karla Homolka attempted, to the best of her ability, to assist the authorities at an early point in time, particularly when her assistance was most crucial.

It has long been recognized in Canadian and British law that there is a 'public interest' discretion not to charge, even where there exists grounds for doing so. The Honourable G. Arthur Martin referred to this in the Report of the Attorney General's Advisory Committee on Charge Screening, Disclosure, and Resolution Discussions, in quoting former English Attorney General Sir Hartley Shawcross' famous pronouncement that 'it has never been the rule in this country -I hope it never will be- that suspected criminal offences must automatically

*be subject to prosecution. The public interest is still the dominant consideration.' After considering all the factors which we believe relevant, we are unanimously agreed, and it is our advice, that although there are reasonable and probable grounds to believe that Homolka committed the offence of aggravated assault, a charge would not be in the public interest. We are convinced that, on balance, the arguments against laying the charges outweigh those in favour.*

*We recognize of course, the distinct roles of prosecutor and police officer. Ultimately it is your decision whether to lay a charge<sup>51</sup>. We trust that our advice will assist you in that regard.*

*This had been a most difficult decision for us, and undoubtedly for you. Should you wish further discussion, should other arguments occur to you, or should there be a material change in circumstances that may call for re-consideration, we would welcome the opportunity to meet with you.*

*Yours very truly,*

*James A. Treleaven*

*Regional Director*

**On 15 June 1995, Mr. Treleaven wrote to George Walker advising him that his client, Karla Homolka, would not face further charges in the aggravated sexual assault of Ashley Storm.**

**On 19 June 1995, Karla Homolka took the stand to testify against her former husband, Paul Bernardo. She testified until 14 July 1995.**

**On 1 September 1995, after nine hours of deliberations, a jury found Paul Kenneth Bernardo guilty of two counts each of kidnapping, forceable confinement, aggravated sexual assault and first degree murder. He was found guilty of a single charge of offering an indignity to a dead human body. The convictions of first degree murder drew an immediate automatic life sentence.**

**During the fifty-two days of evidence, the jury heard from eighty-seven witnesses and watched the videotaped rapes and sexual assaults of, among**

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<sup>51</sup>In a taped interview first aired on CBS's Fifth Estate on 15 April 1997, now Staff Inspector Vince Bevan admitted that he did not support the Management Committee's decision. In private, Staff Insp. Bevan alluded, he had been made aware that should he have decided to have laid criminal charges against Karla Homolka, the Crown would have refused to cooperate in a prosecution.

other victims, both murder victims.

## **CHAPTER FORTY-NINE**

Husband and wife serial sex-killers are the rarest of all killers. Including Paul Bernardo and Karla Homolka, there are only five such documented cases in criminal history.

The first was Ian Brady and Myra Hindley in England. They used a low-tech version of the Bernardo videotapes when they audio-taped the agonized screams of at least one of their victims. In 1966, Ian Brady was convicted of three murders. Myra Hindley was convicted of two murders. Both were sentenced to life in jail.

The second such couple were Frederick and Rosemary West of England. Their victims included Rosemary's sixteen-year old daughter, Heather. On 1 January 1995, Frederick West was found hanging, dead, in his prison cell. Rosemary West, though she tried to blame her late husband, was without leverage to plea bargain and, on 22 November 1995, was convicted of ten murders. She was sentenced to life in prison.

The third couple, from the United States of America, were Gerald Gallego and Charlene Williams. They claimed ten lives. Williams dealt for sixteen years and eight months in prison, without the possibility of parole, in exchange for her confession to all ten murders and her testimony against Gallego. Her testimony would, literally, be mirrored by Karla Homolka's own testimony at Bernardo's trial. On 22 June 1983, Gallego was convicted of first degree murder and sentenced to death by lethal gas. Gallego, before that sentence was carried out, was extradited to stand trial for murder in a Nevada court. On 7 June 1984, another jury found Gallego guilty of another murder. He was sentenced to life in prison, but also, death by lethal injection.

The fourth couple, David and Catherine Birnie, hailed from Australia. They claimed three lives. Upon arrest, both made full confessions. They were tried on 3 March 1987. They both pleaded guilty to all charges and, within one half of an hour, both were sentenced to life in prison.

In all cases of husband and wife serial sex-killing teams, glaring similarities exist. With the exception of the Birnie case, all wives in these unholy unions, have blamed their husbands for their own involvement. In all cases,

the young teenage victims speak of paedophilic crimes. In the West case, the Gallego and Williams case and the Bernardo and Homolka case, all involved incestuous rape and sexual assaults. In the Brady and Hindley case, photographs and audio tapes of at least one victim were made; they were used in evidence at their trial. Perhaps a pre-high technology version of the Bernardo and Homolka videotaped assaults.

None of these cases mirror each other so closely than is the case with Gerald Gallego and Charlene Williams and Paul Bernardo and Karla Homolka. Aside from the plea bargains, paedophilia and incest, these wives both procured young females as sex-slaves. Williams and Homolka both committed multiple lesbian sexual assaults. They both have genius level IQ's; they both claimed long-standing psychological and physical abuse from their husbands -of whom they remained in love with; Williams played the part of her husband's daughter during sex while Homolka played the part of her baby sister. Due to intense international media attention, both cases were hidden behind media publication bans. During both trials, scores of love letters were introduced as a large part of evidence.

*The two cases are so intimate to each other that Eric van Hoffmann's book on the Gallego and Williams case, A Venom in the Blood, may well have been a scripted blueprint for the confession and testimony of Karla Homolka against Paul Bernardo.*

## CHAPTER FIFTY

On Friday 3 November 1995, Paul Bernardo appeared in a Toronto court facing, among other matters, a Crown prosecutor application to have him declared a dangerous offender. In Canada, dangerous offender status means an indeterminate sentence. The Crown's application was based on sixty-four criminal allegations, including crimes for which he was previously convicted.

In relation to the *Scarborough Rapist* case, he faced ten counts of sexual assault while using a weapon; two counts of choking with intent to render incapable of resistance to sexual assault; three counts of buggery; five counts of sexual assault causing bodily harm; two counts of unlawful confinement; six counts of anal intercourse; eight counts of robbery and two counts of aggravated sexual assault.

Bernardo agreed to concede his guilt in all alleged charges and accept the label of a dangerous offender. In return, all outstanding charges, contained in three indictments against him, including the *Scarborough Rapist* offenses and offenses pertaining to his role in the death of Tammy Lyn Homolka, were stayed.

At 9:51 a.m., Jean, the court officer, warned spectators, no noise, no chewing of gum. Other than that, he said, in a curious comment: "Enjoy yourselves." Considering the grave proceedings, perhaps Jean had forgot himself, or perhaps he was weary and plain happy to see the final chapter of a whole Summer spent in Bernardo's company.

Bernardo was led into courtroom at 9:45 a.m. He wore his usual olive green suit. Rows of Bernardo's victim's and their families lined up behind Bernardo; at least one, four rows behind his personal prisoner box, cried upon his entrance. Thirty-five seconds later, Mr. Justice Patrick LeSage, the man who had presided over the Bernardo proceedings for the past two years, entered his court. Raw emotion saturated the air inside the courtroom.

Over the next ninety minutes to two hours, -an eternity for those present- media and spectators listened to, and watched, the victim impact statements of the survivors of Bernardo's murder victims.

**Donna French, Mother of slain teenager Kristen Dawn French was the first to take the stand. It was gut wrenching testimony, on behalf of herself, her husband Dan, Kristen's brothers, Darren, Brian, Dwayne and Brad, her sister, Pam, sister-in-law, Rita and brother-in-law, Bill.**

*"The first thing which must be realized is that there are no words, no concepts, and no comparisons that can adequately describe the effect this had had upon Doug and me and our family. Each idea, multiplied by a thousand-fold, would still come painfully short.*

*The second fact is that there isn't, and never will be, any outcome that will compensate for the loss we feel -for the loss of an innocent human life is the greatest heresy of all.*

*The loss of Kristen has had a tremendous impact on so very many people. Not only has her loss had a damaging effect on her family and relatives, but on her boyfriend, her best friend, all her many close friends, as well as her school-mates and team-mates. Her death has had a devastating effect, not only on our community and the Niagara Region, but it has effected people across Canada: In fact, world-wide -as thousands of letters we have received will confirm. Letters, including the elderly, who are totally despaired at this tragedy, and young children, who are filled with fear since this nightmare.*

*Only a parent who has lost a child through an act of violence could possibly understand the pain. It's as though the hand of evil has reached in and ripped away a part of your heart and you're left with this huge gapping hole that throbs, and aches, and refuses to heal.*

