



Military Police  
Complaints Commission  
of Canada

Commission d'examen des plaintes  
concernant la police militaire  
du Canada

## **FINAL REPORT**

Following a Public Interest Investigation,  
Pursuant to Section 250.53 of the *National Defence Act*,  
of a Conduct Complaint by MCpl Muhsin Warsame  
Regarding the Conduct of WO Jarrett Weber and Sgt Adam Vallières  
of Moose Jaw MP detachment, CFB Moose Jaw (Saskatchewan)

File: MPCC 2022-043

Ottawa, February 4, 2026

Me Tammy Tremblay, MSM, CD, LL.M.  
Chairperson

## TABLE OF CONTENTS

<b>OVERVIEW .....</b>	<b>1</b>
<b>The MPCC Launches a Public Interest Investigation.....</b>	<b>1</b>
<b>Notice of Action .....</b>	<b>3</b>
<b>THE MPCC PUBLIC INTEREST INVESTIGATION .....</b>	<b>3</b>
<b>Background to the Complaint.....</b>	<b>3</b>
<b>MPCC Interviews .....</b>	<b>5</b>
<b>ANALYSIS .....</b>	<b>6</b>
<b>Standard of Care Applicable to the Alleged Conduct.....</b>	<b>6</b>
<b>Issue #1: There was no requirement for WO Weber to ask the victim if she preferred to be interviewed by a woman .....</b>	<b>6</b>
<b>Incorporate Victim Preference for Interviewer in Sexual Offence Cases .....</b>	<b>8</b>
<b>Issue #2: WO Weber’s comment about the victim by stating: “Why does she not go to Regina Police Service?!”, was unprofessional in the circumstances.....</b>	<b>9</b>
<b>Issue #3: Sgt Vallières attended the detachment while under the influence of alcohol and participated in planning for a sexual assault investigation, contrary to the expectations of professionalism, fitness for duty, and leadership responsibility under the <i>Military Police Professional Code of Conduct</i> and <i>National Defence Act</i>.....</b>	<b>11</b>
Interview of WO Weber .....	12
Interview of Cpl Keranen .....	13
Interview of Cpl MacDonald .....	13
Interview of Sgt Vallières.....	14
Sgt Vallières Involved Himself in the Investigation after Having Consumed Alcohol.....	17
<b>Issue #4: WO Weber should have selected the complainant to conduct the interview with C .....</b>	<b>18</b>
Interview of WO Weber .....	18
Interview of Cpl Keranen .....	19
Cpl Keranen Was Not the Most Appropriate Investigator to Interview C .....	19
<b>Issue #5: WO Weber failed to ensure the interview was recorded using audio or video equipment readily available and that the decision not to record was inconsistent with MP policy or best investigative practice.....</b>	<b>21</b>
Interview of Cpl MacDonald .....	22
Interview of CFNIS WR Investigators.....	23
Interview of Sgt Vallières.....	24
Interview of WO Weber .....	24

Interview of Cpl Keranen .....	25
Telephone Call Between Sgt Vallières and WO Tenaschuk (CFNIS WR).....	25
Unjustified Failure to Record the Interview with C .....	27
<b>Issue #6: WO Weber violated MP policy and investigative standards by permitting a support person, who was also a potential witness, to attend the victim’s interview without pre-screening him for involvement in the case .....</b>	<b>30</b>
Interview of WO Weber .....	31
Interview of Cpl Keranen .....	31
Interview of Cpl MacDonald .....	31
WO Weber Allowed a Prospective Witness to Attend the Interview with C .....	33
<b>CONCLUDING REMARKS .....</b>	<b>35</b>
<b>SUMMARY OF THE FINDINGS AND RECOMMENDATIONS .....</b>	<b>37</b>

## OVERVIEW

1. On September 30, 2022, Master Corporal (MCpl) Muhsin Warsame<sup>1</sup> (the complainant) filed a conduct complaint with the MPCC regarding the handling by the Canadian Forces Base (CFB) Moose Jaw military police (MP) detachment of the intake of a sexual assault complaint by C<sup>2</sup> against Major (Maj) Cristian Hiestand, on November 25, 2021.
2. The complainant is a former MP member of the Moose Jaw MP detachment who was present and involved in the incident to which his complaint relates. MP members at Moose Jaw MP detachment conducted an initial interview of C on the night of November 25, 2021. The investigation of the sexual assault was then referred to the Canadian Forces National Investigation Service Western Region (CFNIS WR) in Edmonton. The handling of the investigation by CFNIS WR is the subject of two separate complaints ([MPCC 2022-017 and 2022-041](#)), which are being dealt with in a separate report. On November 30, 2021, following a two-day investigation, CFNIS WR charged Maj Hiestand with two counts of sexual assault. On January 17, 2022, Maj Hiestand died by suicide.
3. This decision deals exclusively with the actions of the Moose Jaw MP detachment leadership on the night of November 25, 2021, when the sexual assault allegations of C were first reported to police.

### **The MPCC Launches a Public Interest Investigation**

4. On November 21, 2022, the Interim Chairperson of the MPCC launched a Public Interest Investigation (PII) into this complaint, as well as the two complaints related to the CFNIS WR investigation of Maj Hiestand, which took place in the days following the events discussed in this report.

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<sup>1</sup> The complainant has since left the military police, but was a military police Master Corporal at the time of the events relevant to this complaint.

<sup>2</sup> For privacy reasons, the woman who reported the sexual assaults is referred to as C throughout this report.

5. The Canadian Forces Provost Marshal's (CFPM) Office of Professional Standards (PS) had already commenced an investigation into all three complaints. Given the exceptional nature of the circumstances and the overlap of multiple complaints, the MPCC decided to defer witness interviews until the PS process had concluded.

6. The MPCC identified Warrant Officer (WO) Weber and Sergeant (Sgt) Vallières, respectively the commander and second-in-command of Moose Jaw MP detachment, as the subjects of this complaint.

7. Based on the information contained in the conduct complaint, the MPCC identified the following issues:

***Issue #1: Whether WO Weber failed to ask the victim if she preferred to be interviewed by a woman***

***Issue #2: Whether WO Weber made an unprofessional comment about the victim by stating: "Why does she not go to Regina Police Service?!", and whether such a remark was inconsistent with the expectations of professionalism and impartiality under the Military Police Professional Code of Conduct***

***Issue #3: Whether Sgt Vallières attended the detachment while under the influence of alcohol and participated in planning for a sexual assault investigation, contrary to the expectations of professionalism, fitness for duty, and leadership responsibility under the Military Police Professional Code of Conduct and National Defence Act***

***Issue #4: Whether WO Weber assigned two relatively inexperienced military police members to conduct the victim interview, despite the availability of a more experienced military police member, and whether this decision was inconsistent with the requirement in MP Order 2-500 to assign investigators based on appropriate skills, qualifications, and judgment***

***Issue #5: Whether WO Weber failed to ensure the victim interview was recorded using readily available audio or video equipment, and whether this decision, allegedly made to conceal inexperience or interview quality, was inconsistent with investigative best practices, MP policy, and the expectations of professional and transparent police conduct***

***Issue #6: Whether WO Weber violated MP policy and investigative standards by permitting a support person, who was also a potential witness, to attend the victim's interview without pre-screening him for involvement in the case***

8. As a result of this Public Interest Investigation, I determined that the subject MP members were not required to ask C her preferred gender for the MP member who would interview her. However, I found that the other five issues raised by the Complainant were well founded. I also made a series of recommendations dealing with:

1. Accommodation of victims' preferred gender for interviewers;
2. Remedial training for Sgt Vallières;
3. The importance of recording interviews; and
4. The proper vetting of persons accompanying victims in interviews.

### **Notice of Action**

9. In accordance with section 250.51 of the *National Defence Act* (NDA), the CFPM is required to notify both me and the Minister of any action that has been or will be taken with respect to this complaint. On January 27, 2026, the CFPM provided her Notice of Action in response to the MPCC's Interim Report issued on October 30, 2025. The Notice of Action included comments on the MPCC's findings and recommendations. The CFPM's response to the recommendations of this report are troubling. It is deeply concerning as the majority of the recommendations were grounded in clear evidence of investigative shortcomings and were aimed at strengthening the professionalism, accountability, and victim-centred approach to MP investigations. By declining to implement most of them, the CFPM risks allowing the very deficiencies identified in this case to persist unaddressed.

10. It is imperative that the CFPM swiftly implement these recommendations to ensure that all future investigations are conducted to the high standards of rigour and professionalism that Canadians expect and that members of the Canadian Forces deserve.

## **THE MPCC PUBLIC INTEREST INVESTIGATION**

### **Background to the Complaint**

11. At the time of the interview with C, the complainant, MCpl Warsame was serving as an MP member with the Moose Jaw MP detachment. In this capacity, he was called back to the detachment at 20:00 hrs to assist with a sexual assault investigation.

