



CANADA
Province of Alberta

Report to the Minister of Justice and Attorney General Public Fatality Inquiry

Fatality Inquiries Act

WHEREAS a Public Inquiry was held at the _____ Court House

in the _____ City _____ of _____ Red Deer _____
(City, Town or Village) (Name of City, Town, Village)

on the _____ second _____ day of _____ May _____, _____ 2005 _____, to
year

on the _____ sixth _____ day of _____ May _____, _____ 2005 _____
year

before _____ Assistant Chief Judge David J. Plosz _____, a Provincial Court Judge.

A jury was was not summoned and an inquiry was held into the death

of _____ Alex Fekete _____ 3 years _____
(Name in Full) (Age)

of _____ Red Deer _____ and the following findings were made:
(Residence)

Date and Time of Death: _____ September 28, 2003 at 6:15 p.m. _____

Place: _____ 3821 Ross Street, Red Deer _____

Medical Cause of Death: ("cause of death" means the medical cause of death according to the international Statistical Classification of Diseases, Injuries and Causes of Death as last revised by the International Conference assembled for that purpose and published by the World Health Organization – The Fatality Inquires Act, Section 1(d)).

Shotgun wound to the head.

Manner of Death: ("manner of death" means the mode or method of death whether natural, homicidal, suicidal, accidental or undeterminable – The Fatality Inquiries Act, Section 1(h)).

Homicidal.

Circumstances under which Death occurred:

See attached.

No. of additional pages attached: _____ 21 _____

Recommendations for the prevention of similar deaths:

See attached.

No. of additional pages attached: _____ 2 _____

DATED _____ September 1, 2005 _____,

at _____ Red Deer _____, Alberta.

Assistant Chief Judge David J. Plosz
A Judge of the Provincial Court of Alberta



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year

on the _____ sixth _____ day of _____ May _____, _____ 2005 _____
year

before _____ Assistant Chief Judge David J. Plosz _____, a Provincial Court Judge.

A jury was was not summoned and an inquiry was held into the death

of _____ Blagica Fekete _____ 40 years _____
(Name in Full) (Age)

of _____ Red Deer _____ and the following findings were made:
(Residence)

Date and Time of Death: _____ September 28, 2003 at 6:15 p.m. _____

Place: _____ 3821 Ross Street, Red Deer _____

Medical Cause of Death: ("cause of death" means the medical cause of death according to the international Statistical Classification of Diseases, Injuries and Causes of Death as last revised by the International Conference assembled for that purpose and published by the World Health Organization – The Fatality Inquiries Act, Section 1(d)).

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in the _____ City _____ of _____ Red Deer _____
(City, Town or Village) (Name of City, Town, Village)

on the _____ second _____ day of _____ May _____, _____ 2005 _____, to
year

on the _____ sixth _____ day of _____ May _____, _____ 2005 _____
year

before _____ Assistant Chief Judge David J. Plosz _____, a Provincial Court Judge.

A jury was was not summoned and an inquiry was held into the death

of _____ Josif Fekete _____ 45 years _____
(Name in Full) (Age)

of _____ Red Deer _____ and the following findings were made:
(Residence)

Date and Time of Death: _____ September 28, 2003 at 6:15 p.m. _____

Place: _____ 3821 Ross Street, Red Deer _____

Medical Cause of Death: ("cause of death" means the medical cause of death according to the international Statistical Classification of Diseases, Injuries and Causes of Death as last revised by the International Conference assembled for that purpose and published by the World Health Organization – The Fatality Inquires Act, Section 1(d)).

Shotgun wound to the head.

Manner of Death: ("manner of death" means the mode or method of death whether natural, homicidal, suicidal, accidental or undeterminable – The Fatality Inquiries Act, Section 1(h)).
Suicidal

Circumstances under which Death occurred:

See attached.

No. of additional pages attached: _____ 21 _____

Recommendations for the prevention of similar deaths:

See attached.

No. of additional pages attached: _____ 2 _____

DATED _____ September 1, 2005 _____,

at _____ Red Deer _____, Alberta.

Assistant Chief Judge David J, Plosz
A Judge of the Provincial Court of Alberta

Circumstances Under Which the Deaths Occurred

Blagica and Josif Fekete had been married for 25 years and had 3 children. The two older children, a son and a daughter, lived in Red Deer but independently of their parents. The youngest child, Alex, aged 3 at the time of his death, lived with his mother. The family immigrated to Canada around 1994 from the former Yugoslavia. They lived in Red Deer. Josif Fekete was a taxi driver in 2002/03 and Blagica Fekete worked at the local pork processing plant.

The couple separated on October 2, 2002 by Blagica leaving their residence with young Alex. Her older son and daughter took her and Alex to the Central Alberta Women's Emergency Shelter in Red Deer on October 8, 2002. In her statement to the police of May 11, 2003, she says that her 2 older children told her to leave with Alex because of the abusive treatment she was receiving from Josif. She did, however, allow Josif to have access to their 3 year-old son on a weekly basis, which was facilitated by the older daughter, Angela. While she and Alex were staying at the Shelter, Josif came on one occasion and managed to get in. He was creating a problem by yelling at the staff demanding to speak to his wife. As a result of his verbally abusive behavior the staff felt it was unsafe for Blagica and Alex to remain there so they sent the 2 of them in the middle of the night by bus to the women's shelter in Strathmore where they stayed for another 3 weeks. While there, Blagica applied for a custody order from Family Court in Calgary. On November 25, 2002, the Court granted a custody and access order giving the parties joint custody, with Blagica having the day-to-day care and control of Alex. Josif was granted access each Friday evening until the following Sunday evening. Upon leaving the women's shelter in Strathmore after having stayed there for about a month, she and Alex went to live with her friend, Valerie Carr, in Ponoka until Blagica found an apartment in Red Deer where she moved to on December 13. They had met at the Central Alberta Women's Shelter in October, 2002. Each of them was the mother of a young boy and had had a lot in common including both having experienced domestic problems. They both described Josif Fekete as being very controlling. He did not like Ms. Carr.

Blagica Fekete again applied to Family Court for sole custody of the child, Alex. On February 14, 2003, a Family Court Judge made an interim variation of the November 25, 2002 order pending a full hearing of the matter which was scheduled for May 12, 2003. This interim order granted her custody of the child with access to Josif Fekete. It also ordered that Blagica Fekete "shall provide the car seat for transportation of the said child." A further term provided for the R.C.M.P. to assist with intervention to enforce the terms of this order and lay charges under Section 18(12) of the *Provincial Court Act* if necessary. The order of November 25 did not include these 2 provisions.

On May 12, 2003, the Feketes were back in Family Court and a further order was made by the Family Court Judge granting custody of the child to Blagica Fekete with access to Josif Fekete on certain terms. This order did not contain any term regarding a child car seat. The term regarding intervention in laying the charges by the R.C.M.P. remained as a term of this order.

A few days before her death in September, Blagica Fekete once again applied to Family Court for sole custody of the child with a term of no access to Josif Fekete. He was served with a copy of this application, but it was never heard because he killed his wife, child and himself before the hearing date.

Superintendent Jim Steele was the officer in charge of the Red Deer RCMP detachments, which included among others, the Red Deer City detachment. Inspector Peter Calvert was the operations officer of the City Detachment since September 2002 and was therefore in charge of all the City Detachment uniformed members, including the traffic and identification units, plus the dog handler, which totaled about 85 officers, forty percent of which had less than two years experience in 2003.

Shortly after their separation, the Feketes started making complaints against each other to the Red Deer City Detachment of the R.C.M.P. These complaints continued in large numbers up until September 26, 2003, 2 days before their deaths. The majority of the complaints were made by Josif Fekete against Blagica accusing her of not complying with the Family Court Order for a variety of reasons, a number of which were not having the child in a car seat in a taxi or City bus. As of July 2, 2003, Josif Fekete reportedly made in excess of 30 such complaints, demanding that charges be laid against her for these alleged breaches, many of which were described by Inspector Calvert as being very minor. During this same time period, Blagica Fekete made complaints about her husband harassing and threatening to kill her.