*The morning of April 30, 1992, the two detectives on Kristen's case came to our house to inform us a young girl's body had been found in Burlington: No identification was available at that time. They stayed with us awaiting news. Those hours of waiting were the most terrible hours of our lives. They were hours filled with dread that this might be Kristen: hours of prayers, hours of fear. We were informed, later that afternoon, that the girl they found was Kristen. I remember shaking my head and saying 'No! I didn't want to believe that my beautiful daughter could be dead; not Kristen! I looked over at Doug and I saw an old man -he had aged in moments.*

*Doug has lost his baby girl. Kristen kept Doug young, she made him laugh, she gave him purpose, she made him proud. She had a way of tugging at his heart strings that made him smile. Knowing he will never see Kristen accomplish her objectives and reach her goals, knowing he will never be able to walk her down the aisle on her wedding day, is a heartbreak in itself -but to never feel her arms around his neck and hear her say 'I love you Dad,' leaves a void that can never be filled.*

*For me, her Mother, I have tried to keep as busy as possible and as long as I'm occupied, the pain gets pushed towards the back of my mind, but the very moment my mind is not occupied, the pain rushes back. It's*

*overwhelming, it's all encompassing. It blots out every other emotion. All I feel is pain and emptiness.*

*When it rains, I think of the day Kristen was abducted. It rained for days on end, and I remember thinking the angels were crying.*

*When it's warm, I think of Kristen, a laughing child with long brown hair tied back into pig tails, dancing through the water sprinkler. I remember a beautiful teenager as agile as a dolphin, as graceful as a nymph, playing in our pool -totally unaware what a beautiful picture she made.*

*Everywhere I go, everything I do, everything I see, reminds me of Kristen. It hurts so much when I see other teenagers laughing together, or a boy and a girl walking hand-in-hand, or when I see a young girl with long dark hair. All I can think of is, 'that should be Kristen!', and pain rips through me as I realize it will NEVER be Kristen!*

*Kristen loved her dog, Sasha -they were inseparable. Her nickname for the dog was 'Blue Eyes'. Every morning, as we would leave for school, Kristen would give the dog a treat and say 'Bye pretty Blue Eyes'. Now, every time I leave for work, I can almost hear her saying, 'Bye Pretty Blue Eyes' and my eyes fill with tears as I realize I will never again hear her voice.*

*It has now been three years since our daughter's murder. Not a day goes by that we don't have thoughts of Kristen. Kristen a baby: Kristen a little girl; Kristen, the hope filled teenager, on the verge of blossoming into a young lady. Sweet gentle, happy Kristen -the sweetheart of our family. We mourn the graduation we'll never attend, the marriage we'll never plan, the grandchild we will never hold. There are times that the very thought of life without Kristen seems more than we can bear: it takes every ounce of strength to carry on.*

*When Kristen was a preschooler, she had trouble saying any word that began with 'th'. She was quick to learn that daddy would sometimes come back with a quick 'no' when she asked for something. So, she got into the habit of, when asking for something, she would follow with a quick, 'just sink about it daddy, just sink about it.' 'Just think about it' is a common saying, and whenever I hear it, the picture that flashes through my mind is our sweet little girl dashing into the house, brown pony tails flying, chocolate brown eyes filled with anticipation as she would breathlessly ask for something -quickly followed with a, 'just sink about it daddy, just sink about it.' And once again that vise squeezes my heart and tears stream down my face.*

*Paul Bernardo took Kristen away from us physically. He took her youth, her innocence, and finally, her life. Thankfully, we know he could not take her spirit, her courage, or her soul: In that he failed -as he will fail to take ours. Still, for a grieving family, he took too much.*

*Everyday I have to force myself to wake up in the morning because even though sleep is filled with nightmares that terrify me and fill me with anguish and despair, it is still better than facing another day of reality -the*

*reality that my beautiful Kristen is gone forever. Reality is stark!*

*The pain is there every moment; it's constant, it's enveloping, it's all consuming -it's so intense it feels like physical pain. Kristen wasn't just my daughter, she was my baby: She was my best friend. The most overwhelming fact is that my daughter is NEVER coming back; I'll NEVER be able to hold her, NEVER be able to kiss her, NEVER be able to see her beautiful face again. Not in five years, not in twenty-five years: We have been handed a life sentence.*

*One of the most major impacts this has had on our entire family is the feeling of 'incompleteness'. Our family has always been a very close and loving family and the joy and solidarity we feel when we are all together is an important factor in our lives. The loss of Kristen has left a hole, not only in our hearts, but in our lives. Our family tree is missing one of its limbs.*

*When the verdict for Paul Bernardo came in as 'Guilty of First Degree Murder,' which was followed by an automatic life sentence, it brought a closure to a part of this nightmare -it brought relief.*

*When someone is so evil that evil has consumed his very soul, that individual is no longer human and as such there simply is no significant penalty that can ensue -for the value of Paul Bernardo's life is a total of nothing."*

**When Donna French left the stand, eleven-year old Ryan Mahaffy, younger brother of slain teenager Leslie Erin Mahaffy took her place. All legal parties agreed to waive the taking of an oath. The spunky blond haired child settled his innocent blue eyes on Paul Bernardo, stared into the eyes of the murderer, and pronounced his own judgement**

*"I was born January 6, 1984 when my sister, Leslie, was seven and a half years old. Today, November 3, 1995, I am eleven years old.*

*When my Mom and Dad told me Leslie had died and was never coming home again -that she was in a much more beautiful place- I do not remember them telling me that she had been murdered, and her body was found in Lake Gibson.*

*I guess I hoped she was still alive and living somewhere on this Earth. I hoped she would come home soon.*

*Sometime later, my Mom and Dad told me that I had inherited everything that Leslie owned, if I wished it and when I was ready for it. I now have Leslie's bedroom, her furniture, her keyboard, her ghetto-blasters, her gymnastics medals, her gold chain and her perfume. But, I'd rather just have her back.*

*I miss Leslie the most first thing every morning, and at Christmas when we are travelling on vacation and when she was sun-tanning -at home or at the*

beach. When she was laying down on her stomach, I'd take her bathing suit top or spray her with a hose or spritz bottle. She'd yell at me, but I just laughed. It was fun.

In the mornings, it was fun to mess up her sink with toothpaste and put soap or shaving cream on her mirror. She'd always do it back to me and we'd both be laughing until we both had to clean our sinks and our half of the mirror. Sometimes she'd even clean the top of my mirror that I couldn't reach.

At Christmas, Leslie always came downstairs early with me to see what Santa had brought. She would read Santa's letter to me; usually there was a special surprise in it for us. I always threatened that I'd bought her underwear from By-Way and she threatened that she'd bought me a set of encyclopaedias: We never got the chance to actually do it because of you! Christmas has been a very sad time without Leslie. It used to be a great time at home together. Now we go away for Christmas -trying to find some Christmas spirit again, I guess.

Travelling without my companion (as I called her after she was dead) is very boring. We used to have fun listening to songs, reciting movies from memory ... or pretending to argue to raz Mom and Dad.

When you!, Paul Bernardo, murdered by sister when I was seven, you have changed my life in so many ways that are too personal to talk about. There are feelings too far over the line to say out loud, even to my psychiatrist.

I am now an only child and sometimes that's very lonely.

I have had terrible nightmares and horrible thoughts, about Leslie, that scare me. I want these thoughts to stop. Because of what you! did, I have to go to counselling and it seems to me, by far, that you are the one that needed counselling. Now it's too late.

My life will never be the same without Leslie. Leslie and I loved the ocean and beaches. I am continuing her collection of sand from every beach in the world. One of the things Leslie wanted to be was a marine biologist, and now, so do I, because I love dolphins as much as she did and I am especially interested in Orca whales. It is sad they are called 'Killer Whales,' because their behaviour is not at all like yours -as a killer!

You purposely hurt and then killed Leslie and cut her and put her in cement blocks. That is disgusting!

I don't like going to the cemetery with Mom or Dad because I have the feeling that not only Leslie is there, but there are so many other people there. Maybe someone else is there who died because of a freak like you!