12. Upon arrival at the detachment, the complainant was told that Corporal (Cpl) Ericka Keranen had been assigned to conduct the victim interview by WO Jarrett Weber, her supervisor and detachment commander. She was to be assisted by Cpl Joseph MacDonald as note taker. Both were junior members with limited experience in sexual assault investigations.

13. At approximately 20:30 hrs, Sgt Adam Vallières, who had completed a day shift earlier, decided, after learning about the complaint, to go back to the detachment. In his complaint, MCpl Warsame reported that Sgt Vallières appeared visibly intoxicated and that he noticed an odour of alcohol emanating from him. When confronted with the complainant's observations, Sgt Vallières allegedly admitted that he was drunk. The complainant alleges that he advised Sgt Vallières to go home. According to the complainant, Sgt Vallières took the position that he was not officially on duty but wanted to be available in case his advice could be useful.

14. The complainant for the sexual assault (C), arrived at the detachment at approximately 21:30 hrs, accompanied by a male friend, JW,<sup>3</sup> who was known to both the victim and the person suspected in the sexual assaults, Maj Hiestand. Both Maj Hiestand and JW were posted at 2 Canadian Forces Flight Training School (2CFFTS) 15 Wing, Moose Jaw. Maj Hiestand was a pilot instructor, and JW was a student pilot.

15. WO Weber directed Cpl Keranen and Cpl MacDonald to conduct the victim interview. The interview was not video, or audio, recorded and JW, who accompanied the victim, was permitted to be present in the room during the interview.

16. The complainant claims that he attempted to convince WO Weber to have the interview recorded and JW removed, but this was rejected. He asked Sgt Vallières to intervene but to no avail. WO Weber cited the need to comply with the *Victims Bill of Rights*<sup>4</sup> as the main reason for not recording the interview and for allowing JW to attend the interview.

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<sup>3</sup> For privacy reasons, non-military police third parties are referred to by initials in this report.

<sup>4</sup> *Canadian Victims Bill of Rights*, Statutes of Canada 2015, c. 13, s. 2.

17. The interview concluded at 22:49 hrs. C was advised that an investigator would be in touch with her to continue the investigation.

18. The complainant subsequently left the Canadian Forces and, in September 2022, filed this conduct complaint with the MPCC. This complaint also prompted a criminal/service offence investigation by CFNIS Pacific Region (PR) – specifically into Sgt Vallières’s conduct – and an administrative investigation by the CFPM’s Office of PS in respect of possible violations of the *Military Police Professional Code of Conduct*. The CFNIS PR investigation concluded without charges and the PS investigation (which was held in suspension pending completion of the CFNIS PR investigation) was completed in February 2024. The MPCC then resumed its PII.

### **MPCC Interviews**

19. In addition to reviewing the witness interviews conducted by PS and CFNIS PR, MPCC investigators also conducted their own interviews with the following persons:

- a) MCpl Muhsin Warsame – the complainant;
- b) Cpl Joseph MacDonald – witness;
- c) Sgt Adam Vallières – subject;
- d) JW – witness;
- e) Cpl Ericka Keranen – witness;
- f) MCpl Katelyn Alton – witness;
- g) MS Alexandra Brown – witness.
- h) Sgt Glenda Gauthier – witness; and
- i) WO Damon Tenaschuk – witness.

20. WO (Ret’d) Jarrett Weber (subject) did not respond to the MPCC’s interview requests, but had previously been interviewed by PS. In addition to the complainant, WO Weber, Cpl Keranen and Master Sailor (MS) Brown have since left the military. Furthermore, C advised at the beginning of the Public Interest Investigation that she did



not want to communicate with the MPCC. Based on this, the MPCC did not seek to interview C.

## ANALYSIS

### **Standard of Care Applicable to the Alleged Conduct**

21. MP members, in the performance of their duties, are expected to meet high standards of professionalism and service to maintain public confidence and respect. The *Military Police Professional Code of Conduct*,<sup>5</sup> Military Police Orders and Military Police Policy Advisories set out the procedures and ethical standards that military police members are expected to follow and apply.

22. When reviewing a conduct complaint, the MPCC must determine whether the conduct alleged against MP members was consistent with what would be expected of a reasonable police officer in similar circumstances. The law does not require perfect or optimal conduct on the part of MP members.<sup>6</sup>

23. The reasonableness of the MP member's conduct must be assessed considering the totality of the situation and the facts known at the time of the alleged misconduct, including the state of knowledge or best investigative or law enforcement practices then prevailing.<sup>7</sup>

### **Issue #1: There was no requirement for WO Weber to ask the victim if she preferred to be interviewed by a woman**

24. The complainant takes issue with the failure of WO Weber to ask C her gender preference in terms of which MP member would interview her. As it was, a woman (Cpl Keranen) was tasked with conducting the interview and Cpl MacDonald (a male) was assigned as note-taker.

25. There is no current policy requirement to ask a victim's gender preference in assigning investigators. However, *Military Police Policies and Technical Procedures*

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<sup>5</sup> *Military Police Professional Code of Conduct* (SOR/2000-14).

<sup>6</sup> *Hill v. Hamilton-Wentworth Regional Police Services Board*, [2007] 3 S.C.R. 129, 2007 SCC 41 at paras 73-77.

<sup>7</sup> *Ibid* at para 77.

(MPPTP), Chapter 7, Annex I, paragraph 9, in force at the time of these events (since superseded by MP Policy 342), provided that, wherever possible, women investigators should be assigned to sexual assault investigations involving women victims.<sup>8</sup>

26. In his MPCC interview, the complainant acknowledged that, in his experience, he could not recall an instance where a woman complainant/victim requested a male interviewer. In this case, there is no indication that C requested a particular gender be assigned as investigator nor any evidence that she was denied a preference.

27. As WO Weber acted in accordance with MP policies, the evidence does not support this allegation.

28. While there is no evidence of a policy breach by WO Weber, not inquiring about the victim's gender preference for an interviewer reflects a missed opportunity to align more fully with the principles of trauma-informed and survivor-centred policing. Contemporary guidance, including the *Canadian Framework for Collaborative Police Response on Sexual Violence* (Canadian Association of Chiefs of Police, 2019),<sup>9</sup> emphasizes victim autonomy, empowerment, and flexibility in investigative approaches. Although these frameworks do not explicitly call for offering interviewer gender choice, they support adapting procedures to reduce trauma and enhance victim comfort where feasible and giving agency to survivors, including by offering interviewer gender choice.

### **Finding #1:**

**The MPCC finds that there was no requirement for WO Weber to ask the victim if she preferred to be interviewed by a woman.**

- ***In the Notice of Action, the CFPM stated the following: “No identifiable action required.”***

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<sup>8</sup> MPPTP, Chapter 7, Annex I, was superseded by MP Policy 342 (Sexual Offences) as of June 26, 2025. Policy 342 does not address the issue of the preferred gender of MP personnel assigned to deal with victims.

<sup>9</sup> [20191127-CanadianFramework-ENG.indd](#).

### **Incorporate Victim Preference for Interviewer in Sexual Offence Cases**

29. MPPTP, Chapter 7, Annex I, previously directed that, wherever possible, “female” investigators be assigned to sexual assault cases involving “female” victims. While this approach aimed to reduce re-traumatization, it relied on automatic gender matching rather than the victim’s expressed preference.

30. Since this provision was removed with the adoption of MP Policy 342 (Sexual Offences) on June 26, 2025, I recommend that the policy be updated to reflect a more trauma-informed and victim-centered approach for cases that are not referred to civilian police. Specifically, where operationally feasible, victims of sexual offences should be asked whether they have a preference regarding the gender of the interviewer assigned to conduct their interview. This practice respects individual needs, promotes trust, and aligns with the principles of MP Policy 342, which emphasizes giving victims a reasonable degree of control over the handling of their complaint, consistent with modern trauma-informed standards.

31. Reintroducing this guidance, based on expressed preference rather than assumption, would enhance MP Policy 342 (Sexual Offences) by improving respect, flexibility, and alignment with contemporary best practices in sexual-offence investigations and victim support across Canadian policing services.

#### **Recommendation #1:**

**The MPCC recommends that the CFPM amend MP Policy 342 (Sexual Offences) to direct that where operationally feasible, interviewers should:**

- a) Proactively ask victims of sexual offences whether they have a preference regarding the gender of the interviewing member;**
- b) Document the victim’s stated preference and any accommodation provided; and**
- c) If a stated preference cannot be met, document the reasons and, where possible, offer reasonable alternatives to enhance victim comfort (for example, the presence of a second member, use of plain clothes, or choice of interview location). (Not accepted by the CFPM)**

- ***In the Notice of Action, the CFPM states: “Action to be taken. MP Policy 342 to be reviewed and updated as required to be consistent with best policing practices in Canada. This review will include comments noted in MPCC Recommendation 1.”***

***This recommendation is not accepted.***

***The recommendation does not call for a policy “review,” nor does it invite the CFPM to consider the MPCC’s comments only “as required.” It calls for a concrete amendment to MP Policy 342 (Sexual Offences) to incorporate specific, mandatory requirements regarding victim-interview preferences. The CFPM’s commitment to merely review the policy, with no assurance of amendment and no timeline for implementation, falls well short of what the recommendation requires. In other words, this is not acceptance but a deferral, and one that provides no guarantee that the identified shortcomings will be addressed.***

**Issue #2: WO Weber’s comment about the victim by stating: “Why does she not go to Regina Police Service?!” , was unprofessional in the circumstances**

32. In his complaint submitted to the MPCC, the complainant writes:

Prior to the victim driving from Regina, I directly heard WO Weber say: "Why does she not go to Regina Police Service?!" in a frustrated manner. The entire detachment seemed to be in a panic, and it appeared unprofessional.