Sergeant Gordon Glasgow was a general duty watch commander of the Red Deer City RMCP Detachment in 2003. In approximately April of 2003 Josif Fekete made a complaint against the Red Deer City RCMP Detachment to the office of the Commission for Public Complaints accusing it of not acting on his complaints against his wife wherein he alleged she was violating the Family Court order. He felt the police were siding with his wife regarding his complaints. Since this was not a formal complaint it could be dealt with at the Detachment level. Inspector Calvert directed Glasgow to speak to Josif Fekete and deal with his complaint. As a result, Sergeant Glasgow opened up what was referred to as a "master file", which contained the various complaints made by Josif Fekete against his wife regarding these alleged breaches. As the name of Josif and Blagica Fekete came more well known in the Detachment, Sergeant Glasgow directed that any future complaints by either of the Feketes should go to him for review and action after it had been investigated by the member who had took the complaint. Glasgow was aware of these allegations and felt that the RCMP were not going to be successful in dealing with them unless they were dealt with in court by instigating proceedings under the Provincial Court Act for breaching the Provincial Court order. He therefore issued a memo to members of the Detachment stating that unless charges are laid regarding Provincial Court violations there will not be any change in the behavior of either Mr. or Mrs. Fekete. At the same time he was also aware of complaints by Blagica Fekete of threats made by Josif Fekete against her. According to Sergeant Glasgow, those threat files were not referred to him to investigate as part of the master file. His investigation was solely directed towards the custody issue to determine if there was a breach of the custody order "so we could move it into court."

Being aware of these allegations of threats by Mr. Fekete against Mrs. Fekete, Sergeant Glasgow spoke to Mr. Fekete at one point about whether or not he possessed unregistered firearms. Fekete told him he took a grinder and cut them up into pieces and threw them in the dump. Glasgow recalls Constable Morel saying that Mr. Fekete had told him the same thing. Glasgow said he did not search for guns because he said he had no place to go and search, as he had no information as to the whereabouts of these firearms. Once when he was in Mr. Fekete's house, Fekete invited him to search his house for firearms. Glasgow said it was pointless for him to do so because Fekete would not have extended the invitation if there were guns in the house.

Periodically, when Constables would talk to Glasgow about their investigations of threats made by Josif Fekete against his wife, he would refer them back to their supervisors. Glasgow

acknowledged that they therefore may have had thought that he was more active in the area of these threat allegations than he actually was. A number of these threat files were concluded to Glasgow's master file by various members and in many cases he was not aware of that occurring because there was no communication between the members that that was happening.

Because of Sergeant Glasgow's involvement with Mr. and Mrs. Fekete, he had an overview of the history of their conflict and he perceived it as a Family Court dispute, and his attention was directed to seeing if these complaints could be solved through the Family Court process.

Nothing further came of Josif Fekete's initial complaint to the Public Complaints Commission, which obviously did not satisfy Mr. Fekete, because he later made the same complaint to the local member of Parliament who wrote to the Federal Solicitor General, who in turn corresponded with RCMP K Division in Edmonton who then requested a response in July 2003 from Inspector Calvert. This resulted in Inspector Calvert assigning Sergeant Glasgow to review the Fekete files and correlate the complaints that came in from them to provide "an orderly response to the issues." Calvert testified that Glasgow's function was to "manage" these complaints, that is "to review them when time permitted, and ensure that the response was appropriate and that the various members that received these complaints were responding to them as best they could." Calvert further told the Inquiry that since Sergeant Glasgow couldn't be able to handle all the Fekete complaints that came in from time to time, he was to look at "the Fekete family issue in it's totality as it regards to our response to the different issues," which included the complaints made by Blagica Fekete of being threatened by her husband.

Inspector Calvert responded to Corporal Bulger at K Division by memo dated July 2, 2003 indicating how Mr. Fekete's complaint was being handled. That memo read as follows: *"As the Operations Officer for Red Deer City, I have reviewed some of the complaints Mr. Fekete has brought to our office concerning the application of Family Court Order (FCO) governing custody of his son, Alex Fekete. In addition, I have spoken to Mr. Fekete personally and several times on the telephone regarding the enforcement of the FCO.*

Mr. Fekete, since his separation from his wife and receipt of the FCO, has registered in excess of 30 complaints relating to his wife's compliance with the FOC (sic). As the complaints have been very minor, the attending officers have sought informal approaches as a means of resolution. Mr. Fekete has not always agreed with the decisions of the officers and on more than one occasion has demanded that his wife be charged. Conversely, Mrs. Fekete has made similar demands regarding the harassing treatment she alleges committed by Mr. Fekete.

To consolidate Mr. Fekete's complaints and to ensure a consistent response, I assigned Sergeant G. Glasgow as the file manager. Sergeant Glasgow is to review each new complaint and provide a balanced, measured and fair response to Mr. Fekete. If, in Sergeant Glasgow's opinion, a charge is warranted, one will be laid. Such a charge will be governed by the guidelines provided from the Courts and Crown Prosecutor's Office.

Mr. Fekete has and is receiving full and complete review of all his concerns. My direction will continue to be one of seeking an alternative resolution to all problems between his wife and himself. A prosecution, if one becomes necessary, will be borne from the articulable facts and meet the standard of a reasonable likelihood of conviction."

Calvert then sent Glasgow a copy of this memo from which Glasgow was to deduce his role in this matter by what was contained in the memo. The complaints were put into a “master kind of file” for Glasgow to “review and look after that review.” Calvert also stated that Mr. Fekete “had a habit of shopping around for sympathetic ears within our office for people he thought might respond” to his many complaints, and Sergeant Glasgow was to respond to these complaints of Mr. Fekete relating to the Family Court custody order.

While Calvert’s testimony at the Fatality Inquiry was that Glasgow’s job was to manage all the Fekete complaint files and look at them “as a whole”, Glasgow’s evidence was that he was only to manage the complaints of Josif Fekete dealing with the custody issues and not the complaints of threats and harassment by Blagica Fekete, which appears to be in accordance with Inspector Calvert’s memo of July 2 to Corporal Bulger.

Sometime later, Mr. Fekete made a formal complaint against Sergeant Glasgow and two Constables because he felt they were not acting on his breach of custody order complaints. At that point Sergeant Glasgow felt he should not be involved in any Fekete file until this formal complaint against him had been dealt with.

From the evidence presented at the fatality inquiry, the focus of these senior officers of the Red Deer City R.C.M.P. Detachment appeared to have been more in response to the complaints of Josif Fekete rather than those of Blagica Fekete’s. This may have been due to the above mentioned complaints of Josif Fekete to the Public Complaints Commission and to his local member of Parliament.

It is relevant to review some of the more noteworthy complaints made to various Red Deer City RCMP officers by the Feketes together with the police responses up to the date of the September 28 killings.

On December 9, 2002 Blagica Fekete and her three year old son Alex, and her friend Valerie Carr, came to the Red Deer City RCMP Detachment office to make a complaint against Josif Fekete. Mrs. Fekete had difficulty with the English language so she had Ms. Carr write out her statement for her. In that statement she said that Josif was angry and yelling at her when he came to exercise his right of access to his son Alex. He threatened to kill both her and Valerie Carr. She also told Constable Morel that Josif Fekete has three unregistered hunting guns under his bed at his residence. Josif Fekete was angry because Alex was never in a car seat when he was being transported.

Mrs. Fekete gave another statement dated December 11, 2002 to Red Deer City RCMP. No criminal activity was alleged in that statement according to Constable Morel. The statement referred to Mrs. Fekete moving into an apartment and her husband showed up. She told him not to come in but he didn’t listen and came in anyways and started yelling at her. She told him to leave immediately. She felt that he was trying to control her. On December 13, 2002 she gave a further statement complaining that he had again come into her apartment without permission. In that statement she stated that “My husband told my daughter he wants to destroy me if I don’t go back to him, and wants to control me wherever I move in Canada he will find me and bug me all my life.” She said she just wants him to stop because she wants to live her own life and doesn’t want him to control her. On January 4, 2003 Constable Morel spoke to Josif Fekete about the allegation made by Blagica. When asked about the allegation of threatening to kill her he replied “If I wanted to hurt her (kill her) I would have done it already – don’t you think?” Morel then made the following note in his continuation report “As previously stated Blagica is trying to get Josif charged with anything, thinking this will help her in any

custody issues, this was explained to her that it will/is not going to happen and that if a custody order is in place the same has to be adhered to.” The Constable’s conclusion that Blagica was trying to get the upper hand was based on his twenty years experience as a police officer wherein he said some people feel that they can get the upper hand in child custody disputes if they complain a lot.