I wanted a Dove on Leslie's gravestone and so Mom and Dad had one put on. It is rising in flight to heaven. I always make sure that there is a white Dove in Leslie's Christmas Wreath -some Christmas present! Birds are free -not like the way you trapped Leslie- and white Doves mean Peace. Leslie has a place in heaven, but Mom and Dad and I need peace from missing Leslie, and

*peace from thinking about you and what you did to Leslie.*

*I invited nine friends to come to the cemetery to see Leslie's gravestone, It was a small Memorial Service with only MY friends. We played two of Leslie and my favourite songs, and we all sang and then my Mom read a poem and said a prayer. This is not a normal thing for nine-year old's to do. But that's your FAULT!*

*There are many things that make me think of Leslie and make me feel sad or scared. Just some of these things are:*

- 1) Going to the basement of our house alone at night.*
- 2) Putting my bike away in the garage at the side of our house.*
- 3) Reaching into a dark room to turn on a light switch.*
- 4) Looking into a dark room when I'm trying to get to sleep.*
- 5) When I asked Mom to show me Dad's power saw and blade. Even though Mom explained that the blades are always separate from the saw so that no-one can break into our house and murder us and cut us also. I still worry, sometimes, about that.*
- 6) Presenting or watching my Mom or Dad present the curling or gymnastics trophy in Leslie's Memory.*

*I think we should present trophies to people because they are special and should never be forgotten before they die or are killed.*

*Some people call you a monster and evil. I agree! I think Darwin would be wondering how and what you ever evolved from on the evolutionary scale!*

*Leslie taught me so many things and would have taught me a lot more if you had let her come home to us. She taught me how to electrify myself by putting my tongue on a battery and she also taught me some great dance moves.*

*Leslie protected me on the rides at Canada's Wonderland, Marineland or wherever we went. She protected me when we were allowed to go to Mac's to get junk food. And when bullies on the court teased me, she sent them home in a hurry. I wish someone could have protected her from you."*

**It was at this time that Ryan -along with most everyone in the courtroom- broke down; sobs wracked his small body and tears filled his eyes. Mr. Justice LeSage asked Ryan if he needed a break. Ryan shook his head no. Justice LeSage asked the youngster if he'd like his Mother by his side. Debbie Mahaffy stood by her son and held his hand as he continued in a hurried, trembling, voice. Ryan was determined that the court, and Paul Bernardo, would hear him finish telling of the impact of his sister's death.**

*"Before you took Leslie and murdered her, my Mom and Dad had a great*

sense of humour. Now they have lost it. You are the cause of ALL the anger in our house.

*Going to the beach without seeing Leslie lounging in a chair or lying in the sun is sometimes just too sad to go at all. She would help me build sand castles, she had some good ideas, but the waves would come and demolish it ... Just like you demolished her. Except I can always build another sand castle, but there is no way Leslie can be here with me again.*

*My Mom used to remind Leslie, when she would lose her temper with me because I was bugging her or her friends, that she better consider that one day I would be bigger than she was, and look out! Because you killed her, you stopped all the crazy and fun things we would have probably done to each other."*

**Ryan was persevering on sheer determination by this point. In a hurry to finish and unburden himself while staring down the monster that had taken his sister's life, he deviated from his prepared statement. His tiny face was soaked with tears, but then that was the case with almost everyone in the courtroom. Ryan composed himself, needing only another moment or two in which he would immortalize his sister. He again stared into the eyes of the monster.**

**The eyes of Mr. Justice LeSage joined Ryan's own, seeming to radiate hatred towards Paul Bernardo.**

*"I wrote, in 1993, on her Memorial Board, given to us by her friends, 'I will always be with you, I will always care, your little bro.'*

*When I have a nightmare or I can't get to sleep because of sad or frightening thoughts about Leslie, Mom, Dad, or Nana, I wonder if you ever have trouble sleeping. If you do, or ever have a headache, you must know it is just Leslie and our family returning a little of the pain you have caused us.*

*Leslie looked so beautiful at her graduation, then a year later, she said goodbye and my Mom drove her to be with her friends, because four of their friends -and Leslie's special friend Chris Evans- had died in a car accident earlier in the week.*

*The very last time I saw her, Friday, June 14, 1991, she looked the most beautiful I had ever seen her ... and that's the way I will always remember her."*

**Ryan composed himself and walked from the witness box, then, reaching the rear of the courtroom, he burst through the doors and escaped the**

ongoing horror inside courtroom 5-1. Ryan returned to the courtroom at 11:00 a.m. -a victim impact videocassette tape, *World's Apart*, composed by his Mother Debbie, was being played for the court.

*World's Apart* was created in response to the pornographic videocassette tape that Paul and Karla had filmed of Leslie Mahaffy. It was timed, at approximately forty-minutes, to coincide with the play time of Bernardo's tape.

*"This videotape does not show Leslie as depicted on your tapes," Debbie Mahaffy's accusatory voice emanated from the tape. "This video portrays a chronical of Leslie's life as she was, a special person. It is nothing like the pornographic and obscene video's you directed and produced. They show the worst of humanity: They show evil. They show you!*

*You denied Leslie her right to live. You robbed our family ... of the right to love and hold Leslie. Your ugliness contaminated my world. You destroyed all of Leslie's life, her dignity. Even after death. We were denied the [due to the dismemberment, Leslie was laid in a capsule in a closed casket] opportunity to see Leslie and say good-bye.*

*Leslie's voice, screams of pain and horror, will abide in the darkest part of my soul. Leslie's screams, that filled this courtroom, echo the screams that have filled my heart and soul every night since the day her body was found.*

*Leslie was a very special person -a gift. Born like no one else. No one saw things, first, the same way she did. She was wise beyond her years. To all of eternity, no one will do things like she did. Leslie touched many people in her short life. Leslie was our future.*

*You chose to be a predator, stalking Leslie and Kristen. You will now experience the degree of pain and fear that you caused Leslie to experience. You will never be a sexual predator again.*

*I will forever think of you as devoid of feelings and humanity. You have crawled from the lowest level of the evolutionary scale.*

*You have been exposed for what you are -for what you did to Leslie. You will now pay for that. The Leslie that you thought you defeated has defeated you. Her beauty and soul can never be defeated. You must never forget, it is Leslie who is truly victorious. She's free. She's at peace with her God."*

***World's Apart* was composed of hundreds of photographs of Leslie's short life. Pictures of Leslie as an infant; pictures of Leslie at play with her baby brother Ryan; Leslie in a prom dress; and finally, a newspaper displaying a picture of Leslie -after she'd been murdered.**

When the videocassette tape ended, the lights inside courtroom 5-1 were brightened. Red circles rimmed the eyes of stunned victims, their families, veteran journalists and spectators alike. Dry eyes were the exception. Dan Mahaffy submitted a written statement to the court. Dan did not take the stand and read his statement. A further statement from Debbie Mahaffy, a supplement to *World's Apart*, was also submitted, but not read.

A recess was called to allow everyone to recover before the next round of horror began.

Dan Mahaffy's statement, submitted but not read, detailed his own tragedy over the loss of his daughter.

*"Leslie was, is and shall always be my daughter. I loved her and I will always love her, with the special love that only a Father can have for his children. Death does not change my love or my responsibility and desire to protect her. I was with Deb when Leslie was born. I remember the joy and pride I felt at seeing Mother and daughter together for the first time. Nor shall I forget the feelings that overwhelmed me. When I held her for the first time I had intended to take pictures of this occasion, but the moment was so intimate and precious, it would have been an intrusion, even if I had remembered. The joy of telling friends and family how wonderful I felt being a Dad are still fresh in my mind.*

*I remember the joys of seeing Leslie grow up and felt her pain when I saw her sad. I will always remember her as the mature young woman that she seemed to become so quickly, all her dreams yet to be dreamt.*

*I love Leslie and will cherish her memory for as long as I live.*

*We will never know what Leslie would have become because her life was terminated prematurely. The terrible tragedy in Leslie's death is, that we her parents, grandparents, cousins, and especially her brother Ryan, will never know what Leslie's influence on our lives would have been."*

In the hall-ways of the court building, journalists rushed to call their editors. Weary victim's and their families hugged and offered each other moral support.

Michelle Landsberg, a reporter with *The Toronto Star*, interviewed one of the Scarborough Rape survivors. The young lady described what would be a general consensus among Bernardo's survivors.

"We were called in on Wednesday, one by one, and told that the dangerous offender hearing would be on Friday and we should write down our victim impact statements right away. And we learned that we wouldn't be able to give our own statements in court. Part of the deal was that he would plead guilty, but he didn't want to hear us."

Recess ended.

Paul Bernardo was led back to his prisoner box. Charges were read into the court record -an endless string of savage rapes. Dates, names and crimes became a blur as, now, all eyes focused on Bernardo, and radiated raw hatred towards him.

Psychiatrist Dr. Stephen Hucker next took the stand. He said Bernardo suffered multiple sexual and personality disorders. He abused alcohol. He is a narcissist; a sadistic psychopath. "Sexual sadism is a particularly onerous diagnoses. It is at the extreme end. I would suggest it is extremely difficult to treat. I would think, in the present state of knowledge, his conditions are irremediable," said Dr. Hucker. The next witness, forensic psychiatrist Dr. Ray David Glancy, confirmed Dr. Hucker's findings. Bernardo could not be cured, only controlled by way of restraint in a secure facility.