33. When interviewed by PS, WO Weber admitted to making the statement, but said that it was taken out of context, claiming it was inspired by confusion at that time around the role of MPs in sexual assault cases, due to the then-recent interim recommendations of the *Independent External Comprehensive Review* by former Supreme Court Justice Louise Arbour. One of these recommendations was that the MP transfer sexual assault investigations to the civilian police. The interim recommendations were issued on October 20, 2021, and were accepted by the Minister of National Defence on November 4, 2021 – three weeks before this incident.

34. PS found this allegation “partially substantiated.”

35. When interviewed on this point by MPCC, the complainant stated that the issue was more about WO Weber’s behaviour and demeanour rather than the specific comment about Regina Police. The complainant specifically mentioned the WO’s “panicking” and constant pacing back and forth.

36. While, according to the evidence, none of the other MP members recalled hearing the comment, when asked by the MPCC if she noticed any signs of frustration from WO Weber about the fact that the victim was coming in for a complaint of this nature, Cpl Keranen said that the WO acted as he normally would, which sometimes could be interpreted as being frustrated. WO Weber declined an interview with the MPCC.

37. Given his admission to having made the statement, and the fact that it was overheard by the complainant, on a balance of probabilities, I find that WO Weber made the statement in question but that it was not directed at the victim, as it occurred prior to her arrival at the detachment. I understand that this comment could have been related to the then-recent interim recommendations of the *Independent External Comprehensive Review* by former Supreme Court Justice Louise Arbour. I also understand that WO Weber may have acted as he normally would, which sometimes could be interpreted as being frustrated.

38. That said, the frustrated tone and content of the remark, questioning why a sexual assault complainant would approach the MP, risked conveying institutional bias and a culture where sexual assault allegations are met with defensiveness, rather than empathy and procedural fairness. Such remarks from a superior can also influence subordinate attitudes, potentially normalizing dismissive responses to sexual assault cases.

39. As a detachment commander, WO Weber held a leadership role that required professionalism, composure, and careful communication, particularly in the context of a serious allegation. His remark was perceived by at least one subordinate as inappropriate and reflects a lapse in professional judgment inconsistent with trauma-informed leadership expectations of a detachment commander.

### **Finding #2:**

**The MPCC finds that WO Weber made the statement: “Why does she not go to Regina Police Service?!” While the comment was not directed at the victim it reflected poor judgment and was perceived by at least one subordinate as unprofessional. The remark undermines the professionalism and impartiality expected of a Detachment Commander in the context of a sexual assault complaint. The MPCC considers the comment inappropriate and inconsistent with trauma-informed leadership expectations.**

- ***In the Notice of Action, the CFPM stated the following: “No identifiable action required.”***

40. I note that WO Weber has since left the Canadian Forces, otherwise I would have recommended that he receive formal guidance and training on trauma-informed leadership and communication and that he be reminded of the standards of conduct expected of a detachment commander.

**Issue #3: Sgt Vallières attended the detachment while under the influence of alcohol and participated in planning for a sexual assault investigation, contrary to the expectations of professionalism, fitness for duty, and leadership responsibility under the *Military Police Professional Code of Conduct* and *National Defence Act***

41. In his complaint submitted to the MPCC, MCpl Warsame makes several references to Sgt Vallières’s state of sobriety:

At or around 2030 hrs, Sgt Adam Vallières attended the detachment as he had completed his day shift as a day worker and was visibly intoxicated. I pulled him into his office, detected the odour of alcoholic beverages from him and he admitted he was drunk.

I spoke to Sgt Vallières in private hoping he could urge WO Weber to record the interview with even a personal recorder but I was talking to an intoxicated person.

Halfway through the interview, Cpl Keranen came upstairs from the interview room into Sgt Vallières office, where he was still visibly impaired by alcohol.

42. In an interview with the CFNIS PR investigators on December 2, 2022, the complainant echoed the same remarks as in his written complaint and made numerous other references throughout his statement regarding the high level of impairment he observed with Sgt Vallières. In addition to the fact that Sgt Vallières allegedly admitted to being intoxicated, the complainant specifically noted that Sgt Vallières’s face was red, he smelled of alcohol, his eyes were glossy and his gait was noticeably affected. In the complainant’s MPCC interview, the complainant indicated that Sgt Vallières smelled of alcohol, had glassy eyes and was unsteady on his feet at one point.

43. After PS received this complaint, they decided to have this specific allegation investigated by CFNIS as, in addition to a possible breach of the *Military Police Professional Code of Conduct*, there were potential service offence(s) (Drunkenness, Conduct Prejudice to Good Order and Discipline) under the NDA involved. The allegation was referred to CFNIS Pacific Region (CFNIS PR).

44. As a result of its investigation, CFNIS PR declined to recommend charges against Sgt Vallières on the following conclusions:

**due to the accused being recalled to work by a superior** after being dismissed for the day it was not unreasonable for him to have consumed alcohol. Additionally, due to the fact the accused didn't commit an offence in attending work (driving while impaired) as he had walked there and **didn't participate in any official policing capacity** (didn't wear service weapon nor was involved in conducting the interview or it's process), there were no grounds to substantiate any offence. [Emphasis added]

45. However, in my review I found that the CFNIS PR conclusion that Sgt Vallières was “recalled to work” is contradicted by the evidence. As previously mentioned, Sgt Vallières himself confirmed to PS that he attended the detachment voluntarily, on his own initiative, having seen the incident on the MP detachment group chat. Also, he did allow himself to become involved in the handling of the investigation, notably by supporting the WO’s decision not to record the interview with C.

#### *Interview of WO Weber*

46. When interviewed by the CFNIS PR investigators on December 12, 2022, WO Weber took the position that Sgt Vallières was off duty at the time, did not play a role in the investigation and was therefore not in violation of the *Military Police Professional Code of Conduct*. However, he could not recall the circumstances under which Sgt Vallières attended the detachment that night – whether he was called in or not. With respect to Sgt Vallières state of sobriety, he stated:

Sgt Vallières had come in and from him telling me, because I don’t remember if I was there or not, he had stated to everyone he had had a couple of drinks and he is there just for admin purposes, i.e. if someone needed some paperwork, if there was any question with regards to the call they were to contact, to come to my office, contact me.

He later states that he was never close enough to him to make further observations in that regard.

47. WO Weber was interviewed by PS on July 20, 2023, and the following exchange is noted:

PS: Was Sgt Vallières involved in the decision making?

WO Weber: No.

PS: Okay, talk to me about Sgt Vallières when he arrived at the guardhouse.

WO Weber: Again, he had come into the guardhouse because of the nature of our guardhouse we are very, very small unit so something happens we bring everyone in whether it's for learning experience or administrative purposes. I can't recall if I was present when he walked in the door, but from Sgt Vallières, he says he came in, he advised everyone there, because he had uh, been drinking or whatever he had says no, he had had a couple of drinks he was there for administrative purposes only, i.e. if someone needed paperwork or something like that. Other than that, he went into his office and he had stayed [there] throughout the interaction, as far as I'm aware.

#### *Interview of Cpl Keranen*

48. In her interview with CFNIS PR investigators, Cpl Keranen stated that when she arrived at the detachment, having been called back, she spoke with Sgt Vallières and that "The first thing that Sgt Vallières said to me is 'I'm not involved in this case. I'm here if you have concerns, we can talk about it, I've had a drink, so I'm not involved in this case'." She then adds that Sgt Vallières said "...but if you need me, I'll be in my office but if you're having trouble with this sexual assault, come talk to me. And he closed the door to his office."

49. With regard to any actual observations of her own as to Sgt Vallières's level of intoxication, Cpl Keranen states, "Honestly, if he hadn't told me, I wouldn't have known."

#### *Interview of Cpl MacDonald*

50. During his interview with CFNIS PR, Cpl MacDonald made several comments with respect to the state of sobriety of Sgt Vallières on the night of November 25, 2021. For example, regarding Sgt Vallières's agreement with WO Weber not to record the interview, Cpl MacDonald reported that Sgt Vallières stated the following the night of the event:

"...I'm not making any calls right now because I'm inebriated".

With respect to Sgt Vallières's apparent intoxication on the night of the event, Cpl MacDonald stated:

"he was definitely inebriated, there's no disputing that. ...he was definitely a little unstable on his feet and a little slurred speech. And he openly said he was impaired..."