Constable Morel concluded that no criminal charges were warranted in relation to Mrs. Fekete’s complaint that her husband would control her or find her and bug her all of her life. He didn’t feel that was an imminent threat. However the complaint by Blagica stating that Josif threatened to kill her and her friend (Valerie Carr) was never addressed by Constable Morel as to whether or not a charge of uttering threats against Josif Fekete should be laid. Interestingly, in his police file contained in Exhibit 12 Tab 6 there is a photocopy of notes made on a sheet which appear to be relating to information provided by Blagica Fekete. Included on that page are the words “One Saturday – I’m going to kill you – this Saturday - english” (presumably meaning it was spoken in English.) At the bottom of that page is written “shut up I’m going to kill you – over car seat”.

Constable Morel spoke to his Corporal to inquire whether or not he should sit down with the two Feketes and try to mediate their disputes but his Corporal advised him they were already in Family Court over custody issues. He also spoke to Sergeant Glasgow about the allegation of Mr. Fekete having unregistered rifles in his house. Morel said that Glasgow told him he had arranged with the older daughter Angela in July that the next time she went to her father’s house and she saw weapons, she should call him but aside from that there would be no point in going to search for weapons. There was no evidence led to indicate she ever called. This file was concluded by Constable Morel on January 19, 2003 and signed off by his supervisor Staff Sergeant Wally Purcell. No charges were laid.

Constable Carmen Tullough received a complaint from Blagica Fekete on February 13, 2003 alleging she had been threatened and harassed by her husband Josif Fekete. As a result, Constable Tullough went to Mrs. Fekete’s residence and took a statement from her. In her statement Blagica stated that she and her husband had been dealing with custody over their three year old son since November and were going to Court again the next day on that issue. She said that on the date of the complaint, she had picked up Alex from daycare and was at the bus stop. Her husband came up to her. They spoke about going to Court the next day and she said in her statement that he uttered the words “I’m going to beat you until the blood is not coming.” She said he was mad and after uttering those words he left. She felt he was scary as he was yelling at her. She was frightened and is scared to see him again. When asked if he had any weapons she said “He has something at his house for hunting but I don’t know what it is.” She concludes by saying “I just want him to leave me alone.” Tullough had spoken to Mrs. Fekete about having a third party to come in to deliver the child when her husband is exercising access. She also talked to Mrs. Fekete about restraining orders and how to go about obtaining one and she arranged for RCMP victim services to speak with her further to help her out if she needed it. Mrs. Fekete did speak to victim services and they apparently also spoke to the Women’s Shelter.

Having taken her statement Constable Tullough consulted with her watch commander, Sergeant Neil Lemay, who said that when he first spoke to Mrs. Fekete she said that Mr. Fekete was going to slit her throat, so Sergeant Lemay concluded that there were inconsistencies about the specifics of the threat alleged to have been made by Mr. Fekete and the two officers therefore decided there was insufficient grounds to lay a charge. Constable Tullough advised the night shift of this complaint in case there were any further calls. She told Mrs. Fekete that

they would contact her after they had Court on February 14th. Constable Tullough acknowledged that Mrs. Fekete had a limited grasp of the English language, and said that she had difficulty in understanding Mrs. Fekete during portions of the interview she had with her.

When testifying at the Fatality Inquiry, Sergeant Lemay stated that he assumed that the two versions of the alleged threats were the same occurrence. Was it the same threat or two separate ones? Neither Lemay or Tullough considered re-interviewing Blagica Fekete to clarify this, given her limited grasp of English.

Constable Brent William Robinson was an R.C.M.P. officer assigned to traffic duty at the Red Deer City Detachment in 2003. On February 13, 2003, Mr. Fekete complained to Constable Robinson that Mrs. Fekete was transporting the child when not in a car seat. Robinson asked Mr. Fekete for a statement providing him with the times and dates that this was alleged to have occurred in order for Robinson to proceed with laying charges. In Robinson's continuation report regarding this, he states that Mr. Fekete "has several issues with his ex-wife and custody of their daughter (sic) and wants nothing more than to have police charge his ex-wife." Robinson told Mr. Fekete that his statement "was detailed enough on RO (Registered Owner) ticket would be laid against the owner of the car. Mr. Fekete was not happy since this would not be against wife." No statement was ever provided by Mr. Fekete by March 16 so Robinson concluded the file.

Constable Ian Wirsta graduated from training February 3, 2003 and was posted to Red Deer City RCMP Detachment. While still on training at the Detachment, on April 2, 2003 he was dispatched to a complaint received from Mrs. Fekete that her husband has been threatening and harassing her and saying that he would kill her. Constable Wirsta spoke to Mrs. Fekete on the phone and got details from her about her complaint. He made no notes of her complaint, nor did he make any continuation report, nor did he ever take a statement from her and could not recollect what she told him. However, that after speaking with her he felt she was not in immediate danger and he concluded this file to a file of Constable Tanner's relating to the Feketes, which file itself had already been concluded. Therefore it appears that no one in the Detachment would have had any knowledge as to the details of Mrs. Fekete's complaint nor was any action take on it by anyone. Constable Wirsta's other involvement with the Feketes dealt with Mr. Fekete who made another complaint of Mrs. Fekete not having Alex in a car seat while being transported in a taxi to the daycare.

Constable Roland Ruttan, another RCMP member at the City Detachment, responded to a complaint on the evening of April 9, 2003 from Blagica Fekete who stated that Josif Fekete had followed her home from work and uttered death threats to her after the two had had an argument over custody issues relating to their son Alex. Due to a shortage of man power on the evening of April 9, Constable Ruttan could not attend at her residence. He determined that she would be safe through the night and then met with her on the evening of April 10 at which time he took a taped statement from her. That statement was never transcribed because he felt that the information she provided was insufficient to have a charge laid against her husband. He testified that in her statement she said that she and her husband had had an argument about custody issues surrounding Alex. She said that Josif Fekete told her that if something happens to Alex he would kill her. Constable Ruttan said he questioned her about this statement and she told him that she felt he wouldn't do that. Her main concern was his confrontational and verbally abusive manner towards her, which Ruttan said would not support a criminal charge. He suggested to her that she could apply for a peace bond or a restraining order. The RCMP would assist her in the former but not in the latter application because that is a civil process. The Constable also did not feel that an emergency protection order would be applicable since

she was not in immediate danger because Mrs. Fekete did not feel Mr. Fekete was serious when he uttered that threat. Constable Ruttan also stated that a peace bond would probably not work in this case because Mr. Fekete would not agree to it. He had no further dealings with Mrs. Fekete after April 10. He said that it was his understanding that his file would become part of the master file on the Feketes which was being managed by Sergeant Glasgow.

In Constable Ruttan's continuation report, entered June 18, 2003, he wrote "these two have a long drawn out history. Sergeant Glasgow and Corporal Brown have taken the initiative to mediate between the Feketes. Will conclude this file to 03-9733. Credibility of both sides poor due to long history, common complaints, custody issues." When asked why he came to that conclusion, he stated that he arrived at it after having conversations with other RCMP members who had several dealings with Mr. and Mrs. Fekete in the past. Both Mr. and Mrs. Fekete had been making numerous complaints against each other. He said that some people told him that Mr. Fekete "seemed like a really nice guy and that maybe she's the one that was causing him the problems and that other people had spoken to Betty (Blagica) and had come to the conclusion that she was being the victim here so it was very hard to determine beyond a doubt who exactly was in the right and who was in the wrong in these situations."