Crown prosecutors pleaded their case. Paul Bernardo, they said, required an indeterminate prison sentence.

"I agree," Justice LeSage interrupted.

Prosecutor Leslie Baldwin continued, calling Paul a sexually sadistic psychopath. "He is a danger to the public. The public must be protected from him," she declared.

Then it was Paul Bernardo's turn to address the court. He first thanked his lawyers for acting on his behalf, then addressed his reasons for acquiescence.

"On Monday [30 October 1995], when I was down in Niagara, I called my lawyer and told him to plead guilty to the sexual assaults. I felt it was my responsibility to take responsibility for what I've done. Hopefully, by accepting my conviction and saying I'm sorry, hopefully they can put their tragedy behind them and ..."

"Oh my God!" blurted a *Scarborough Rapist* survivor.

"... end their pain and suffering. I do not believe, just from looking at the evidence, that the Crown had evidence to convict me. I'd like to apologize to the victims so that they can put the tragedy behind them some time in the future. To the Mahaffy's and French's, all I'm saying is that I'm really sorry for everything that happened with their daughters, but I maintain my innocence in their murders. I am hearing some heckling from the crowd right now, but if everyone looked really closely at the evidence, they would see something different. I did not murder those girls. I take responsibility and I endangered their lives, but I did not kill them. I know, to accept my apologies might be one of the hardest things they [the Mahaffy and French families] will ever do ... and they may never do it. It's always there though, and any time they want to hear it, they can hear me say I'm sorry."

Justice LeSage addressed the assemblage, including Paul Bernardo.

"You can be proud of your daughters and sisters," he first said to the Mahaffy and French families. "The showing of the [*World's Apart*] video offsets some of horror of the tapes seen throughout this trial. Nothing, of course, will ever assuage the hurt and fear, that the families, the communities, St. Catharines ... Ontario ... perhaps all of Canada, feel for the crimes you committed. I can't add to the impact statements. They have expressed the pain and suffering."

Justice LeSage then -ignoring Bernardo's wishes- began reading from a seemingly endless list of victims, the crimes they suffered and excerpts from their victim impact statements.

Edited versions of the impact statements from survivors of the

Scarborough Rapist (a.k.a. Paul Kenneth Bernardo a.k.a. Paul Jason Teale)  
read as follows:

### **Chelsea Hagen - October 31 1995**

*"I have tried to write a victim impact statement which would account for all of the pain and the suffering that the crimes committed on my person by Paul Bernardo [have caused]. I found it to be an impossible task. What I have submitted to you here is a letter that I wrote on September 15, 1993. I have rewritten and expanded on areas of this letter that I felt should not legally be shared at the time that I wrote it. I hope this will give you and the court some idea and understanding to the degree of impact that these crimes have had on my family, my boy-friend and myself. Although the crimes were of a physical nature and psychically there is no evidence that they ever took place, the emotional scars run very deep within me and those people that are closest to me.*

Dear Friend: **-September 15, 1993**

*This is not easy for me to put into words. Six (now eight) years ago I was brutally attacked. However, for my own reasons I only reported to the police the attack part and I told absolutely NO one about being sexually assaulted. I carried the secret around with me for the past six years without telling anyone. At first it was extremely painful which caused me many insecurities. Eventually, though I never forgot, I began to get numb to all the pain and grief caused by what happened to me. I put my emotions on hold ... I denied them. I just wanted to forget and get on with my life. All the scars from that night have never left my being. To this day, I cannot and will not go out at night alone after dark. I find it very hard to trust people until they have proven they are sincere. It takes me a long time to feel safe and comfortable around new people. These kinds of uneasy feelings have become part of my personality and the way of life for me. I thought I had my life under control for the past six years. After all, I put my attack and my secret behind me. I have gone to university. I have a loving and supportive family. I have a wonderful boy-friend of almost five (now seven) years. (This relationship, however, has been severely tested by the delays in this case.) He is very caring and protective toward me. I have a very good job and career ahead of me, which I really enjoy. I believe that my life is going the way I want it to. I have gone back to being a very happy, outgoing and strong person, who is energetic and independent, but most of all I am happy with who I am and what I have done with my life thus far; it has been as though nothing has ever happened to me. I have been able to suppress my pain and suffering for six years, down so deep that I believed that what happened to me six years ago would never hurt me again or have an effect*

on my life now. I guess, on the surface, I 'forgot' the pain -though I have always known what happened to me as though it happened yesterday. This all changed in February -the day Paul Bernardo was arrested as the 'Scarborough Rapist'. Due to the media frenzy and all the 'legal' questioning from both the police and the Crown, I could no longer live the persona I have created for myself. There was one particular event that I had to be a part of -listening to tapes to see if I could phonically identify the 'person' that sexually assaulted me. I listened to six or seven tapes of different individuals. I identified one as my attacker, this turned out to be Paul Bernardo. This stirred up my emotions and pain -some were those I had felt eight years ago and some were brand new to me. These were the feelings and pain that I had only felt once and that was during my attack and sexually assault. I felt as though I were going through the whole incident all over again ... to this day.

I was reliving the nightmare of that night. My own secret came back to haunt me and my emotions were completely out of control. I began and continue to be afraid, causing both anxiety and panic attacks for no apparent reasons.

I want to take back the power taken away from me. I have taken back some. I will get the rest back when I testify as a strong, confident and emotionally stable witness. (I am now doing this by going to court on November 3, 1995 and submitting this victim -survivors as it should be called- impact statement. Though it is very painful and extremely hard, I have sought counselling. It was most difficult to inform Mary Lee Metcalfe and Ron Whitefield of everything that really happened to me six (eight now) years ago in explicit detail. At the time I did not think I could or even would go through with telling the horrible details of both my attack and sexual assault. Though I did find the strength somehow, even though this was my first verbal acknowledgement of what really happened to me that night six (eight now) years ago. I do believe that keeping silent for six years, and then speaking out, was what was best for me. You may not agree with, or understand my reasons for not revealing my secret until now, but that is okay. They are what are right and important to me and to my own healing process. By speaking out and telling my secret, my assailant, Paul Bernardo, is charged and accountable for everything he did. He will have to pay for what he did to me as an individual. The fact that he is charged with the crime of 'sexual assault causing bodily harm' helps me to take some of the control and power back. The charge being submitted legally and his guilt of that crime being recorded for all time is an EXTREMELY important part of my own healing process. I do not believe that the court or Crown should have the power to plead this away, though in the eyes of the law I am a 'witness' to the crime for the Crown. Reality is that I am much more than a mere witness, I am the living proof of a crime and should have a equal rights in the eyes of the law beyond that demonstrated to me in this

case. In the eyes of the law, justice/decisions are based on the better good of society, and the 'group' in my case; I do not feel this to be just to the individual such as myself whom the crime is actually committed against. He has caused me enough pain and suffering. And now it is his turn. By testifying (submitting this document) to all that he did to me, it is my time and chance to put an end to all that he has done to me. Because what he did was wrong and what I am doing is fighting back for my legal and just rights."

### **Shari Sykes - November 1, 1995**

"I had just turned 15 years old and I was raped. To this day it is extremely difficult for me to write or say that fact. From that time, up to and including the present time, I am an overly emotional, insecure person who has an extremely difficult time trusting anyone. I began seeking professional help from a social worker within a month of the occurrence of the rape. From that time I have worked with numerous professionals including social workers, psychologists and psychiatrists. Within a few months I began suffering from panic attacks. Although I was seeking professional help the entire time, no one recognized or explained to me what a panic attack was. As a result I was having at least three panic attacks a week and did not know what they were caused from. It was not until February of 1992 that the social workers I was seeing at the time referred me to a psychiatrist specializing in Panic Attacks. This led into more professional help which was extremely difficult to undergo. To this day I still suffer from up to three panic attacks per week. Although the therapy I had did help me learn and recognize what a panic attack is, and how to get out of one once it has began, to this day I am unable to control them or prevent them. Eight years after the rape I continue to suffer from them. Flashbacks have and can still occur for me in any place at any time, while I am watching television or relaxing with my family or friends, while I am at a movie theatre or while I am writing an exam in school. Quite often, my flashbacks will lead into a panic attack. For the past eight years I have been fighting this ongoing battle yet I am still unable to see the end. Prior to Bernardo's arrest, I was succumbed to various meetings with police, detectives, hypnotists and other specialists. Each and every one of these meetings repeatedly reinforced how difficult and stressful life had become. For six years I waited for him to be arrested. The entire time I dealt with police assisting in any way I possibly could. This was my only revenge against an individual who virtually stole my life away. I will never forget the day I found out Bernardo was arrested. This again caused a flood of confused and mixed emotions, no words can describe what I felt that day. However, it has been over two years since that day, over two years of waiting. These past two years have added more frustration to yet another thing that I cannot control. Again,