### *Interview of Sgt Vallières*

51. Sgt Vallières declined to participate in a subject interview with CFNIS PR, however, when he was contacted by phone and invited to an interview the following comment was noted:

MCpl MCINTOSH contacted Sgt VALLIÈRES via telephone and informed him that he was the Subject of an internal investigation concerning his conduct on the evening of 25 Nov 21. Sgt VALLIÈRES stated "off the record" that upon attending 14 MP Flt on 25 Nov 2021, he recused himself from the investigation and remained in his office just in case the junior members needed anything. Sgt VALLIÈRES declined MCpl MCINTOSH's request for an interview.

52. Sgt Vallières did participate in a subject interview with PS. He stated in interview that, "On the day question, at the time in question, I was at home, with my wife, I'd had one or two alcoholic beverages, I was not the MPDO [MP Duty Officer], I was not on duty." He goes on to state that he observed the MP detachment "group chat" that someone might be attending the detachment to make a sexual assault complaint. As this piqued his interest, he decided to go in. He then states:

Upon arriving at the MP Flight, I greeted the Commissionaire and then greeted Cpl MacDonald and Cpl Keranen, or retired Cpl Keranen now, was there, Warrant Weber was there and I advised everyone that I had had a few alcoholic beverages. So I was there, but I was not there, and I could not assist in any way.

53. Despite stating that he advised MPs that he "could not assist in any way," Sgt Vallières went on to make several references during the interview indicating his direct involvement in discussions concerning various aspects of the case [emphasis added]:

I asked what's going on – **we** discussed it for a little while... From what I can recall, the complainant [C] had called our dispatch and informed that they were coming in and **we** had no idea if the member, er, if the individual was a service member, dependent, where the alleged sexual assault happened... So...**we** hung around...

Sgt Vallières then goes on to provide a description of a number of plans that were being made at this time and specific things that took place over the next while. He then states:

There was a long delay between my arrival at the MP Flight and when the victim actually attended the MP Flight, uh, it was at least a couple of hours. So **we** all just sat around and waited for the victim to arrive. **During that time there was a lot of discussion happening between all persons present about how to go about receiving the complaint** and Cpl Keranen was expressing her concerns about re-victimizing and concerned about having

the person in the interview room knowing that if the sexual assault was validated that the NIS would be brought in to re-interview the member in more depth, potentially re-victimizing her. When the individual arrived, well I guess when the individual arrived, they actually brought an emotional support friend and at the time it was decided that the interview would take place in our soft interview room, which is not equipped with recording equipment.

54. This statement from Sgt Vallières demonstrates that he spent a considerable amount of time with other MPs prior to C's arrival and during which he was actively engaged in discussions concerning various aspects of the case. He frequently uses the inclusive term "we" when recounting the event that took place during the approximately two hours it took for the complainant's arrival. Although, later during his interview, he attempts to distance himself from the investigation, the detachment in question is small, primarily composed of junior, inexperienced MPs and he serves as the second-in-command. Given the significance of the incident for this unit, it is difficult to accept that he could have meaningfully removed himself from that situation.

55. On an interview with the MPCC, this allegation was read to Sgt Vallières, and he was asked to comment. His first comment was that he disagreed with the assertion that he "assisted in the investigation." He concedes that there was something of a two-hour delay from the time he arrived at the detachment and the arrival of C. He continually refers to the fact that he made it clear to everyone that he had had drinks so he could not get involved and said, "I'm here but I'm not here."

56. However, at the same time, Sgt Vallières readily acknowledged that he actively took part in discussions with the other MPs regarding preparations for the upcoming interview over the course of the two hours, for example, "We just hung around the office and discussed the hypotheticals. With such little information to go on from the call that it was all hypotheticals - what happens if? Who's responsibility if, uh, who do you call if? Stuff like that," followed by "I was in the room, I was participating."

57. Despite these comments, he stated: "Was I in the room when discussions were happening before anything kicked off? Yes, but that's not the investigation." This comment is inconsistent with the broader evidence and the role he continued to play in planning the interview. Obviously, any preparations and planning regarding the approach to the complainant interview are directly pertinent to the investigation.

58. He was also less definitive in this interview on his non-involvement by saying "...but I was trying my best not to make any decisions..." Further to this comment, the following exchange is noted:

MPCC: When you arrive there [detachment] would you consider yourself to be on duty?

Sgt Vallières: No.

MPCC: Even though you consider yourself off duty, are you still a Sergeant?

Sgt Vallières: Yes.

MPCC: And your subordinates, would they see you as a Sergeant?

Sgt Vallières: After a lot of reflection on this matter, that was something I did not take into account at the time that even though I tell them don't talk to me, don't look to me for anything like this. It doesn't change the fact that I am a Sergeant and there is an inherent responsibility.

MPCC: And do you think your presence would influence him in any way?

Sgt Vallières: I'm sure it could have.

MPCC: And when you were having your discussions prior to the victim arriving, with you providing your own opinions on the what ifs... you were talking about what ifs and what would you... do you think that your opinions influenced the members below you?

Sgt Vallières: Yes. I can't speak to that. I can't say they did. Can't say they didn't.

I looked at it from a from my perspective of how I would look at it, and I know how I would perceive it and that's an unfair expectation to have on a Corporal.

59. When asked specifically about how much he had to drink, he stated "Two shots of whiskey." He confirmed that his day shift ended at 16:00 hrs, and he went back to the detachment at approximately 18:30 hrs. He also confirmed he lives on the base, and that the detachment is a two-minute walk to his residence. He was then asked if in that time period, he consumed just the two shots. He stated that he does not drink in front of his children, and he puts them to bed, usually by 18:30 hrs. When he does have a drink, he measures "one shot" and pours it into a glass of ice. Later in the interview, he's asked if, over the course of the evening, did he feel his level of sobriety/intoxication change in any way over time and he stated, "Probably sobered up."

60. Overall, it appears that Sgt Vallières is attempting to have it both ways. On the one hand, he says he had just "two shots," and he minimizes his level of involvement over the course of several hours, despite claiming to have taken extensive measures not to get involved with the investigation. At the same time, he acknowledges he took part in planning discussions for the interview with C. When looked at in its totality, the evidence, including importantly Sgt Vallières's own admissions, indicates that

Sgt Vallières was not only under the influence of alcohol but also assisted in the investigation.

*Sgt Vallières Involved Himself in the Investigation after Having Consumed Alcohol*

61. Based on all the available evidence, I find that, on the balance of probabilities, Sgt Vallières voluntarily attended the detachment, and he openly acknowledged to all that he had consumed alcohol, and he was, according to some witnesses, exhibiting signs of intoxication. He also played an active role in the planning for the interview of C and in advising subordinate MPs accordingly.

62. Finally, in his interview with MPCC, Sgt Vallières made the following admission:

In hindsight, I never should have been in the building at all. But you know my attempts to exclude myself, obviously were not sufficient in hindsight. I didn't see it from the perspective of from the Corporals. I didn't see it from the perspective of the Warrant, who, you know, sees me as his 2 i/c that he trusts as an investigator. I didn't see it from the perspective of the Master Corporal.

63. Off-duty MPs must exercise caution when considering involvement in active investigations and should coordinate their involvement through their appropriate chain of command. Under no circumstance should they participate when they have consumed alcohol or drugs, given the serious implications for the operational integrity of investigations and the public trust in the MP.

**Finding #3:**

**The MPCC finds that Sgt Vallières attended the detachment while under the influence of alcohol and participated in planning for a sexual assault investigation, contrary to the expectations of professionalism, fitness for duty, and leadership responsibility under the *Military Police Professional Code of Conduct* and *National Defence Act*.**

- ***In the Notice of Action, the CFPM stated the following: “No identifiable action required.”***

**Recommendation #2:**

**The MPCC recommends that Sgt Vallières complete remedial training on ethical leadership, fitness for duty, and the handling of sexual assault investigations.  
(Accepted by the CFPM)**

- ***In the Notice of Action, the CFPM stated the following: “Action to be taken.”***

***This recommendation is accepted.***

***While the CFPM does not specify what action will be taken, the commitment to act, combined with the specificity of the recommendation, leads me to determine that the recommendation is accepted.***

**Issue #4: WO Weber should have selected the complainant to conduct the interview with C**

64. In the view of the complainant, he was the most logical person to conduct the interview with C, as he had more experience with victim interviews than anyone else at the detachment.

65. In their investigation PS determined that, while MCpl Warsame may well have had more experience interviewing sexual assault victims, WO Weber, “while acting in good faith,” was entitled to use his discretion in deciding who was best suited to conduct the interview with C.

*Interview of WO Weber*

66. On matters related to the experience levels of the Moose Jaw MP’s, WO Weber had the following responses when interviewed by the PS investigator:

PS: “What was the average amount of experience of the MP members at the “det”, excluding yourself and the Sergeant?”