On May 11, 2003 Valerie Carr wrote out a ten page statement and gave it to the police. It outlined the difficulties Blagica Fekete was having with her husband. Carr said it outlined the history of harassment Blagica was suffering at the hands of her husband over the period of a number of months. It also alleged that Carr herself was the recipient of abuse at the hands of Josif Fekete. Carr said she prepared this statement to emphasize the continuing harassment Blagica was enduring from her husband which Carr felt getting worse as time progressed. It was Ms. Carr's idea to prepare this statement because Blagica had told her that she was giving up and she wasn't going to make anymore complaints to the police, although Carr urged her to continue doing so. Carr said she wanted the police to know what she herself knew was happening, in addition to what Blagica Fekete had been telling them. She wanted the police to be aware that people other than Blagica were aware of Josif Fekete's actions towards his wife. Ms. Carr took the statement to the RCMP and gave it to Sergeant Glasgow. Carr mentioned that either on that day, or a day previous when she and Blagica were at the police station together, when speaking with Sergeant Glasgow, she said Glasgow told them that Josif Fekete's actions were not considered stalking as there was no pattern to it. Carr said that she never heard anything more from the police after giving the statement to them. After that Carr made another statement to an officer at the Ponoka RCMP Detachment which was forwarded to the Red Deer City Detachment. Carr's intent on giving this statement was to describe the arrogant and aggressive attitude Josif Fekete displayed towards both his wife and Ms. Carr.

Constable Krista Wallis, another member of the Red Deer City R.C.M.P. Detachment investigated a matter whereby Valerie Carr complained of an incident which occurred on May 20, 2003 at Mrs. Fekete's apartment. Josif Fekete had gone to pick up his son, Alex, for the weekend visit. He became upset at Blagica when she told Alex to give Valerie Carr a hug. He swore at Blagica as well as Valerie Carr and spat on the ground and gave Valerie Carr the finger, all of which occurred in the presence of his son. Both Blagica Fekete and Valerie Carr gave a statement to the R.C.M.P. City Detachment regarding this incident. Constable Wallis's watch commander, who at the time was Sergeant Williamson, put a note on her file which read, "Krista, we have a corroborated version here of the events. I feel we should pursue a charge in this matter, as per number 8 on the (custody) order (which prohibited either parent disrespecting or bad mouthing the other in front of the child) . . . see me before you take action." Constable Wallis states she never saw this note from Sergeant Williamson because Sergeant Glasgow had the file. No action was ever taken on this by her and no charge was ever laid against Josif

Fekete in response to this complaint. Constable Wallis testified at the fatality inquiry that Sergeant Glasgow had told her he had a couple of files ongoing that he was investigating regarding the Feketes and that Josif Fekete may be in breach of some complaints that have been ongoing so he wanted to give her some directions as to where to go with this file. Wallis felt Glasgow may have had a better grasp of what was going on regarding the Feketes and this was something that she and Glasgow would have to discuss, but from that point on, she never had much dealing with the file as it was with Sergeant Glasgow. She said she never saw Blagica's statement as Sergeant Glasgow had it and said he would speak to Blagica Fekete to question her further. She sent him an e-mail on July 30 asking him where they were with respect to charges regarding this file and asked him to contact her. It is unknown whether they conversed after that date about this matter. She never talked to the crown prosecutors about this nor did she ever proceed with charges. She testified that this file was still open on September 28 and she never got the file back. She never had any further dealings with either Mr. or Mrs. Fekete other than being one of the officers at the scene of the killings on September 28.

Constable Morel again dealt with Josif Fekete when he made a complaint on June 20, 2003 about harassments and threats from Blagica Fekete when he went to pick up the child. He was asked to come into the office and did so on June 21 when he was interviewed by Constable Morel. His complaint was that when they had met in order for him to exercise access to Alex she gave him the finger. Constable Morel told him that is not a criminal offence. Morel went on to suggest he tape-record dealings with Mrs. Fekete and advise her he is doing so, as that may alleviate ninety percent of their problems they are having. Mr. Fekete responded by saying when it is just he and Blagica alone there are no problems, it is only when Valerie Carr is present that problems arise. Constable Morel spent approximately two hours with him on that day going over most of the files generated by he and Blagica, some being frivolous complaints and others being more serious. Fekete was advised that a complaint was taken seriously and investigated completely. Constable Morel recorded on his continuation report in the course of this interview that "Valerie (Carr) is a victim of domestic abuse, she met Blagica when both were at the Women's Shelter in Red Deer. Valerie M. Carr... was convicted of assaulting her stepson in (1991 or 1992) she received three months probation. I highly doubt this woman would be of any benefit to our numerous files other than being a person having clouded biased opinions to Blagica." This would indicate that Constable Morel concluded Valerie Carr would not be a credible witness to any of the allegations made by Blagica Fekete against Josif.

Constable Brent Robinson again had dealings with Mr. Fekete on July 29 when he complained of a driving incident he was involved with by Mr. Byron Harpold who he knew to be Mrs. Fekete's boyfriend. Byron Harpold met Blagica Fekete through the single's club after she had separated from Josif Fekete. They knew each other for a couple of months before September 28. They had got an apartment together. He said that Josif Fekete knew what kind of vehicle he drove. Harpold described one occasion prior to July 29, when Josif Fekete after returning Alex to Blagica at the end of his access period, walked over to Harpold's vehicle and wrote down the license number. Harpold said he saw him do this and thought nothing of it until he got the traffic ticket in the mail alleging him as the owner of a motor vehicle that failed to yield to a pedestrian in a crosswalk. Harpold denied every doing this and then concluded that was why Josif Fekete had written down his license number on the day before July 29. Mr. Fekete gave a statement to Robinson in this regard and therefore on August 27, Robinson laid a traffic charge against Harpold as the registered owner for failing to yield to a pedestrian in a crosswalk. Constable Robinson responded to another complaint on July 29, this time by Mrs. Fekete. She provided a statement regarding an incident whereby her husband yelled and screamed at her for being late from work when he came to pick up their son to exercise his

access rights. In that statement, she alleges that he almost hit her but stopped when the babysitter opened the door. She described him as being so angry that her son was scared and that she also was scared to see him or to have contact with him. In this statement, she indicated that she does not wish to have contact with him. She also states, "He has threatened to kill me and my friend." On July 31, Constable Robinson gave this file to Sergeant Glasgow who told him to follow up on this and lay charges if warranted. Robinson said he reviewed Blagica Fekete's statement but felt there were not enough grounds to lay a charge because it was a "he said - she said" situation and there were no secondary witnesses to back up either side of the story. "I was lacking corroboration and the likelihood of conviction would have been nil." However, Robinson stated he could not recall if he went back to Mrs. Fekete to get more complete detail about her complaint regarding the threats. He never really did determine what the nature of the threat was even though he acknowledged that it was important to determine the specifics of the threat utterances if he was to consider whether or not to lay a charge against Mr. Fekete for uttering a threat.

On September 7, 2003 Constable William Keith Robinson of the Red Deer City RCMP Detachment fielded three complaints from the Feketes. The first two were from Mr. Fekete, the first being that when he went to drop off Alex at Mrs. Fekete's residence she wasn't home. He next complained that when Blagica came to his residence to pick up Alex with her boyfriend who was driving the motor vehicle, that the boyfriend was impaired. Since there was a significant lapse of time between the time Mrs. Fekete and her boyfriend picked up the child, and the time that Mr. Fekete phoned in to make the complaint (approximately one hour) the police couldn't act on this since an impaired driving complaint must be acted on immediately as they would have no idea now where the alleged impaired driver would be. The third complaint was about two minutes after the first one from Mrs. Fekete stating that when she went to pick up her child she felt threatened by Mr. Fekete's demeanor and his aggressive nature towards her. No allegations of threats were made. These files were concluded the same date. Constable Robinson did not know the Feketes and some of his colleagues made him aware of them after the first call from Mr. Fekete. It was his only involvement with them.

Sergeant Glasgow testified that he was told by Constable La Flamme (phonetic) that on September 12, 2003 Constable LaFlamme responded to a complaint by Mrs. Fekete that Josif Fekete threatened to kill her if she did not change her mind about proceeding with the latest custody order application. He and another Constable went to her apartment that night and she gave him a statement regarding these death threats she said were made against her by Josif Fekete. There were two or three other males present in her apartment during the course of this interview and Constable LaFlamme had no concerns about her immediate safety and that he intended on speaking to Josif Fekete after taking her statement, but never had the opportunity to do so.

In response to her complaint, LaFlamme suggested that the transfer of their son Alex for purposes of access by Mr. Fekete, take place in a public place, or have a third party present, or that she may wish to vary the custody order to have a term in it that the transfer of the child for access must occur in a public place. LaFlamme stated that Mrs. Fekete seemed quite willing to do these things and that she said that she was going to see her lawyer early in the coming week. Constable LaFlamme also told Sergeant Glasgow that he viewed the allegation of threat by Josif Fekete as a "conditional threat", although Sergeant Glasgow testified that he does not subscribe to such a term. LaFlamme's file was still open at the time of the killings on September 28.