*I assisted the police and detectives as much as I could, but all that I did was both emotionally exhausting and draining, let alone frustrating as the months and years passed with no conviction. Unfortunately, there is no conclusion to this letter. In fact, I am having a very difficult time trying to write all of my emotions, pains, inconveniences, and frustrations regarding this case. There is no way to sum up these past eight years of struggling and fighting an everlasting battle of fears and anxieties that were brought on by Bernardo when he raped me."*

**Erika Paxton - November 1, 1995**

*"The emotional impact of the assault, at the time, and still remaining, is overwhelming. Presently, and for the last year and half, I have found it very difficult to sleep. Exhaustion has been part of my sleeping pattern for a long while. I have been in counselling for just over a year and a half, and I presently am still in need for therapy in order to deal with this incident. Depression was great, especially over the course of the Summer, as well as since February 1993, when the accused was arrested. With regard to social activities, I would never travel alone after dark and money had to be required, if I did travel alone, for a taxi, and if the money was not available, I did not travel. This was an extreme nuisance as there were many things I missed out on due to a lack of money and dependence of others to travel with me. My lifestyle has changed dramatically as every day I am always afraid when travelling at night with others around me, especially when someone is walking behind me. I still flashback whenever I hear footsteps behind me and a panic attack occurs. I am always forced to consider whether I can come home safely whenever I wish to go out."*

**Crystal Bradley - Tuesday October 31, 1995**

*"The purpose of this statement is to tell you how this assault has affected my life. After my attacker was arrested it was difficult to concentrate on my university schooling and therefore I have had to spend an extra year completing my degree. All the interviews and appointments I had to attend in preparation for court were extremely upsetting and intrusive on my daily life. The media coverage of this case caused me a high degree of anxiety."*

**Danielle Collins - November 1, 1995**

*"My name is Danielle Collins. The reason why I am writing this letter is because I had the misfortune of being stalked and raped by Mr. Bernardo.*

*I feel that this court should know how it affected me then, and how it plagues me even still, maybe even worse now that I am a grown woman: a Mother of a little girl. Everything that had seemed normal had become abnormal. He should have killed me, because every day I die a little more inside. I realize that the only thing I get up for since Mr. Bernardo was arrested, is to be able to see him with my own eyes in court as I submit this statement. In doing this, I hope that it will free me from this emotional pain so that I can start living again. I need for all of you to see and hear me speak of this impact he has left on me: a letter just won't do."*

**Stacie Baxtor - Tuesday October 31, 1995**

*"I am writing this letter to make you aware of my feelings in regard to the assault and its impact. Prior to the assault I had no fear travelling in Scarborough, day or night. However, following my assault I have lost my independence and my activities in the evening time have been restricted. I have suffered from anxiety in regard to having to testify in court. Meetings with the police [and] Crown have interfered with my daily life and I have had to accommodate these meetings around my work schedule. This has been frustrating."*

**Taryn Sanders - November 1, 1995**

*"Little is remembered of the events that immediately followed the assault, however, the effects, physical, psychological and emotional surfaced at once, making themselves known in degrees once thought to be unattainable and unimaginable. Throughout the attack, survival was the dominant thought. Fear is a sensation that, even now, I cannot recapture the raw terror and fear [of being brutalized], let alone expect someone who has not experienced a similar trauma to understand or be able to fully empathize. Crawling and rolling home, bound at ankles wrist and neck, the feelings remained as intense, not subsiding as I was unable to call for assistance. Fearing that, again, no one would hear my screams or even worse, that he, Bernardo or his accomplices, would, and could again return to continue with the torture. Some measure of relief was finally achieved after enough courage was summoned to allow entry into the outer room of the Burrows residence, my home at the time. A room that I was afraid to enter as I believed that he may have been waiting inside for me, I believe substantiated by the fact that he had been waiting in ambush for me earlier in the night after his stalking the night before. Upon answering the door, the Burrows immediately began to care for me -actions that to this day are a blur. I remember an ambulance arriving but I cannot remember how I made it inside*

or what was done to me during the transport. At the hospital, Mrs. Burrows was with me for what I believe to be the duration of my stay. How she arrived, I do not know. I remember a male officer, later re-identified to me as Sgt. Fynes, asking questions -the content of which I cannot recall. All that I do recall is being x-rayed (face and thigh as I could not walk very well) and told not to drink anything and being given a change of clothes. At a later date -years later- I was so informed that a rape kit had been administered with blood, saliva and vaginal samples being obtained. This was never known. A rather lengthy statement was appropriated several hours later at the precinct. Admittedly, not all of the details were admitted because of embarrassment and not realizing that even trivial matters, such as words and orders of events were important. That night, a precedent for lack of sleep was set. Since that day, regular sleep patterns and sufficient hours [of sleep] have been elusive. Fear, the inability to close my eyes and relax and nightmares (entailing sight, sound and taste) all played casual roles. The result of which has taken an emotional, physical and psychological toll -leading to interruptions in, and the inability to perform certain tasks which are necessary in day to day functioning; throwing schooling, work and relationships into the realm of the un-reachable, the impossible. To me, lack of sleep that first night was to be expected, nothing which could not be excused. What was unexpected, and uncontrollable, was the neurotic fear that followed. For the first few days, I was paralysed with terror. I could not sleep, even if someone was in the room, I could not go to the washroom -being terrified of being alone even for that short period- and I could not go down to my basement suite, even in the presence of others. I would jump every time the phone would ring and once, during the flickering of a power fluctuation, I became inconsolable, screaming that it was his doing and that he was coming back for me. My time was spent huddled in a corner like a hunted animal where no one could sneak up behind me and where all that was in front of me was easily visible. When it was absolutely necessary for me to venture out of the house I would (could actually) only do so after two persons checked the vehicle to make sure no one was hiding in it and then a third would escort me to the vehicle which was parked maybe ten feet away. When asked if I would like to go to the mall to replace my purse and wallet I replied in the negative, questioning the rationale in that why make such a purchase when someone else could come along again and take it all away again. Such cynicism and apathy remain even to this day. Upon my return to western Canada, another three weeks later, I became a seclusionist. Many friendships were lost due to the inability to explain the drastic change in personality and behaviour. How could I say yes to meeting a friend for coffee when I was unable, not just unwilling but physically unable, to leave the apartment. Hence, school and work became an unobtainable vision, as did any assemblage of a normal life. It was so apparent to myself that this behaviour, not only being unable to leave the

apartment, but being unable to move within it, was abnormal, yet even knowing this, I was unable to alter it. When my roommate would retire at night (he was with me in Toronto and was informed as to the events, a decision which I would not have made but was probably necessary and one that he, in all likelihood, would have surmised on his own) I became cemented to the couch. Although the drapes were drawn -to this day I cannot comfortably sit in a room were the drapes are open, alone, they are always closed- my back was to the wall and my eyes were constantly scanning, from one side of the apartment to the other. Still I was unable to leave my position to venture into the washroom or kitchen, being too paralysed with fear to even change my position. It escalated to the point where I would sit and sleep with a large butcher knife in my possession. As for sleep, it would only come to me in daylight hours. At night, I would lie in bed and alternate my vision between the window (no balcony and on the third floor) and the bedroom door. Unable to relax and close my eyes for any duration longer than one or two seconds. This pattern still exists today, though I am consciously fighting it. However, this conscious effort cannot be labelled as a resounding success as I still depend on sleeping pills and some manner of weapon is always beside me on the nightstand, even to this day. This pattern went on for years. It became a difficult secret to keep. Family and friends remain unaware -with the exception of one close girlfriend. I confided in her approximately six months after the assault as I began to both fear for my sanity and come to the realization that I needed to talk to someone. Over the years she has remained a constant, a reliable sounding board. After all, I was a psychology major, I understood many of my problems. Unfortunately, understanding and rectifying were still worlds apart. Acknowledging that, while being valid fears, they were excessive in their degree. Yet knowing that, I was unable to conquer them. A failure that reverberated in every aspect of my being. One evening while watching the news, the headline announced that the Scarborough Rapist had been apprehended. I reacted in my typical manner, with dull shock. It was so surprising as he told me that he was like the night, he would never be caught. And after nearly four years, I had come to believe him. I made my decision -a decision that I have come to regret more times than I can recall. I contacted Adrian Fynes as he no longer had a current phone number or address. My misgivings had to be put aside for the only number that he had in his possession was that of my Grandmother. Contact with her could not be risked. Several weeks later I was on route to Toronto. A brave front had to be projected -after all, no one knew. The flight was nearly unbearable. As the descent commenced, so did the tears and memories. Both were controllable. Little else was remembered. Grudgingly ... I agreed to see a psychiatrist, although I thought there was little that she could do for me. After all, I had already accepted my diagnosis -a diagnoses to which I could see no cure. To some extent, I was correct. At the beginning, it was very awkward. Trying to