WO Weber: “Probably two or three years experience. MCpl Warsame had a little bit more time in however, he didn’t have the courses or the experience in my opinion. So the only other one would have been Cpl Keranen because she had probably been there just over three years but due to medical issues she never had the courses or qualifications on the MP side of the house however she had the qualifications on the civilian side of the house.

PS: “And do you recall, maybe not exactly, but around what was her qualifications then?”

WO Weber: “She was probably two months out from completing her Masters degree in [unintel.] She held a Bachelor’s degree in the same subject before that, she held a diploma in social work, specializing in domestic violence and sexual assault. She had been our Victim’s Services, she worked with Victim’s Services, Moose Jaw City Police, Big Sisters and different other things like that, so...”

67. With regard to the complainant’s background and experience, WO Weber suggested that the complainant exaggerated his level of experience, noting that, the complainant “didn’t have any vast experiences in sexual assault investigations, at all.”

### *Interview of Cpl Keranen*

68. On an interview with the MPCC, Cpl Keranen stated that, as a police officer, she had probably conducted interviews in seven or eight cases involving sexual assaults. These interviews were in Petawawa and Moose Jaw. The interviews in Petawawa consisted of three on-the-job training sessions where she was the scribe (note taker). The interviews conducted in Moose Jaw consisted of three separate allegations of sexual assault prior to the C interview. She also went over again her fairly extensive experience as a social worker and dealing with victims of sexual assault.

69. In terms of relevant training courses as an MP member, Cpl Keranen advised the MPCC that she had, at the time of the incident, completed: a course on interviewing at the MP Academy; online police training courses in victim centric and trauma approaches for interviewing; and basic training for MP members, which included three modules on interviewing techniques. She had no specialized training for sexual offence investigations.

70. Although Cpl Keranen did not have extensive sexual assault interview experience, her background appears to have been more substantial than the complainant believed.

### *Cpl Keranen Was Not the Most Appropriate Investigator to Interview C*

71. In his complaint submitted to the MPCC, MCpl Warsame makes the following statement regarding the inexperience of the MPs and his own level of experience:

Having taken more victim interviews than the entire detachment combined due to my time in CFB Winnipeg's 17 MP Flt [Flight] – I believed I could provide some assistance. Upon arrival I was told Cpl Keranen will be conducting the interview as lead investigator (who to my knowledge had never conducted a S/A [sexual assault] victim interview as a police officer – without asking the victim if she preferred a female officer). Notetaker for Cpl Keranen was Cpl Joey MacDonald, [a] Jr [junior] MP with little to no experience in S/A [sexual assault] investigations.

72. In his interview, the complainant elaborated further on his experience with sexual assault investigations. He estimated that he had, at the Winnipeg MP detachment, worked on about 20 sexual assault investigations at the “front” end, that is, in the period before CFNIS (who are primarily responsible for sexual assault investigations in the military) took over the case. This primarily involved conducting initial witness interviews and

dealing with preliminary forensic matters, like ensuring that the victim went for a sexual assault evidence kit (SAEK) examination.

73. Regarding Cpl Keranen specifically, he states:

Due to her [Cpl Keranen] inexperience, I had to remind her to request text messages sent to the victim by the accused, any forensic evidence and clothing she had on the night of the assault, any possible photos she may have taken that could assist in the investigation and clothing for possible forensic evidence (the victim later confirmed she washed half the clothes she had on the evening of the alleged sexual assault), and request if the [victim] required a SAEK [sexual assault evidence kit] kit or immediate medical attention.

74. MP Order 2-500 (Investigation Management) requires that “appropriate” investigators be assigned to cases and notes that relevant considerations include access to “any special skills, abilities or qualifications,” that may be relevant to the investigation (MP Order 2-500, paragraph 12). The Order does not require that the most experienced available investigator always be assigned. While, through her previous work with sexual assault victims as a social worker, Cpl Keranen did have access to some relevant “skills abilities or qualifications,” the purpose and relevant skills of social work and criminal investigation are very different from one another. WO Weber admitted that Cpl Keranen had not done the MP courses or qualifications to investigate sexual offences.

75. On the one hand, it was within WO Weber’s discretion to select Cpl Keranen to conduct the interview with C. On the other hand, given the seriousness of this case, her lack of experience and qualification in investigating sexual offences, it was a questionable exercise of WO Weber’s discretion, especially given the availability of a more experienced member. Indeed, WO Weber himself had doubts about selecting Cpl Keranen: this was part of the motivation behind the decision not to record the interview as noted later in this decision.

76. Given the complainant’s experience in conducting sexual offences investigations, including interviewing victims, a reasonable supervisor would have assigned him the responsibility of conducting the interview with C. This decision would also have been more consistent with MP Order 2-500.

#### **Finding #4:**

**The MPCC finds that, while it was within WO Weber’s discretion to assign Cpl Keranen to do the interview of C, she was not the most appropriate investigator to interview C in the circumstances.**

- *In the Notice of Action, the CFPM stated the following: “No identifiable action required.”*

**Issue #5: WO Weber failed to ensure the interview was recorded using audio or video equipment readily available and that the decision not to record was inconsistent with MP policy or best investigative practice**

77. In his complaint, MCpl Warsame makes three references to the non-recording of C’s initial interview with MPs:

- “WO Weber ordered Cpl Keranen to conduct the interview with Cpl MacDonald and he decided to not record the interview using audio or video equipment readily available.”
- “I spoke to Sgt Vallières in private hoping he could urge WO Weber to record the interview with even a personal recorder, but I was talking to an intoxicated person.”
- “I observed WO Weber outside in the rear of the MP detachment and again urged him to have the interview recorded...”

78. PS concluded that recording equipment was readily available and should, as a policing best practice, have been utilized. PS further observed that all MP members “knew, or ought to have known,” that witness interviews should be recorded when possible.

79. The PS interviews conducted with the CFNIS WR investigators established that they were informed of the fact that the initial statement had not been recorded at the very beginning of the investigation – just shortly after being assigned the case. The information they received also included that the reason it had not been recorded was that the Moose Jaw MP detachment chain of command did not want there to be evidence that would expose the fact that inexperienced officers had conducted a poorly run interview.

80. The PS interviews with Cpl Keranen and Cpl MacDonald, as well as the complainant, also establish that WO Weber did not want the interview recorded. The subject interviews with WO Weber and Sgt Vallières conducted by PS confirm that



WO Weber, by his own admission, made the decision to not have the interview recorded. However, WO Weber's explanation that the interview was not recorded to avoid re-victimizing the complainant directly contradicts the consistent testimony of multiple witnesses, particularly CFNIS WR investigators, who indicated that the true rationale was concern about junior members mishandling the interview.

81. There was additional contradictory evidence related to the rationale for non-recording of this initial interview with C. During an interview with PS, WO Damon Tenaschuk stated that he was told the non-recording was due to the MPs not knowing how to operate the recording equipment. He maintained this version throughout his subsequent interviews with PS. When interviewed by the MPCC, WO Tenaschuk continued to stand by his version of the phone call despite the contents of the audio-recorded conversation, quoted below between himself and Sgt Vallières, where another contradictory explanation for the non-recording was discussed (namely, fear of re-victimizing C).

*Interview of Cpl MacDonald*

82. Cpl MacDonald submitted a follow-up report into the Security and Military Police Information System (or "SAMPIS" – the MP's Electronic File Management System) detailing the initial interview conducted with C. In his report, he states that he and Cpl Keranen "...received a pure version victim statement from [C] concerning a Sexual Assault. The interview was not audio/video recorded, as the 14 MP Flt soft interview room is not set up for recordings."

83. As part of a criminal/service offence investigation regarding the actions of Sgt Vallières on November 25, 2021, Cpl MacDonald was later interviewed by CFNIS PR investigators on December 12, 2022. In that interview, Cpl MacDonald, in describing the events leading up to the interview, states:

...I had the audio equipment ready, so we were just going to do the soft room [which was not equipped with audio-video recording equipment] but we were just going to bring an audio recording device in and the WO said "You're not taking that in there." He refused to let me take it in, so I noted it in my notebook.<sup>10</sup> He refused to let me take it in.

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<sup>10</sup> On review, no such notebook entry could be found.

84. He then adds: “At some point Vallières, I’m sure he [WO Weber] called Vallières, Sgt Vallières, to ask for his advice on stuff. Sgt Vallières came in, and he also agreed with WO Weber about not using the audio equipment even though I said we were supposed to do it.”

*Interview of CFNIS WR Investigators*

85. Sgt Gauthier, MS Brown and MCpl Alton, who took over the sexual assault investigation when it was transferred to CFNIS WR (and who were subjects of the related complaints by the Hiestand family: [MPCC 2022-017/041](#)), were each interviewed by PS as witnesses with respect to this complaint. The interviews revealed that the CFNIS WR investigators had been made aware of the non-recording issue on Friday November 26, 2021, prior to the investigators departing for Moose Jaw. MCpl Warsame contacted an investigator who he knew personally at CFNIS WR and informed her about the non-recording. This investigator, in turn, notified the assigned investigators.