On September 14, at 8:27 p.m., Constable Brent Robinson dealt with a complaint by Byron Harpold, wherein he complained that a driver of Associated Cab #92, which is the one that Mr. Fekete drove, was driving erratically. The statement he provided was signed by himself, Valerie Carr and Blagica Fekete, both of whom were passengers in his motor vehicle at the time. He also stated that Josif Fekete had his girlfriend, Geraldine Grey, with him in his taxi. The three of them alleged in their statement that Josif Fekete tried to side swipe them and drive them off the road. Constable Robinson said he never had a chance to review Harpold's statement in this regard prior to the killings on September 28. He received a second complaint on September 14, this time from Mr. Fekete. He stated that he was following a possible impaired driver, who was Mrs. Fekete's boyfriend. Robinson made a patrol to the area in question but could not find any vehicle matching the description given. On September 15, Constable Robinson received complaints 2 minutes apart, the first being at 6:40 p.m. from Mr. Harpold who complained that the accused was stalking him in his cab because he was dating Mrs. Fekete. Two minutes later, Robinson received a complaint from Mr. Fekete alleging that Byron Harpold tried to hit him with his motor vehicle that day and the day before.

Constable Jason Vedder graduated from R.C.M.P. training depot on August 5, 2003. He was posted to Red Deer City R.C.M.P. Detachment and on September 23, 2003, he had only been there for about a month.

On September 23 at 6:08 p.m., he went to Blagica Fekete's residence as a result of her making a complaint to the Detachment that she had been threatened by her husband. He took a statement from her, a portion of which reads as follows:

Q. Please tell me anything that happened, including everything your husband said to you. Please don't leave anything out, every detail is important.

A. He was here to pick up our kids, every Tuesday and Friday. He said, "Do you change your mind about the custody? If not, I am going to kill you." Friday he came again and said, "If you don't change your mind, I know what I am going to do."

Q. What was the dates and times your husband said these things to you? The first time was September 16th at 6:25 p.m., the second time was Friday, the 19th, at 6:25 p.m.

Further on in the statement were the following questions and answers:

Q. Where does your husband keep his rifles?

A. Under the bed - 2 of them, and one in the closet in his bedroom.

Q. Are his rifles registered?

A. No.

Q. Is there anything else you would like to tell me?

A. Nothing else, just want somebody to do something before it too late.

On that date, Constable Vedder wrote up his continuation report. It reads as follows:

Writer attends scene, where com (complainant) says soc (subject of complaint) uttered death threats. Obtained statement from com. She says she has full custody of kids and her husband has been threatening her if she doesn't give him custody. He currently gets kids for 2 hours on Tuesday and on weekends. On 2 separate occasions, com reports soc has indicated that he will kill her and the kids if she doesn't give him full custody. Com is worried because soc is going to pick up son at 6:25 p.m. on 03-09-24 and she has to serve him custody papers at that time. Is worried he may do something. Wants member to attend.

After interviewing her, Constable Vedder stated he had gone back to the Detachment and spoke to his supervisor, Corporal Ray Peacock, about this complaint. Vedder was not familiar with the Feketes or the history of their dealings with the City Detachment and this was his first encounter with either them. He was asked if he felt he had grounds to lay a charge based on Mrs. Fekete's statement, Vedder stated, "Yeah, I mean it was a bit of a conditional threat but I didn't have any other dealings with these - I didn't have any history." When he spoke to Corporal Peacock at the Detachment, he said he discussed laying of a charge based on the statement, and he was told by Corporal Peacock that both Mr. and Mrs. Fekete are known to the Detachment members and they are both known to lie and probably no charges will be laid based on her statement. He said Corporal Peacock told him that his file would be passed on to day shift and they could follow up on it. That note appears on Constable Vedder's continuation report wherein it states: "Dayshift-PIs ensure 2 members attend at 18:25 hours to keep peace while papers are served." At the bottom of that continuation report, there is a further date of September 25 "See File 2003-32964 Constable Einarsons' concluded file." No charges were laid.

RCMP Constable Brian Einerson first dealt with Mr. Fekete on November 15, 2002 when he complained that Mrs. Fekete was going to leave the country with their son Alex. Constable Einerson investigated this and determined this allegation had no factual foundation. Mrs. Fekete was in the Strathmore Women's Shelter at the time and she had no intention of leaving Canada. On the evening of September 24, 2003 he responded to a complaint by Mrs. Fekete that Mr. Fekete had threatened her, Alex and himself. Einerson went to her residence with a tape recorder and recorded her statement. He found her to be upset and afraid of her husband. She said the incident occurred when Mr. Fekete returned with their son Alex at the end of his weekly access period. Mrs. Fekete had recently applied to Family Court for custody of Alex with no access allowed to Mr. Fekete and he had just been served with the documents earlier that day. She said that when he brought the child back he was angry and told her "I'm going to kill you, me and Alex." In her statement she also said that three year old Alex said to her "Mommy ah, Daddy said you gonna be dead soon. Me and him." When Constable Einerson asked if Mr. Fekete had said something like this before she replied "Yeah. But he didn't said about my son. He said just going to kill me. Now he said he going to kill all three of us you know. He said first I'm going to kill you and son and after me." In response to Constable Einerson's question about Mr. Fekete having three guns at home she stated that her son told her tonight that one gun is standing in the closet, it's ready and two are under the bed. She said she feared for both her own life as well as the life of her three year old son. Constable Einerson felt that she was telling the truth and that there was a risk there to herself and her son. He spoke with Mrs. Fekete about the various options that were available, including an emergency protection order. She felt she didn't need to leave her residence at that time and nor did she need to go to the Women's

Shelter so the Constable did not feel that an emergency protection order application was necessary. He had also told Mrs. Fekete that if Mr. Fekete showed up at her residence that night that she should phone 911 and he would be there in two minutes, as he was working all night.

After taking the statement, he spoke to Mrs. Fekete's daughter, Angela, by phone and suggested that Mrs. Fekete should go to the Women's Shelter and there were various things that the police could follow up on like charges or restraining orders. When Angela expressed concern about her father making death threats a couple of weeks earlier, Einerson asked her to give him a statement regarding this, but she said she didn't want the police coming to her residence. He said she could come to the RCMP City Detachment office and provide a statement, but she never did. Constable Einerson felt that if he could get a couple of more statements it would give him sufficient grounds to swear out a charge against Mr. Fekete. He acknowledged that he could lay a charge based on one person's statement but it's certainly better if he could get some corroborating statements to go along with it. However the latest allegation made by Mrs. Fekete in her statement to Constable Einerson would indicate that there was no one else present except herself, Mr. Fekete, and their three year old son when the threats were uttered. Constable Einerson felt that an application under the Criminal Code prohibiting Josif Fekete from possessing firearms was premature as he felt that more statements from people such as the Fekete's daughter, Angela and Mrs. Fekete's friend Valerie Carr should be obtained. As well, Constable Einerson, coming off the night shift felt that such an application is better done during the day by an officer working the day shift. He also thought that if Josif Fekete was charged with an uttering threats offence, the Prosecution may be unsuccessful in having him remanded in custody pending the prosecution of the charge, based solely on Blagica Fekete's latest complaint. While Constable Einerson had very little to do with the Feketes, it became obvious to him that there was a number of investigations ongoing related to the Feketes and the Sergeant Glasgow was also involved as Mrs. Fekete had mentioned him in her statement. Einerson expressed the view that these numerous complaints should have been all pulled together and presented chronologically to make an application to have Mr. Fekete remanded in custody after charging him with uttering threats. He was also aware that Blagica had made a similar complaint to Constable Vedder the day before, involving another death threat made to her by her husband.