describe to a virtual stranger just how disturbed and ill I really was. And in that attempt, how having to vocalize the most degrading and humiliating experience of my existence. Having to face just how embarrassed I was over begging for my life (again, and act which I regret with my entire being, -death would have been more compassionate) the guilt and shame over being victimized and overpowered so easily, the fear of eventually having to articulate the heinous acts which were committed against my person. It became easier after fashion to talk with [the doctor], I became quite comfortable with her. And to my complete astonishment, talking to her began the healing process. Began, not eradicated. Two years ago, I began to work at a university. The hours encompassed all of 24 hours -two days, two nights. For the majority of the time I was alone. We were both proud of my accomplishments, especially [the doctor]. The ability to face my fears and to bypass them, even some of the time, was a feat which could not be trivialized. It must be remembered that what the usual person could do without giving a second thought to, I could not. Walking at night from my car, located in a parking lot, to a building was a triumph. Silly, but true. After a year, it became too much. The increased publicity surrounding Bernardo and an incident at the university, in which I was trapped on a route with two males blocking my exit, no matter their innocent intentions, led to [the doctor] sternly suggesting that I terminate my employment due to medical reasons. Seeing myself beginning to slide backwards after so much time and effort, and so terrified that I would revert back to my pathetic state, I concurred. It was during this same month that I was requested to return to Toronto. On the eve of this trip, my engagement was called off by the aforementioned roommate, who had been with me in 1989 when the attack occurred. The reasoning being put on my shoulders. Apparently, I would not set a date until after the conclusion of the trial (fearing that my identity would be released and that I could not foresee how I would be emotionally at such a time) and he was finally unwilling, or unable, to cope with my inability to trust, love and lead a normal life. Admittedly all the charges were valid. Bernardo and the trial became an obsession which could not be laid to rest. They were never far from my mind. At the beginning of the ordeal, or should I say shortly after his arrest, I wanted his death. Never being an advocate of the death penalty under any circumstance, it was seen as nothing less than what was benefiting to his crime. On this trip, however, my position swayed. Death would be too kind. I wanted him to worry about his back every living moment, to never again be able to encompass a worry-free peace. To become a part of the world (hell) that he had sentenced me to -an eternity of pain, anger, regrets, along with every other negative emotion ever conceived. I was permitted to see him, along with the residence beside which the assault occurred, on this return. Both evoked a cool clinical appraisal. The most accurate analogy would be akin to watching a movie -scenes which were happening to others while I was

safely detached. In speaking with [the doctor], she put to rest my fears concerning an inappropriate response. Assuring that an indifferent façade was not to be unexpected. Explaining that the emotional ups and down can eventually wear on a person, resulting in fatigue that borders on apathy and resignation. With resignation being the cause and apathy being the effect, at least in my own view. On my latest return, one month ago, I decided that my own future had been put on hold for far too long. Admittedly, out of necessity in some part. Unable to work or live on my own put severe restrictions on any type of future. Six years since the attack, two and one half since his apprehension, proved to be my breaking point. I was tired. Tired of waiting. Tired of being different. Tired of being unable to see a future worth living for. Marriage is an impossibility. I have not been able to, or so desire, to date since my engagement was called off over a year ago. Not being able to trust and not allowing myself to care being the primary reasons. Children are also not an option. A strong career -again not possible- the drive and confidence that are necessary have been removed. Not simply buried, but not existent. Upon my arrival in Toronto, I possessed questions. Questions concerning my story, my experience, which remained unanswered. Not that the answers did not exist, but that they could not be articulated to myself. I became frustrated with giving and never receiving. Angry that information concerning my account was being withheld from me. Angry that, by my admitted perception, Bernardo had more rights than I. After all, no permission was given by myself for bodily fluid samples to be withdrawn, yet, given an identical response by Bernardo, none were removed from him. Hence, the victim, not the accused rapist and convicted murderer, had to continue to live with the unanswered question of sexually transmitted diseases and AIDS. By the time the verdict in the murder trials had been handed down, my thoughts became that of what difference can my testimony make. To his sentence there would be little contribution. All that could be accomplished would be further agony to myself. This view became known to all those that I had dealings with -the prosecutors, police officers and the victim assistance coordinators. All I had had no choice but to respect my wishes. Over the last month I have swayed between testifying or not and living or not. Two decisions which, I believe, were mine and mine alone to make. I was exhausted. Physically ill, losing close to 10 pounds, mentally and emotionally drained, sleeping even less, waking to nightmares, perhaps flashbacks would be a more apt description, which would cross over into my conscious state -refusing to fade for seconds, minutes. Not knowing what I wanted, not really caring. Just continuing on in a day to day manner until I could be entirely certain that all hope was exhausted and that I could leave via a method that entailed no suffering, no pain. Until this morning. This morning I received a phone call informing me that the ordeal could be officially over Friday. That he intended to plead guilty to all counts and allow himself to be labelled a

dangerous offender. At this time, I realized for certain that this was not what I desired. This was not the closure that I had been waiting for. Again, he cheated me and took the power away. My need to testify was never fully understood, least of all by me. But I do need it. As much as I need anything. More. It must be made known just what he did and just what he is. Guilty to assault with a weapon is just that. One more statistic to add to a title. Meaningless. Meaningless to anyone who does not know the story in its entirety. The story and details are what makes it unique, what makes it matter. And it should matter. Not just to me but to others. By telling my account to a jury, to a courtroom, it would somehow verify the events of that night, validate them. A documentation that could not be refuted. Too late did I come to this realization. Too late did I comprehend that the one avenue through which the beginning of closing and healing could surface will forever be denied. It is truly unfortunate that I have arrived at this perception the day before I am to return to Toronto for one final trip. Small consolation is that whether or not I have come to fathom this today, or six years prior, would make no difference in how the decisive conclusion would have to be. Willing or not, life will have to proceed. Knowing that his will be one of imprisonment is of little consequence. As the same can be said of mine, though with a slight variation -my bars are not of a physical composition. Without a doubt, he deserves no less. He deserves more, much more. But there is no means of delivering that pronouncement."

### **Brooke Owens - October 31, 1995**

"It is almost six years since I was attacked and I am still dealing with the trauma of what happened to me. I still have problems sleeping, I have nightmares so real that they cause me to drink in the middle of the night. I also must have a light on when I am sleeping because I get very scared at night. Sometimes I feel depressed and have suicidal thoughts, I don't feel very positive about myself and I still have bouts of crying. My relationships with men have many difficulties. I don't trust others and tend to seek abusive relationships. I had very little support or help from my family or friends when this happened and because I cannot trust others I have not sought counselling. For 2 and 1/2 years, I escaped into a world of drugs and abuse. As I was unable to concentrate, I dropped out of school and held down short term jobs since. I was very frightened of going to court and telling about my rape. I have been disappointed because this case took so long to come to trial. I had to attend many meetings with the police and Crown. Because of this I have been unable to move on with plans for the future. When this man attacked me, he stole my innocence and my life has been a living hell. I beg you to send this man away for ever so I can feel some sense of safety. Regardless of the sentence this man receives, I will

*also always suffer this injustice upon my body until the day I die."*

**Kelly Allford - November 1, 1995**

*"My life has been one like no one else I know. At 25 years of age I have been through more than some people will ever see. Because of him, I could not leave the house alone for several months. I could not be awake or sleep without feeling fear or anxiety. He made me a prisoner in my home and in my own mind. I will never again [have] those years when I should have enjoyed. My early 20's. I am still in counselling today and don't see an end in sight to deal with everyday living as a result of what happened to me at the hands of Paul Bernardo. I wish you could understand what it is like to hear people in the office talking about this whole trial for approximately 3 years and have to carry on like everything is normal because they might find out. Or what it is like to think there is a trial date only to have it dragged out longer. No one knows what it is like to put your life, dreams and aspirations on hold. To not be able to have a voice because society still doesn't accept people who have been raped the same as 'normal' people. To feel hatred in your heart and soul like you never thought possible all because of one man. My world was shattered by one evening by one man, and me, my family, friends and counsellors are still picking up the pieces. I don't ever think they'll fall into place like they were. This event will always be carried with me, in a sense I have a life sentence to being 'a rape survivor' not just your ordinary 25-year-old. He deserves life in prison as a 'dangerous offender' not just an inmate. He also does not deserve protective custody, as on that night, I had no protection. I still, to this day, fear he has AIDS and has passed it on to these women. I beg you to do what you can to order an AIDS test to put all of our minds at ease with one less thing to fear."*