86. Upon being informed that the interview had not been recorded, MCpl Alton e-mailed Sgt Vallières in advance and asked that he ensure the victim statement be updated in SAMPIS and to have the recording available for their review to elicit a response from him, but she did not receive a reply. MCpl Alton stated that when she arrived at the Moose Jaw detachment, she met with Sgt Vallières to discuss the issue. He said he got her e-mail but there were no copies of the interview, and he asked how he should write that up in SAMPIS. She told him to just enter “interview, not recorded” and leave it at that, and he could explain further if asked about it in the future. In her PS interview, MCpl Alton states that Sgt Vallières went on to explain

that he was discussing it with Weber and the two of them came to a conclusion that because the two junior members had no experience doing the interviews that it was better for them not to have it recorded in case they said or did something that they shouldn’t have done during the interview then it won’t be on the recording.

87. MS Brown, during her interview with PS, advised that after their arrival at the Moose Jaw detachment on Monday, November 29<sup>th</sup>, 2021, she and MCpl Alton approached Sgt Vallières. In her witness interview, MS Brown stated “...he said kinda something to the effect of like I’m going to be like frank with you, but he said that he and

Warrant Weber had decided and then he told the guys doing the interview not to audio or video record it in case they tanked it.”

88. Sgt Gauthier, in her interview with PS, added some additional context to the issue. She stated that she first heard of the non-recording when the investigators called her after arriving in Moose Jaw. They told her that Sgt Vallières had said that he told the MPs “...not to record the interview because he didn’t want them to screw it up.” She added that she knew Sgt Vallières as they were on the MPIC (Military Police Investigator Course) together, and she found it strange and could not understand why Sgt Vallières would do that. Later in the interview, Sgt Gauthier describes to the PS investigator that in the MPIC course they instruct the class to audio and video record victim interviews. She recalled having discussions on the subject with Sgt Vallières.

#### *Interview of Sgt Vallières*

89. During his subject interview with PS, the following comments and responses were noted:

PS: “...but you probably know who said not to record the interview?”

Sgt Vallières: “It... I believe it may have been the [MP Duty Officer], but at the same time the Corporal who was conducting the interview was supportive of the matter.”

....

PS: “So from your understanding of your training normally an initial complaint for a victim how are you supposed to conduct that interview?”

Sgt Vallières: “Audio video interview.”

PS: “Okay. Sexual assault complaints at Moose Jaw detachment previous interviews with those people, how were they conducted in the past?”

Sgt Vallières: “Audio video.”

....

PS: “Did you hear the decision being made [not to record]?”

Sgt Vallières: “I don’t remember.”

#### *Interview of WO Weber*

90. In his subject interview with PS, the following was noted by WO Weber:

PS: “Could you elaborate on the non-recording of the initial complaint of Ms. [C], what happened?”

WO Weber: “Again basically, how we do things, they had come in, they went downstairs, basically do their interview cuz again I’m waiting to get the who, what, when, where, to

determine jurisdiction at that time and because I had Cpl Keranen do up the interview cuz she's the one with the experience with her background and everything she basically advised me no, that she was just going to do it in the soft interview room because the victim wanted someone with her which they have the right under the *Victim Bill of Rights* and also at the same time we were still in Covid protocols, our interview room is very, very small so they decided to do it in the soft interview room and at one point she advised, well no, because we were just getting the who what when where why, getting the initial complaint and that NIS was going to come down do the re-interview anyway that it was decided that they, that to set up a camera and everything we weren't going to do at the time for the reason we didn't want to upset the victim any more knowing that the NIS was, again, going to do a full interview once they got on the ground."

PS: "Okay, who made that decision, not to record?"

WO Weber: "It was kinda between myself and Cpl Keranen."

PS: "Okay, and was there objections?"

WO Weber: "At the time, not to what I was aware of, I didn't realize there was objections until after the fact."

### *Interview of Cpl Keranen*

91. For her part, in her MPCC interview, Cpl Keranen took primary responsibility for the non-recording of the interview with C.

92. During Cpl Keranen's interview with the MPCC, the following exchange took place:

Cpl Keranen: I honestly I can't explain why this one wasn't recorded, versus the other ones. That's definitely a failing on all of our parts and especially myself as the person who was leading, like doing the interview, I should have ensured that it was recorded.

MPCC: Did anyone ever tell you not to [record]?

Cpl Keranen: No, not well, not that I can recall. I don't I, but I don't see anybody telling me. No, that I shouldn't have recorded it."

MPCC: So you're saying that the decision not to record was entirely yours?

Cpl Keranen: Well, I was the person leading the interview, and hindsight being what it is, I was the person that should have made that decision. So it's my fault that it wasn't recorded, is what it comes down to. If I'm the person leading the interview and it didn't get recorded, that's...".

### *Telephone Call Between Sgt Vallières and WO Tenaschuk (CFNIS WR)*

93. Based on the MPCC's interview with Sgt Vallières, a request for additional disclosure was made by the MPCC to PS to obtain a copy of the phone call referenced by Sgt Vallières between himself and WO Tenaschuk of CFNIS WR on November 26, 2021, regarding the investigation of the case involving C.

94. Upon review of the recording, as noted, the call took place on Friday, November 26, 2021, at 11:18:45 hrs. The total call duration is 5m 42s. WO Tenaschuk of CFNIS WR in Edmonton is calling into the detachment and the call is answered by Sgt Vallières. The following is an abbreviated transcript used for the purpose of highlighting the germane points [emphasis added]:

WO Tenaschuk: I got my investigators coming Sunday, to like Wednesday or Thursday.

...

WO Tenaschuk: They'll come Sunday, bring her [complainant] in, add some more stuff. Who did the interview?

Sgt Vallières: Ericka.

WO Tenaschuk: Okay, so Ericka [Cpl Keranen] will just, she'll need to make copies of the interview A/V recordings.

Sgt Vallières: There is none.

WO Tenaschuk: Uh, what?

Sgt Vallières: We don't have any A/V, again they did a pure version. We were going to have Joey do it right up until the moment that Ericka was going to do it and...

WO Tenaschuk: But you have an audio recorder.

Sgt Vallières: Ya, we didn't use it.

WO Tenaschuk: Fuck. You're killing me.

Sgt Vallières: No, you fuckin' people come down, they [CFNIS] do their own. **They were so worried about re-victimizing (her) they didn't want to come off as jackasses**, audio/video recording like a who, what, when, where, when and that's it.

WO Tenaschuk: Ya, ya, that's why I fuckin' spent all that money on those audio recorders. Fuckin' killing me.

Sgt Vallières: Okay.

WO Tenaschuk: Okay, all right. So they'll have to do a full re-interview of her then?

Sgt Vallières: Ya. Again, we thought Joey was going to do it and we're like okayyy... here's the deal, right.

WO Tenaschuk: Why didn't he do it? He chickened-out?

Sgt Vallières: No fuckin' Ericka, we put Ericka in place at the last minute because he was asking too many dumb questions.

...

Sgt Vallières: Okay, because we were more worried about Joey fucking up your guys' part of the investigation by diving deep into investigation and asking too many questions and re-victimizing her basically before you guys would then have to re-victimize her again.

WO Tenaschuk: Which now we have to do.

Sgt Vallières: I thought you guys had to do that regardless.

WO Tenaschuk: No. So if, when a pure version is done and she gives all this information right and she gives it to Ericka and it's recorded, they'll listen to it and then they'll just skip over some of that stuff so they won't ask her again and then they'll just ask clarifying

questions. So if she says A, B, C and D and then they'll be going like you told the other investigator A, B, C and D, however, can you just explain what E means and that's how they would do it.

Sgt Vallières: Oh, okay. Okay, well now we know.

WO Tenaschuk: Adam, I fuckin' taught you this!

Sgt Vallières: No you didn't.

WO Tenaschuk: Yes I did, why do you think I even fuckin' spent all that money on you! For those nice fuckin' recorders!

Sgt Vallières: [laughing] We don't even use them.

WO Tenaschuk: Oh for fucks sake. Blame Jerrett [WO Weber]!

Sgt Vallières: Ha, Ha! Sounds good!

95. Important to note is the fact that the conversation takes place the very next morning after the initial interview of C and the CFNIS WR investigators have not yet even departed for Moose Jaw. At this point, Sgt Vallières and WO Tenaschuk were speaking openly and freely. This call confirms that Sgt Vallières played a role in the decision not to record the interview, despite later attempts to minimize his involvement. The rationale that Sgt Vallières provides touches on possible "re-victimization" but in the context that they did not want the interviewers "**to come off as jackasses.**" This is in line with the rationale he provided to MCpl Alton, as noted above, which focused on concerns about not wanting the interview recorded in case the MPs conducting it did not do a good job.

#### *Unjustified Failure to Record the Interview with C*

96. The Moose Jaw MP detachment was equipped with functioning recording equipment. This is not in dispute, and the evidence of all the members is consistent and definitive on this point.