Before Constable Einerson went off shift that night he briefed Sergeant Bell, his watch commander, as well as Constable Williamson who was Constable Vedder's watch commander, because it was Constable Vedder's file that Einerson's file was concluded to. The reason for that was to provide some continuity to the complaints so that the officer investigating the previous file is aware of subsequent complaints which helps outline the history. Einerson briefed Williamson because Einerson was going to be off for the next four days and felt that Williamson, being a competent investigator, would follow up on Mrs. Fekete's allegations. He also told Williamson that he had sent Blagica Fekete's taped statement to the stenographer for transcription. When asked how long it would take to transcribe it he said that varied. For high priority files it could be a couple of days and for low priority files it could take three weeks to a month for transcription. Priority was generally established by the stenographer who worked in the GIS Department and GIS cases were usually first on her list of priorities. Unfortunately the statement was not transcribed until October 1, 2003, three days after the killings. In addition, Constable Einerson's continuation report of this event did not reflect that the threat included the killing of Alex nor did it reflect the fact that she said he had three rifles in his residence as told to her by her son that same day. Einerson was on days off for the next four days and was unaware of whether there was any follow-up to his suggestions. No charges were ever laid

against Josif Fekete resulting from Einerson's investigation. When he came back to work the killings had already occurred.

Sergeant Robert Bell was the watch commander at Red Deer City RCMP Detachment in charge of Watch 11 in September 2003. Before that date he had had one contact with Mr. Fekete dealing with a minor complaint of Mrs. Fekete not having the child available for access at the time required. She was apparently 10 minutes late coming home from work. He complained to the police about that. He was provided access as soon as she arrived home. Sergeant Bell said there may have been one or two other complaints dealing with access but he did not elaborate on those as they were also considered to be minor matters. On September 22 Sergeant Bell was advised by a Family Mediation worker that potential problems lay ahead regarding the Feketes. Bell therefore sent an email to all Red Deer City RCMP members which read "Darla Gero-Hagel the Family Court counselor advises that Blagica is attempting to gain full custody of the child with no access by Josif. The papers were to be served on Josif likely this week. The Court is making us aware of this as they anticipate possibly an escalation upon service when it's affected." When asked what he meant by the word escalate in his email he stated it "could envisage violence, could entail more phone calls to police, threats or child custody problems." He said everyone in the Detachment was familiar with the family and that emails were a common way of distributing information as all members read their emails when they come into work.

Sergeant Bell also was watch commander on the night of September 24 through the morning of September 25 when Constable Einerson was also working, which was the night that Einerson took the statement from Mrs. Fekete. Bell states that he does not recall a conversation with Constable Einerson after the statement had been obtained. Sergeant Bell acknowledges he signed off Einerson's file to Constable Vedder's file, because it involved the same people and the same circumstances. He could not recall if he looked at Constable Vedder's file or if he even knew that there was another statement on Vedder's file from Mrs. Fekete. Nor did Sergeant Bell ever read the transcription that was ultimately prepared of the taped statement of Mrs. Fekete taken on the night of September 24. He stated that information such as that should be put on the investigating officer's continuation report and the investigator could proceed with charges even though the tape may not have been transcribed as yet. He went on to say the information put on the officer's continuation report should reflect the gravity of the situation by having the details of the allegation contained in it.

Sergeant Bell acknowledged that up until the tape was transcribed, the only people who knew the contents of Mrs. Fekete's statement of September 24 was Mrs. Fekete and Constable Einerson. He added that it is the responsibility of the officer, in this case Constable Einerson, to write a synopsis of the allegations contained in the September 24 statement of Mrs. Fekete.

On Thursday September 25 Ms. Carr said that Blagica called her by phone and told her of an encounter she had with her husband which frightened her. Carr said Blagica told her that while she was at her physiotherapy appointment, Mr. Fekete showed up there, which frightened her so she ran downtown to the Women's Outreach premises. They offered to send her by cab to the Women's Shelter. She told them that she did not want to be taken there by an Associated Cab, which is the company that her husband worked for and she was concerned that he would hear the call over their cab radio that she was being taken to the Women's Shelter. Once at the Shelter, Constable Robert Marsollier accompanied her to her apartment to pick up some of her belongings as well as her son from the babysitter. She and Alex then returned to the shelter.

The next day September 26 at 9:00 pm Constable Marsollier received a call from a lady from the Women's Shelter who advised that threats had been made against Mrs. Fekete's life. She wanted to speak to Constable Marsollier as he had assisted her the day before. The Constable was able to locate Constable Vedder's file in relation to a threat complaint made to him by Mrs. Fekete. He told the lady at the Women's Shelter that whoever told her of the threats needs to give a statement to the police so they could act on it. Constable Marsollier does not recall reading the statement of Mrs. Fekete which was contained in Constable Vedder's file. On that same date he spoke to Sergeant Lemay who told him that there was an ongoing dispute between the Feketes. Sergeant Lemay said that there's probably an open file on this, which is when Marsollier located Constable Vedder's file. Lemay told him to find out who was making the threats and that someone needs to come forward to give a statement as he wanted corroboration of the threat allegation. Marsollier never went out to locate any person who could provide corroboration of the threat allegation, and took no further action as a result of this phone call.

Up to September 26, 2003 Corporal Maurice Poisson, an acting watch commander, had no direct dealings with the Feketes. On September 26 Blagica Fekete phoned the Detachment and he spoke to her. She was calling from the Women's Shelter. She did not want to turn her son over to Mr. Fekete which was in contravention of the existing Family Court order because her husband threatened her that day to kill her. The Corporal asked her if Mr. Fekete knew where she was or knew of her present phone number. She answered no to both those questions. She also acknowledged she did not phone him on that day. The Corporal then asked how he could have threatened her today. He said there was silence on the phone and then she said "Not today". Corporal Poisson while speaking to her had Constable Vedder's file in front of him. He told her that he could not give her permission to violate the existing Family Court order by denying Mr. Fekete's right of access to their son Alex. He said she told him that Mr. Fekete was going to kill her, her child, and himself. He also stated that her English was very poor and understanding her was quite difficult. In addition her son was crying in the background which made understanding her even more difficult. He said she told him that she was going to court in October and that she was going to stay at the Women's Shelter. Poisson concluded she had lied to him about having been threatened that day and therefore did not feel she was credible and took no action on her complaint of having been threatened. He also did not warrant this situation to require an application for an emergency protection order. He said he had spent about 20 minutes on the phone talking with her and during this time there were a number of other things going on that he was involved in or had to attend to as well. This was the one and only conversation he had with Blagica Fekete.

He said he knew there had been several complaints from the Feketes, but was not aware that a "master file" had been compiled. He was aware of a driving complaint but couldn't determine who was telling the truth as both Mr. and Mrs. Fekete made a complaint against each other regarding this. The only time he discussed this with Sergeant Glasgow was some time earlier, when Glasgow said he was dealing with Mr. Fekete and Glasgow felt Mr. Fekete would be making a complaint against him so Poisson monitored conversations Glasgow had with Mr. Fekete on two or three occasions, basically to confirm if necessary what had been discussed.

Anna Marie Schillie is a case worker for Child and Family Services in Red Deer and on Friday, September 26 she received a call at work at 2:45 pm from Blagica Fekete who was at the local Women's Shelter. Fekete said that she was afraid that her husband was going to kill her because her daughter had told her that he was going to kill her, their child Alex and then himself. She said she had gone to the Women's Shelter the day before. She told Schillie that her husband was very crazy and that she was afraid of him and was very scared. Her three

year old son had told her that they were going to die soon. She asked Schillie for help. Fekete said she had called the police and was told they couldn't do anything as her husband has not made a move yet. Schillie said there was a bit of a language barrier and was having trouble understanding Mrs. Fekete in some of the things she was saying.

Schillie then spoke to the worker that had dealt with this family previously as well as a colleague. She found out that Mr. Fekete was known to the Department and on occasion appeared somewhat less than stable and had made questionable allegations in the past. Schillie then called the RCMP City Detachment, spoke to a lady that told her that Constable Marsollier had been dealing with Mrs. Fekete the previous evening. Schillie asked that he phone her. Schillie had not been involved in emergency protection orders before, nor had anyone in her office to her knowledge but she tried to determine if such an order might be helpful. She told Mrs. Fekete that she would try to help her, and if she was really afraid that her husband was going to kill her, she should not allow him to have access to their son. Fekete responded by saying that she'd go to jail if she didn't comply with the access provision of the order.

Schillie then called the RCMP back and asked to speak to a watch commander but he was not available. She called back a second time around 4:30 pm and was told that there was still no watch commander there and was told that Constable Marsollier would be on duty at 7:00 pm. Schillie then called at 7:45 pm and spoke to Marsollier and told him what Mrs. Fekete had told her and said that she was at the Women's Shelter the last time she had spoken to her. In speaking to the Constable, Schillie's intent was to give the police the information that she had received from Mrs. Fekete in order to communicate Fekete's fear and concern for her safety. At that time Schillie had no idea to what extent the RCMP's involvement was with the Fekete family. She had no further contact with Mrs. Fekete.