**Kaila Farrington - November 1, 1995**

*"Confining one's losses to paper is not an easy task, especially emotional ones as these. These losses affect not only myself, but those whom I care for, adding sufficiently to my own grief. My family, the closest people to me on this Earth, have witnessed my pain and struggle. Further, I experienced then, and still do, a fear that I did not know was humanly possible. I now experience panic attacks and anxiety almost daily. During this past Summer, it grew to the point that I was taken to the hospital, and, my hair started falling out. The doctors have prescribed a sleeping aid for me; I suffer from chronic horrifying nightmares, and I haven't had a good night's sleep since the attack. I suffer hyper-vigilance and rarely feel*

secure, and certainly not safe. I sleep with all the lights on. I have yet to have a successful relationship with a man, a fact which depresses and saddens me enormously. In the past 3 years the police constantly have been asking me to prepare for a court date which, inevitably, gets changed. My frustration with the justice system and its demand for patience without caring has caused many bitter tears. I feel I have done more than my part in this process, giving constantly of myself when so much has already been taken, and receiving nothing in return. I now feel powerless jaded and used, not a common feeling, I suspect, from the average 24 year old. As of yet, I do not see an end in sight for me. I do not know what the future holds for me. In the end, as far as the media, the justice system and the public are concerned, this affair will be over, an 'unpleasant' thing of the past."

### **Kourtney Sherrod - November 1, 1995**

"It was in April of 1991 that I was raped by Bernardo while on my way to a rowing practice. For almost two years following the attack I came to terms with the fact that I may never know who raped me and that this man had gotten away with what he had done, and was probably doing the same to other girls. In early February of 1993 I was contacted by members of the Green Ribbon Task Force and asked to answer some questions, listen to audio tapes, etc. I knew that the task force had been set up after the disappearance of Kristen French, someone who I had gone to school with and known casually. The thought of a connection between what had happened to me and the tragedy of Kristen's death was inconceivable to me, I was sure that the police were just trying to rule out suspects. When, two weeks later, Bernardo was arrested at his home, it became obvious that what I had found so inconceivable was true. Needless to say, the following months were a nightmare. I was brought back to the feelings I had right after the attack, however, they seemed worse. At this time, I realized what the case involving Bernardo was, and just what a monster the man who raped me was. If it's possible, I was in worse shape then, than I was in 1991. It has been almost two years since Bernardo was arrested and charged with the many rapes he committed, including mine, and also the murders of Kristen and Leslie. Throughout these two years, I have suffered through countless 'tentative dates', brief court appearances by Bernardo, and what seems like a thous and delays. I can not put into words exactly how this makes me feel; frustrated, confused and angry can just begin to describe my feelings. This is a chapter in my life that I desperately want to close, but I cannot do so until I have testified against the man who raped me.

### **UPDATE**

*I am writing this letter two days after receiving the news of what is to now happen with my case. At this time, I can't honestly describe how I feel. I keep thinking that I should feel some sort of relief, but I am not sure that that's the case. I believe this mixed emotion is in light of the fact that, until this point, I still believed there would be a trial for the sexual assault charges. I believed that there would actually be a day where I would hear a judge, in a court, in a courtroom, find Paul Bernardo guilty of raping me. Although, through this procedure he will be admitting his guilt, I will still never hear these words. I am in this courtroom today, in the company of many victims who, I am sure, feel the way I do. We've endured years of suffering as a result of this man's sick mind and more recently, have endured many months of endless newscasts and articles that implanted a picture of this monster's face in our minds, a picture that even now I cannot get through a day without once recalling it. It has been a painful and confusing four years for me, and many more years for others. My confusion and hurt is far from over, however, if there is one thing I can accomplish in writing this letter, it would be to have this monster put where he belongs, for the rest of his life. I can perhaps rest easier in the thought that I will never, for the rest of my lifetime, have to live with the fact that the man who raped myself and many others, and brutally took the lives of two innocent girls, will never be free to do so again.*

*It seems lenient to call this man merely 'dangerous'. He is, in my opinion, the definition of evil."*

### **Ashley Storm - November 1, 1995**

*"I am writing to tell you how this crime has affected my life. I have lost my innocence and some of the best years of my life. I have, at times, felt very confused, angry, sad, outraged and depressed. I have had problems with my relationships, especially with my parents and my friends. I have lived with the fear that people will identify me as Ashley Storm. I have problems sleeping, nightmares, and have lost weight, and generally have been in poor physical health. There are times when I feel very anxious and other times when I want to withdraw from people. I have lost my ability to trust because of what happened. Once I was carefree and enjoyed life to the fullest, now I am quiet and reserved. When I had to come to court I was very frightened and suffered a great deal of emotional pain. I had to hire my own lawyer and I had to deal with the facts of my assault being in the newspaper day after day. My parents have also suffered from worry about me, and have lost time from their work. I lost a year of school because it was difficult for me to concentrate. I lost some of my friends because I told them what had happened. I am still socially isolated. I have also lost my self-confidence and I am worried about my future. Even now that I know he is going to*

*prison, I feel numb and detached. I hope that some day I will be able to move on with my life and find some sense of healing."*

Unfortunately, there was and is no victim impact statement regarding the manslaughter death of Tammy Lyn Homolka. The author feels it appropriate to say that the impact of the death of Tammy Lyn Homolka was felt by her immediate family and relatives, by friends, school-mates, and, in particular, fellow soccer players and coaches.

There was a time, following Tammy's death, when the health programme at Sir Winston Churchill used Tammy's death, then thought the result of excessive drinking, as an example of what may happen to those who abuse alcohol. It was, considering what we now know, an unfair example that tarnished the memory of Tammy Lyn Homolka. Tammy's cousin, Christine Homolka, said, "Our family always thought there was something odd about the way she died. We were never really satisfied with the coroner calling it an accident. She was a good athlete. An excellent soccer player. Very healthy."

Christine was correct.

Perhaps none felt the loss of Tammy more acutely than the young lady identified in this work as Chesney Bradson. Chesney wrote, on the first anniversary of Tammy's sudden death:

*"This month brings back with sad regret  
It brings back a day we shall never forget  
You fell asleep without a goodbye  
But my love for you will never die.  
-Never to be forgotten by best friend, Chesney Bradford."*

On the second anniversary of Tammy's death, Chesney wrote:

*"I think of you in silence  
I often speak your name,  
I have so many memories  
And your picture's in a frame. My heart still aches in sadness  
In silence my tears still flow,  
For what it meant to lose you  
No one will ever know.  
-Loved forever by her best friend, Chesney Bradson."*

Chesney herself had no victim impact statement to submit.

Upon completion, Justice LeSage again addressed the survivors.

"I think all of these victims that have been raped by Paul Bernardo have suffered deeply." Justice LeSage looked out, like an angry father, first at Paul Bernardo, then softened and addressed the rows of survivors. "He is guilty of raping you. I don't want to leave any doubt in your minds. That will come as small consolation. Be proud of the way you have conducted yourselves. Try not to feel personal guilt. You have no guilt. Don't let this man take your freedom. Don't let him take control of your lives."

LeSage next turned his full attention to Paul Bernardo.

"Mr. Bernardo. Your life will be controlled, I hope, for the rest of your natural life in prison. You have no right, *ever*, to be released. I have not yet made the finding of a dangerous offender ..." Justice LeSage paused and in a dramatic moment, glanced about the courtroom, then turned his fiery gaze back to Bernardo "... which you know I will!

Everyone in this country knows that you are a dangerous offender, and you know that yourself. You constitute a threat to the life and safety of others. There is a likelihood that you would cause deaths to others in the future. You have exhibited persistent aggressive behaviour. The likelihood of your being treated is remote in the extreme. The behavioural restraint you require is *jail*. I believe you require this punishment for everything you have done. You are a sexually sadistic rapist. I find you to be a dangerous offender and sentence you to an indeterminate prison term."

The proceedings ended at 1:29 p.m.

Crown prosecutor Leslie Baldwin said: "I think that the public should feel assured that, now, we have a complete record for anyone that at any time could possibly be considering releasing him. This result ensures the safety of the community from this offender, not only today, but in the future. Fifteen years from now, twenty-five years from now, thirty-five years from now, when some of us may not be around and others may have forgotten -that record is complete. They will now have a complete record of this man's

reign of terror throughout southern Ontario."