97. Military Police Policies and Technical Procedures (MPPTP), Chapter 7, Annex E, paragraph 10, states:

Should an interview subject object to being electronically recorded, the MP members shall advise the subject the recording is for the purpose of providing the most accurate record/picture of what occurred in the interview room, and **it is the policy of the MP members to record all investigative interviews.** The recording equipment shall only be turned off if the subject clearly states they will not continue unless the equipment is turned off.[emphasis added]

C was never offered a choice or raised any objection to being recorded. Recording critical interviews is a policing best practice.

98. Taking all the information, from both witnesses and subjects, into consideration, while Cpl Keranen may well have supported the decision, I find that, on a balance of probabilities, WO Weber was ultimately responsible for the decision to not record the interview with C. While WO Weber cited concerns about “re-victimization,” his explanation lacks coherence. The fact that the interview was recorded does not alter the possibility of a re-interview of C, nor is it evident how the act of recording, in and of itself, would contribute to re-victimization. However, regardless of which reasoning or rationale was ultimately behind the decision, none of the justifications offered were valid under existing policy or consistent with best practices. The only factors that might prevent recording the interview would be an outright request from the complainant or, if for any reason, the recording equipment was non-functional or otherwise not available.

99. In this case, the failure to record the initial interview with C had two significant implications on the case.

100. First, it is apparent from C’s second interview (the one with CFNIS WR on November 29, 2021), and in reviewing the non-detailed notes of Cpls Keranen and MacDonald from the first interview, that not all the information or comments made by the complainant were captured. The record of it is therefore incomplete and it in no way provides a true and accurate account of not only what was said, but the specific words or phrases used in respect to important evidentiary areas.

101. Efforts to determine more details of the interview with Cpl Keranen were impeded. This was due to the fact that the “scribe notes” which Cpl Keranen stated were produced by Cpl MacDonald were not available. Cpl Keranen stated that she made her own police notes from MacDonald’s “scribe notes.” Witness JW confirms that the second MP (Cpl MacDonald) made notes on a pad of paper during the interview. Cpl MacDonald stated to the MPCC he didn’t make “scribe notes.”<sup>11</sup>

102. Second, not only was everything said by the complainant not captured, but neither is there any record of what the MPs said to her. This is noted both during Cpl Keranen’s

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<sup>11</sup> He also stated he made an Interview Plan which was also not retained on the file.

PS interview, as well as C's interview with CFNIS WR. On several occasions during C's interview with the CFNIS WR investigators she frequently refers to having told "Ericka" (Cpl Keranen) certain details and there is nothing in the report or the officer's notes about these topics. Also, Cpl Keranen gave some manner of explanation to C about the key concepts of sexual assault, consent and being unconscious. Without a definitive record of the interview, it is not possible to rule out that C's understanding of key concepts, like blackout versus unconsciousness, may have been influenced by unclear or inaccurate explanations. When C gave her recorded CFNIS WR interview four days later, it was noted how frequently she interchanged the two terms. Moreover, in her PS interview, Cpl Keranen indicated that she (incorrectly) informed C that an intoxicated person could not consent.

**Finding #5:**

**The MPCC finds that WO Weber failed to ensure the initial interview with C was recorded, despite the availability of functioning audio equipment. The rationale provided by WO Weber, that recording might re-traumatize the complainant, was inconsistent with Military Police Policies and Technical Procedures guidance and not supported by the evidence. On a balance of probabilities, the decision not to record was made to avoid creating a permanent record of a potentially flawed interview conducted by junior military police. This decision was contrary to investigative best practices and undermined both evidentiary integrity and public confidence in the handling of sexual offence complaints.**

- *In the Notice of Action, the CFPM stated the following: "No identifiable action required."*

103. Although MPPTP Chapter 7, Annex E (cited above), is somewhat indirectly worded, it nonetheless indicates that witness interviews should be recorded. In contrast, MP Order 2-350 (Interaction with Victims and Witnesses) is more explicit, at least with respect to victim interviews, mandating that "all interviews and interrogations of complainants shall be videotaped." However, MP Order 2-350 has not yet been promulgated.

104. The decision not to record the interview was made deliberately and knowing that it was contrary to established practice and policy. Accordingly, a recommendation to enhance policy or training is not warranted based on the facts of this case. However,



further delays in promulgating MP Order 2-350 may leave any uncertainty regarding the importance of recording all investigative interviews.

**Recommendation #3:**

**The MPCC recommends that the CFPM take immediate steps to expedite the promulgation of MP Order 2-350. In the interim, the MPCC recommends that the CFPM issue a clear policy directive mandating the recording of all investigative interviews. (Not accepted by the CFPM)**

- ***In the Notice of Action, the CFPM states: “Action to be taken. The Office of the CFPM is currently conducting a review of the prioritization of policy publication and will ensure that the comments of recommendation 3 are included in this review.”***

***This recommendation is not accepted.***

***The MPCC called for two concrete and immediate actions: expediting the promulgation of MP Order 2-350, and issuing an interim directive mandating the recording of all investigative interviews.***

***Instead of committing to either measure, the CFPM indicates only that the recommendation will be included in a broader review of policy-publication priorities. A review of prioritization is not the same as taking the required steps, nor does it provide any assurance that MP Order 2-350 will be expedited or that an interim directive will be issued. In other words, the CFPM response defers the matter rather than accepting it, and therefore falls short of what the recommendation requires.***

**Issue #6: WO Weber violated MP policy and investigative standards by permitting a support person, who was also a potential witness, to attend the victim’s interview without pre-screening him for involvement in the case**

105. In his complaint to the MPCC, MCpl Warsame states the following:

At or around 2130 hrs, the victim arrived with an unidentified Caucasian male, 25-35, and I later learned he knew both the accused and the victim. ... [WO Weber] also agreed to let this unidentified male sit in on the interview with the victim in the soft interview room, from what I learned - this male was only identified a day or two after the interview was conducted. I believe SAMPIS records will verify the entry of his personal information as being different from the initial date of the victim's interview.

106. There are two distinct issues here: 1) the failure to identify JW at the time of the interview, as alleged by the complainant; and 2) the failure to pre-screen JW for his involvement with the case in order to determine whether he was a potential witness and

therefore should not sit in on the interview. Based on the evidence, the first issue was addressed by the investigators, but not the second.

107. PS concluded that this allegation was substantiated, in as much as an unidentified male was allowed to sit in on the interview with C and this male was not identified as a potential witness until a day or two following the interview. This resulted in JW's subsequent statement to CFNIS WR investigators being potentially contaminated.

*Interview of WO Weber*

108. When WO Weber was interviewed by PS, he stated:

...now for the second part of that, where the male was not identified, again, *Victim Bill of Rights* stuff, the victim wanted someone with her, which we were going to allow, now whether at that point the victim [support person] was identified, or not, I wasn't advised of that but I was told by Sgt Vallières the following day that yes ... the victim's counterpart [support person] that was in the interview, was identified.

WO Weber added that he did not know why the complainant assumed otherwise. Notably though, WO Weber was not asked about the related issue as to whether any pre-screening process had taken place to determine any potential involvement of the support person as a witness in the alleged events.

*Interview of Cpl Keranen*

109. On an interview with CFNIS PR investigators, Cpl Keranen, when describing the initial stages of the interview with C, she talks about going to the room (with Cpl MacDonald as her scribe) where "...the victim was in the room with a support person. We ID'd ourselves and ID'd both of them."

*Interview of Cpl MacDonald*

110. Cpl MacDonald was designated as the note-taker for the initial interview of C. In reviewing his duty book notes, as copied into the General Occurrence (GO) file, he noted that C arrived at the detachment at 22:10 hrs on November 25, "...with JW." Once they enter the interview room, he has recorded all the contact information for C, as well as JW, to include his full address, phone number and occupation. The interview appears to

commence after these notations have been made and his notes continue with "...while intoxicated, [C], with help from JW and others got into a taxi..."

111. On an interview with the MPCC, Cpl MacDonald indicated (and this was supported by JW), that he and JW knew each other personally beforehand as they had attended basic training together. Furthermore, since both ultimately ended up at Moose Jaw, they had also spoken to each other from time to time.

112. The MPCC investigators also obtained the SAMPIS case notes regarding the entry of JW into the database. The first entries were made by Cpl MacDonald at 02:34 hrs and 03:51 hrs on November 26, 2021. This would be within approximately 5 to 6 hours after the completion of the interview. There are also several other modifications made by Sgt Vallières later in the morning. Based on this information, the complainant was mistaken in his understanding that the person had not been identified and his details not entered in SAMPIS until days later.

113. The more significant aspect of the allegation, as it impacts more directly on the ensuing CFNIS WR investigation, is that JW was not only there as a support person, but he was also a witness in the investigation.

114. Cpl MacDonald indicated that there was no pre-screening of JW as to his possible involvement in the events under investigation. Cpl MacDonald was asked by MPCC investigators if, as the interview went on, it became apparent that JW might be a witness in the investigation. He responded: "I think at one point, he was with [C] at the bar. But didn't like... they were together earlier partying but didn't have anything like, after the bar time, so... a witness of sorts I guess that they went out together but not of the actual incident."