Schillie stated that when receiving calls such as this workers have to determine what is a custody and access issue and what is child protection issue. If child protection issues are identified in calls that could be custody and access related, the Department would investigate them. In this case, Schillie said that the decision to determine if Alex was in need of protection would probably have been examined on the following Monday to find out what the outcome of the RCMP's involvement was, which would then determine if Child Welfare should investigate whether the child was in need of protection. Unfortunately, by Monday the killings had already occurred.

In determining in whether or not emergency protection orders should be applied for, Ms. Schillie's supervisor determined that the RCMP should be consulted about this as they were already involved with this complaint of Mrs. Fekete's. Ms. Schillie was also advised by Mrs. Fekete that she would be staying at the Women's Shelter that weekend and Ms. Schillie and her supervisor therefore felt she would be safe, although Mr. Fekete was entitled to access to their son at 6:00 pm that evening. As well, it was unknown to them specifically why Mrs. Fekete and her son had gone to the Women's Shelter the day before.

After speaking with Corporal Poisson and Anna Schillie, Blagica Fekete realized her efforts were fruitless and although still upset, resigned herself to the fact that the access visit had to proceed. Her understanding from speaking to Poission and Schillie was that this was a custody issue, not a protection issue and had to be resolved in Family Court.

Valerie Carr went to the Women's Shelter about 5:30 pm to visit Blagica at her request. She and Alex had their coats on ready to leave. Blagica said she had to go and turn over Alex

to his dad in compliance with the Family Court order. Carr tried to convince her not to do so, but Mrs. Fekete did not want to be charged for violating the court order. The three of them then returned to Blagica's apartment. Josif arrived. Carr said he said nothing. Usually he verbally abused her. Carr then spent the next day with Blagica. On the afternoon of Sunday September 28 the two of them were invited over to a friend's place for supper. At 6:10 pm Blagica said that she had to go and pick up Alex at her apartment. She and Carr returned to Blagica's third floor apartment. Carr noticed that Josif Fekete had pulled up on the street outside with his cab. He got Alex out of the car and the two of them walked to the front door of the apartment. Blagica went downstairs. Carr was on the landing of the second floor. She did not hear a word being uttered. She then heard Blagica cry out, and described in graphic detail the shooting of both Blagica and her young son by Josif Fekete. She yelled an obscenity at Josif, who then looked up and brought the sawed-off shot gun up towards her and then turned it on himself, pulled the trigger and shot himself. Carr frantically phoned 911 and then described seven police officers showing up at the back door. During her testimony, she expressed her disdain about seven police officers showing up for three dead bodies, after the fact so to speak, when two of them would not show up after she, Blagica and Byron Harpold complained about the driving incident which they alleged Josif Fekete had tried to run them off the road.

On September 28 after the shootings, Inspector Calvert said that Josif Fekete's other guns were located in the garden shed of the residence of his girlfriend's parents. Filings from the shotgun that had been sawed off, were found in Josif Fekete's residence. Calvert said the police had no idea where the guns were until, after the shooting, they interviewed the girlfriend, Geraldine Grey, who according to Inspector Calvert, "we didn't really know even existed because it wasn't part of anything that had come up in conversation. There was some inference given that he had weapons at his residence." However, Geraldine Grey was named in some of the statements given to the police by Blagica Fekete, Valerie Carr and Byron Harpold. In addition, there was a statement taken by Constable Whalen dated September 18, 2003 from Geraldine Grey at the request of Sergeant Glasgow in relation to the driving complaint that was being handled by Constable Brent Robinson. Her address and phone number were recorded on that statement, which formed part of RCMP City Detachment file 03-31810. As well, as early as December 9, 2002, Blagica Fekete told Constable Morel that Josif Fekete had unregistered firearms in his residence. The computer entry of City Detachment file 2002-35151 details the following:

"In at front counter requesting order against her estranged husband. He has threatened her and her family. Also would like an excort (sic) to former residence to get personal belongings. Apparently the (sic) are unregistered weapons (long rifles) in res."

When questioned why a search warrant was not applied for to locate the guns of Josif Fekete, Inspector Calvert replied that the information provided in the Fekete complaints regarding firearms was "stale dated" in that it was not recent. There are references to Mr. Fekete having guns in a number of the statements of Blagica Fekete over the months she made complaints to various officers of the City Detachment. He went on to talk about the "massive undertaking" required to obtain a search warrant. When he first started with the force, Calvert said he could "probably knock it off in about twenty minutes. I'm lucky now if one of my officers could do it in about four or five hours, so it's a huge undertaking." He said evidentiary requirements that now exist both through court rulings and Criminal Code amendments "have made it very, very difficult to obtain search warrants."

Sergeant Lemay acknowledged that on looking at the history of the Fekete's complaints, Mr. Fekete's were of a minor nature compared to those of Mrs. Fekete. His revolved around her

not complying with the various Family Court orders and her complaints related to threats of death or serious bodily harm. Lemay said that Josif Fekete never complained of any threats made to him by his wife, which in his opinion was not unusual. This seems to suggest that in domestic violence complaints, the threats usually originate from the man, not the woman. There were a series of complaints by both parties over a considerably lengthy period of time. Lemay said that the Fekete file was not unique "in either it's size nor the intensity of it's threats. At any given time there are identical families just like the Feketes in Red Deer here going through the same trials and tribulations in relation to their marriage breakdown, access, custody issues, and we had identical files with totally different players, totally different families that we were managing at the same time." That was also the opinion expressed by Inspector Calvert when he testified that "We have dozens if not hundreds of files within our office which would parallel the Fekete relationship almost to a tee, and yet not with tragic outcomes but very good outcomes based on our intervention and how we've tried to address it in a global manner trying to bring in levels of discretion – trying to bring people together so that they can deal with these issues and resolve them outside of a court room and we do that very successfully." Sergeant Glasgow did not share the opinions of Calvert and Lemay when he stated that he did not believe the Fekete master file would be considered typical at all.

No statements were ever obtained from either of the two older Fekete children to corroborate either of their parents' version of events. Sergeant Neil Lemay understood from Sergeant Glasgow that when Glasgow spoke to the two older children, he was "met with less than open cooperation."

Glasgow described the duties of a watch commander to be more supervisory in nature rather than investigative, and did not recommend watch commanders take on investigative files simply because of all their other required duties. He said that one of the challenges in a large detachment is keeping the lines of communication open between the watches, and obviously between individual members. He also acknowledged that domestic violence files are more closely scrutinized now than they had been prior to the killings of September 28 but even before then, domestic violence complaints were viewed as high risk files.

Due to the large number of complaints and investigations carried on by the Red Deer City Detachment during this time, Sergeant Lemay's opinion was that investigations were not being done to the proper RCMP standard. This problem was discussed repeatedly in Detachment Management meetings with Inspector Calvert, as the high risk files were not being investigated properly due to the high volume of work, and they were struggling to find solutions in order to provide better policing service to the community.

The officer in charge of the Red Deer Detachment in 2001, Inspector Gilles Guertin, had published a memo for members of the Red Deer City Detachment dated May 29, 2001 which stated that domestic violence must be paper files with statements and that simply making an entry of a domestic violence complaint on the computer system without a paper file being generated, is not acceptable.

Emergency Protection orders were discussed at a watch commander's meeting of the Red Deer City RCMP Detachment on September 12, 2002. The question raised was how could the Detachment better manage Emergency Protection orders since they take a considerable amount of time to process. During his testimony, Inspector Calvert expressed displeasure that Emergency Protection order applicants from out of town were being sent to Red Deer City Detachment to process because the Courthouse was in Red Deer. The minutes reflect that:

“the Clerk of the Court refers all EPOs to the RCMP. Out of town EPOs are also sent here. It was decided that members should look to the substantive charge within the complaint and try to proceed via that avenue versus the EPO. Outside EPOs should be referred back to the originating detachment as they have the same process available to them as we do to process the application.”