As the door behind Justice LeSage slowly closed, guards flanked Bernardo and began leading him from the courtroom. His survivors, finally, spoke to him, using words of their own choice.

"Bastard!" called out an angry voice.

"Bastard .. bastard!" others picked up the chant, calling Bernardo by the name his Mother had bestowed upon him; the name he so loathed.

"Rot in hell!"

"Rot in hell Paul!"

"Bastard!"

"We won the war!"

"Remember, Paul, this time we did this to you!"

As the door closed behind Bernardo, tears again flowed.

Tears of relief.

Tears of mourning.

Tears of the righteous.

## **AFTERWORD**

I hope you have found this book informative and, in terms of readability, enjoyable. It is my sincerest hope that victim's of rape and sexual assault who read this book, will find it of use in understanding their own explosive emotions and that this may be a starting point in their own healing processes. And, that all readers now truly understand the physical and psychological brutality of sexual violation.

Although this book has an ending, the crimes committed by Paul Bernardo do not. In August of 1995, one survivor of *The Scarborough Rapist* filed a civil law suit against Metropolitan Toronto Police over their handling of the Scarborough Rapist investigations; there is no dollar amount claimed by this survivor.

On 23 December 1996, two survivors, identified in this work as Brooke Owens and Kelly Allford, each filed fifteen million dollar civil suits against the Metropolitan Toronto Police Services Board, former Police Chief William McCormick, Police Chief David Boothby, Sergeant Wolfe, P.C. Douglas Diplack, P.C. Randy Wilson, Detective Steve Irwin, and unnamed persons listed as John Doe 1-9 and Jane Doe 1-9. Toronto lawyer Robert Tighe represents both survivors in the massive law-suit.

Brooke Owens and Kelly Allford claim that as a result of being attacked by Paul Bernardo, they suffered severe injuries including, in Brooke's case, both knees, and in Kelly's case, her left knee. In both cases, damages included severe injuries to the face, neck and rectum: lacerations and bruises to the neck and face; bruises to the entire body; severe shock; emotional trauma; post-traumatic emotional shock; anxiety and fear; inability to sleep; chronic depression; negative self-images; headaches; phobias; sexual problems; an inability to develop trusting relationships with others; flashbacks; agoraphobia (a fear of being in large open, or public places); poor concentration; an inability to work; and both suffer social disabilities. As a result of their injuries, both survivors suffer inconveniences and a loss of enjoyment of life. Their social and physical activities are limited. and, both Brooke and Kelly, as a result of their being attacked by Paul Bernardo, suffered and/or suffer hospital and psychiatric care.

Each survivor claims five million dollars in general damages, five million dollars in special damages and five million dollars due to a violation of their constitutional rights to safety and protection of the law.

The basis for the suits is centered upon the original submission of the report from Sergeant Kevin McNiff, following his meeting with the woman identified in this work as Dayle Coltin. The survivors claim that police knew, or ought to have known, following the submission of the McNiff report, that Paul Bernardo was an obvious suspect in the Scarborough Rapist case. Metro investigators took no steps to follow-up on the McNiff report and, until Bernardo's eventual arrest, no attempt was made to contact Sgt. McNiff or Dayle Coltin. A proper investigation, the suit claims, would have led to Bernardo's arrest prior to his attacks on Brooke and Kelly. The suits allege negligence and breach of duty against the defendants. Police failed to properly investigate and apprehend Bernardo in a timely manner, following the receipt of the McNiff report. In addition, their suits allege police did not exercise a reasonable degree of skill and care during the time period of the investigation into the Scarborough Rapist case. The suits claim that the police services board and top Metro officials are negligent because they hired or appointed incompetent police officers to investigate the Scarborough Rapist case and because they failed to adequately fund the Scarborough Rapist investigation.

On 23 December of 1996, as reported by Caroline Mallan of *The Toronto Star*, a further five survivors, represented by Ontario lawyers Gina Brannon and Michael Taylor, filed civil suits against Toronto police, each in excess of seven millions dollars. The survivors will allege negligence on the part of Metro investigators.

While an insurance company, rather than the Toronto Police Services, will manage the civil suits, Metro Inspector Mike Sale is quoted as saying, "We know that the legacy of Paul Bernardo is one that will not soon be forgotten. Paul Bernardo will probably haunt us well into the next century."

## **ABOUT THE AUTHOR**



Michael Wass' first active contact with the subject matter of *Bernardo: The Scarborough Rapist*, came on 10 December of 1993. At that time, due to confusion over to whom the Kovacs' ban applied, and what constituted a violation of the ban, *Canada Remote Systems*<sup>52</sup> (CRS), a commercial computer telecommunications bulletin board, issued a statement regarding their policy regarding the ban. They banned discussing the ban. CRS threatened that should anyone violate that policy, police would be notified. The author promptly posted several so-called banned news articles to CRS and requested that they notify police of his actions. On 4 July 1993, on the Internet, a newsgroup was created for discussion of the ban. The early days of alt.fan.karla-homolka were mired in rumour and innuendo. In the time between the creation of the newsgroup and November of 1993, U.S. and U.K. media published so-called banned news of the Homolka trial. On 19 November 1993, activist Gordon Domm was arrested for attempting to mail the U.K. article. *The Washington Post*, on 23 November 1993, published a major article containing many details of the Homolka trial. On 11 December 1993, the author found himself locked out of the CRS system. The author installed his own computerized bulletin board system and distributed all information he could find regarding the Homolka trial and the Kovacs ban. On 9 February 1994, the author wrote Deputy Prime Minister Sheila Copps. He advised that he believed his rights to freedom of speech and association, guaranteed in the *Canadian Charter of Rights and Freedoms*, may have been violated, but that only a court could determine the issue. The author consulted with Toronto criminal lawyer, Edward Greenspan; Mr. Greenspan indicated, to the best of his knowledge, the only recourse was for the author to apply for intervenor status in the media appeal of the ban. Unfortunately, the author was advised, it is not the practice of Ontario Legal Aid to fund such actions, and the author himself could ill afford to fund such an effort. The author received no response

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<sup>52</sup>The company has since been re-named, Canada Remote Systems Online (CRSO).

from the Deputy Prime Minister. The only recourse available to the author was to defy the ban, face arrest as did Gordon Domm, and attempt to address the constitutional issue in a criminal court. On 9 April 1994, the author wrote to then Ontario Attorney General Marion Boyd. He enclosed so-called banned articles and requested that the Attorney General issue a warrant of arrest of the author, or, quash the Kovacs ban and allow the media to report the news. Copies were sent to various politicians, lawyers, media and the Hamilton police chief. Only the Attorney General replied and that took four months. The Attorney General advised the author that the "proper authorities" had been notified of his request and would determine the matter. In early 1996, the author contacted local police; they had no information and advised to contact the *Ontario Provincial Police*. The author did so. The *OPP* had no knowledge of any matters concerning the author. As of this writing, the author has never been contacted by any authority. On 12 September 1994, the author accompanied Mr. Domm to a St. Catharines' Bernardo court hearing. Outside the building, the author distributed so-called banned material. The author continued to gather information related to the Homolka case and post it on the Internet. On 3 October 1994, *MacLean's* news-magazine reported on the author's activities and of his challenge to the Ontario Attorney General. On 12 October 1994, the author again travelled to St. Catharines and distributed so-called banned material. His actions were reported by *City-TV* news in Canada and *WKBW* news in the United States. In late 1993, when universities and computer bulletin boards began denying access to the Homolka newsgroup, a digest was created. All previous discussion on the case, complete with inaccurate rumours, was published. The digest later became known as the Electronic Gordon Domm and came complete with an introduction and table of contents. The digest was maintained by a Toronto journalism student, who posted the digest through, first Finland, then through a site in Texas, United States. It was by January of 1995 that the author's informational sources regarding the Homolka trial were secured and accurate information became available. On 12 January 1995, version four -the final version- of the digest was published. The author had supplied corrections to the digest, ridding it of many rumours. On 21 January 1995, *The Hamilton Spectator* ran a front page story featuring interviews with the author in regard to his contributions to version four of the digest, by then referred to as The Electronic Gordon

Domm. In February of 1995, having accomplished the removal of many rumours and defying the Kovacs ban at will, the author ended his activism. The author made the decision to write a book on the Homolka and Bernardo cases. In March 1995, and until Bernardo's 3 November 1995 Bernardo Dangerous Offender hearing, the author, and/or an agent of the author, attended all Bernardo court dates. Bernardo: The Scarborough Rapist is the first of two books that stem from that research.

Peace,  
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