115. There was no discussion with WO Weber of pre-screening of JW before allowing him to sit in on the interview. WO Weber's sole concern appeared to be the need to accommodate her request to have a support person present pursuant to the *Victim Bill of Rights*.

*WO Weber Allowed a Prospective Witness to Attend the Interview with C*

116. The following MP policy provides direction on the presence of individuals accompanying witnesses during interviews:

MPPTP, Chapter 7, Annex E:

INVESTIGATION AID: INTERVIEW

SCOPE AND APPLICATION

1. This Annex provides procedures for the conduct of interviews with complainants, witnesses, informants, and suspects.

[...]

4. **General.** Sometimes relatives, union representatives, friends, or a lawyer of the person will want to attend the interview. Sometimes the interviewee will ask they be allowed to attend. If such a request is made, attempt to determine the reason. If Section 10b of the Charter is invoked to retain and instruct counsel without delay, allow consultation with a lawyer. Friends or relatives should not generally be allowed unless the interviewee will not participate otherwise.

117. There is no evidence suggesting that C was refusing to participate in the interview in the absence of JW. Therefore, the above-quoted policy suggests that he should not have been allowed to sit in on the interview. What made this mistake worse was the failure to screen JW's involvement in the case as a potential witness. As a potential witness, he should not have been allowed to attend the interview with C.

118. Despite WO Weber's claims, there is no requirement in the *Canadian Victims Bill of Rights*, nor the NDA's *Declaration of Victims Rights*,<sup>12</sup> to allow a support person to attend a victim interview. It is possible that WO Weber's decision was motivated by concerns about being 'victim centric'. However, WO Weber did not respond to efforts by the MPCC to contact him.

119. It is important in any investigation to separate all potential victims and witnesses from each other to ensure that their own perceptions and recollections are not tainted or influenced by others.

120. A review of this GO file reveals that C and JW had known each other personally for a substantial period of time and were personal friends. It is understandable, and desirable where possible, to allow a support person to be present with a victim during an interview,

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<sup>12</sup> *National Defence Act*, Part III, Division 1.1.

however, not at the expense of the integrity of the investigation. An individual being considered to attend the interview must be first screened to assess any potential involvement.

121. That said, it is not accurate to say that JW was not identified at the time by the MP members who conducted the interview.

122. Based on the available evidence, the MPCC finds that WO Weber failed to meet the standard in permitting a support person, later identified as JW, to sit in on the interview with C without first screening for his potential involvement in the events under investigation.

123. Allowing JW to be present during the interview, without prior assessment of his role, contravened established MP guidance (as quoted above in Military Police Policies and Technical Procedures, Chapter 7, Annex E) and compromised the integrity of the investigative process.

#### **Finding #6:**

**The MPCC finds that WO Weber permitted a support person, who was known to both the victim and Maj Hiestand, to attend C's interview without a prior screening to assess potential involvement in the case. This approach was inconsistent with military police policy and best practices.**

- *In the Notice of Action, the CFPM stated the following: “No identifiable action required.”*

124. This case, and in particular, WO Weber's confusion regarding applicable requirements, highlights the need for clearer guidance on whether, and to what extent, victim-support persons may attend victim interviews.

#### **Recommendation #4:**

**The MPCC recommends that the CFPM clarify in MP Orders when victim-support persons may be allowed to attend victim interviews and the steps that should be taken to ensure that the person in question is not a potential witness or could compromise an investigation. (Not accepted by the CFPM)**

- *In the Notice of Action, the CFPM stated the following: “Action to be taken. MP Policy regarding interview and interrogations to be reviewed and updated*

*as required to be consistent with best policing practices in Canada. This review will include comments noted in MPCC Recommendation 4.”*

*This recommendation is not accepted.*

*The MPCC called for a clear and specific amendment to MP Orders to set out when victim-support persons may attend interviews and what steps must be taken to ensure they are not potential witnesses or risks to the investigation.*

*Instead of committing to implement these requirements, the CFPM indicates only that the relevant policy will be reviewed and updated “as required,” with the recommendation’s “comments” merely included in that review. A discretionary review is not equivalent to adopting the concrete measures proposed, nor does it provide any assurance that the necessary clarifications will be made. Again, the CFPM response defers the issue rather than accepting the recommendation, and therefore falls short of what is required.*

## CONCLUDING REMARKS

125. The intake stage of a sexual assault investigation is a critical juncture that sets the tone for the integrity, fairness, and effectiveness of the entire investigative process. In this case, the Moose Jaw MP Detachment’s handling of intake fell significantly short of professional standards. These deficiencies are directly linked to decisions made by the detachment leadership, specifically the subject members, WO Weber and Sgt Vallières. The failure to conduct an effective and properly recorded interview with the complainant undermined the investigative foundation and imposed avoidable burdens on the CFNIS WR investigative team. This reflects a lack of leadership and accountability at a moment when trauma-informed, procedurally sound decision-making was essential.

126. The CFPM responses to the recommendations of this report are troubling. It is deeply concerning that the majority of the recommendations arising from this decision have not been fully accepted. These recommendations were grounded in clear evidence of investigative shortcomings and were aimed at strengthening the professionalism, accountability, and victim-centred approach of MP investigations. By declining to implement them, the CFPM risks allowing the very deficiencies identified in this case to persist unaddressed.

127. This reluctance to commit to meaningful improvement is a missed opportunity to enhance the quality of sexual assault investigations and to reinforce public confidence in the MP. The issues revealed in this matter are too serious to be met with minimal, vague or non-committal responses by the CFPM.

128. It is imperative that the CFPM swiftly implement these recommendations to ensure that all future investigations are conducted to the high standards of rigour and professionalism that Canadians expect and that members of the Canadian Forces deserve.

## **SUMMARY OF THE FINDINGS AND RECOMMENDATIONS**

### **Finding #1:**

The MPCC finds that there was no requirement for WO Weber to ask the victim if she preferred to be interviewed by a woman.

### **Finding #2:**

The MPCC finds that WO Weber made the statement: “Why does she not go to Regina Police Service?!” While the comment was not directed at the victim it reflected poor judgment and was perceived by at least one subordinate as unprofessional. The remark undermines the professionalism and impartiality expected of a Detachment Commander in the context of a sexual assault complaint. The MPCC considers the comment inappropriate and inconsistent with trauma-informed leadership expectations.

### **Finding #3:**

The MPCC finds that Sgt Vallières attended the detachment while under the influence of alcohol and participated in planning for a sexual assault investigation, contrary to the expectations of professionalism, fitness for duty, and leadership responsibility under the *Military Police Professional Code of Conduct* and *National Defence Act*.

### **Finding #4:**

The MPCC finds that, while it was within WO Weber’s discretion to assign Cpl Keranen to do the interview of C, she was not the most appropriate investigator to interview C in the circumstances.

### **Finding #5:**

The MPCC finds that WO Weber failed to ensure the initial interview with C was recorded, despite the availability of functioning audio equipment. The rationale provided by WO Weber, that recording might re-traumatize the complainant, was inconsistent with Military Police Policies and Technical Procedures guidance and not supported by the evidence. On a balance of probabilities, the decision not to record was made to avoid creating a permanent record of a potentially flawed interview conducted by junior military police. This decision was contrary to investigative best practices and undermined both evidentiary integrity and public confidence in the handling of sexual offence complaints.



**Finding #6:**

The MPCC finds that WO Weber permitted a support person, who was known to both the victim and Maj Hiestand, to attend C's interview without a prior screening to assess potential involvement in the case. This approach was inconsistent with military police policy and best practices.

**Recommendation #1:**

The MPCC recommends that the CFPM amend MP Policy 342 (Sexual Offences) to direct that where operationally feasible, interviewers should:

- a) Proactively ask victims of sexual offences whether they have a preference regarding the gender of the interviewing member;
- b) Document the victim's stated preference and any accommodation provided; and
- c) If a stated preference cannot be met, document the reasons and, where possible, offer reasonable alternatives to enhance victim comfort (for example, the presence of a second member, use of plain clothes, or choice of interview location). (NOT ACCEPTED)

**Recommendation #2:**

The MPCC recommends that Sgt Vallières complete remedial training on ethical leadership, fitness for duty, and the handling of sexual assault investigations. (ACCEPTED)

**Recommendation #3:**

The MPCC recommends that the CFPM take immediate steps to expedite the promulgation of MP Order 2-350. In the interim, the MPCC recommends that the CFPM issue a clear policy directive mandating the recording of all investigative interviews. (NOT ACCEPTED)

**Recommendation #4:**

The MPCC recommends that the CFPM clarify in MP Orders when victim-support persons may be allowed to attend victim interviews and the steps that should be taken to ensure that the person in question is not a potential witness or could compromise an investigation. (NOT ACCEPTED)

Ottawa, February 4, 2026

*Original document signed by:*

Me Tammy Tremblay, MSM, CD, LL.M.  
Chairperson