He also made the general allegation that the staff at the Courthouse would not deal with EPOs and that the Judges didn't want to deal with EPOs and his members were having great difficulty with the Bail Hearing office in Calgary in obtaining EPOs, although he gave no examples where such things had occurred to support his allegation. He also said that once an EPO is granted, it is not effective until such time as the person complained of is served with a copy of the order and the police would have no way of knowing how to find that person to serve him. He therefore suggested that the person complained of should be charged with an offence rather than try to obtain an Emergency Protection order. This seems to presume the person could be located if charged with an offence, but not if he had to be served with a copy of an EPO. Calvert went on to say that RCMP K Division have a policy relating to civil orders involving police dealing with Domestic Violence Restraining Order Registry. He believes the EPOs are listed as a CPIC entry form under that Registry but a member can not determine whether an EPO had been obtained in another jurisdiction because once the order had been executed it expires and is taken off the CPIC computer system so there is no history of it being maintained. It is only on the computer system for the seven days between the time it is issued in Provincial Court until it is reviewed in the Court of Queen's Bench. Thereafter it is taken off the computer system, which only maintains criminal records.

At the watch commanders meeting of October 9, 2002 domestic violence was one of the topics discussed. The minutes read:

“Domestic violence investigations need to be reviewed closer by WCs (watch commanders) too many members are concluding files on the premise that the victim does not want to lay charges. It is felt that more WC involvement is necessary to ensure that such a decision is based on a factual foundation not an emotional one. We must integrate our service with that of other agencies to ensure that the needs of the victim are met whether they be financial or emotional.”

The minutes of the watch commander's meeting of December 4, 2002 state that domestic violence threat files are being written off on the computer system without paper files being made, and therefore this practice must stop. However, this practice of computer entry without a corresponding paper file being generated continued on numerous occasions by members investigating various Fekete complaints up to the date of the Fekete killings.

Since the killings of September 28, 2003 Inspector Calvert said the big change in the Detachment was the creation of a domestic violence unit whereby two Constables were responsible for investigating domestic violence complaints. They are trying to look at the history of these complaints and the root problems that gave rise to them. They would then have the “big picture”. They are also to encourage the complainants to follow through with the prosecution of the charge, because if they do not the charge would get withdrawn by the Prosecutor. Previously, there had been no continuity. The watch commander from one watch did not know what was happening, or what had happened on other watches. Neither did one Constable know what another Constable had been investigating in relation to the same complaints, or the same complainants.

The RCMP, as a national police force did not have a category of officers designated as domestic violence abuse (DVA) team. However Calvert stated that “because of our initiative we’ve convinced Ottawa to create a category.” He went on to say that the DVA team in Red Deer will be strengthened in number by the addition of a Corporal’s position which he hopes would be implemented within the next short while.

In determining in whether or not a charge should be laid, Inspector Calvert says that the criteria the police follow is whether or not there are reasonable and probable grounds to lay a charge. He then described the Crown Prosecutor’s office as having a higher standard, being “is there a reasonable likelihood of conviction?” He says therefore the police have a standard to lay a charge, and the Crown Prosecutor has a higher standard to determine whether or not the charge should be proceeded with. Calvert says this results in “a huge redundancy in my officer’s laying charges needlessly to see them withdrawn because their standard is higher.” Throughout the many months that Blagica Fekete complained to the officers of the City Detachment about being threatened by her husband, neither Inspector Calvert or Sergeant Glasgow ever discussed gathering up all these complaints to have them reviewed by a Prosecutor in the local Crown Prosecutor’s office to determine if there was sufficient evidence to prefer a criminal charge, or charges against Josif Fekete. In hindsight, at the Fatality Inquiry, they both acknowledged there would have been merit in doing that.

After the death of the Fekete’s, the Child and Family Services office in Red Deer conducted a special case review in light of the tragedy and came up with three recommendations for future practices in similar sorts of situations. First it was recommended that Alberta Children Services lead an initiative to develop a strategic plan to improve communications between community stake holders providing services to families impacted by family violence which would include the Child Family Services authority, Women’s Shelters, and the RCMP. Secondly, a process be developed to guide child welfare workers when dealing with parties involved with custody and access disputes including the development of an effective response to frequent malicious reports on a family. Thirdly, the Director of Child Welfare, the office of Prevention of Family Violence and the Child Financial Support authority explore, identify, and address barriers to child welfare workers applying for emergency protection orders. The province has implemented these recommendations and a number of them have also been implemented at the local Red Deer level particularly the involvement with the local Child Welfare office and the Red Deer City RCMP Detachment Domestic Violence Unit.

Mr. Allan Falden, Ms. Schillie’s supervisor, states that he feels communication has improved between his office and the Red Deer City RCMP Detachment through the Domestic Violence Unit. Now, child welfare workers attend with a member of the Domestic Violence RCMP Unit in response to domestic violence complaints in certain cases. While this practice had carried on before the Fekete killings, it has since been enhanced. Locally Mr. Falden’s office had instituted training programs which include joint training with the RCMP, staff members from the Women’s Shelter, as well as other agencies in the City of Red Deer. Mr. Falden also indicated that his office and the workers at the Women’s Shelter in Red Deer, have a good open working relationship.

After September 28, 28 Roderick Knecht, Chief Superintendent, Criminal Operations Officer for RCMP K Division, ordered an administrative review of the Fekete killings. As a result of that review, he ordered a managerial review of the Red Deer Detachment, which is a more comprehensive review and looks at everything in the Red Deer Detachment. This review focused on quality of investigations, leadership and supervision. This review resulted in 91 recommendations of which about 30% related to domestic violence investigations.

In the administrative review report the following areas were identified for improvement:

1. Data integrity – data wasn't being properly scored for managers or supervisors to make a proper analysis of that data.
2. Supervision/Quality of Investigation – there were questions involving quality of investigations and supervision.
3. Training – more training was needed regarding data integrity, scoring files properly, responding to certain issues properly and not just having reactive policing, but proactive policing. Chief Superintendent Knecht said that "intelligence-lead policing is when you examine the information you have and to take a more proactive approach to policing in the sense that if you analyze that data (information) you then take proactive steps to ensure that a particular complaint or issue is dealt with, as opposed to just reacting to the offence."
4. Communication (both within the RCMP and with external support agencies) – members were not keeping each other informed of happenings and events. Internal and external communication was lacking. Members were not effectively communicating with each other or with watch commanders, supervisors, as well as outside interest groups, clients, and stake holders. He also said that domestic violence complaints should not be merely paperless files as some of them had been.

The managerial review addressed all of the areas identified as needing improvement in the administrative review.

In April 2004 Chief Superintendent Knecht gave instructions to have all Red Deer RCMP Detachment members trained on data integrity and to monitor their progress. He said that this has now been done.

Unit level quality assurance is an RCMP managerial process to flag issues, such as domestic violence, that have significant impact throughout the Province. At Red Deer Detachment, domestic violence files were supposed to be monitored four times a year. Every three months a specific officer was to review these files, make a report and submit it to the Operations Officer for his review and recommendations. In March 2003, there was a review conducted by a Corporal that was passed on the operations officer who received it and found some shortcomings and sent it back to the GIS Corporal to come up with an action plan to implement the shortcomings, but this was never done. There was no follow up.

Another of the shortcomings found was that there was no coordination of domestic violence investigations before the implementation of the Domestic Violence team. There was no gathering or focusing of information. Now any domestic violence complaint is directed to the Domestic Violence team, who should have the required training, expertise, and background to deal with domestic violence cases.

Knecht said there was also a lack of communication between Constables, their supervisors and managers within the Detachment. There was no information flow going back and forth between them or between watches or units. There was no consistency of information being passed on from watch to watch or being passed up the line to supervisors or watch commanders.

Before September 28, 2003, the officer in charge of the GIS unit reported to the Detachment Commander (Superintendent Steele) and the operations officer (Inspector Calvert) was not "in the loop", and didn't know what the GIS section was doing on any serious investigation. As a result of the managerial review, the domestic violence unit reports to the officer in charge of the GIS unit who now reports to the operations officer directly.

There is now a new RCMP policy dealing with domestic violence cases, which is far more specific than it previously had been. Superintendent Knecht says that he is involved in policy making for the RCMP and it is always a work in progress. The Domestic Violence policy is rewritten from time to time.

He went on to say that the RCMP has taken an aggressive approach to training of police officers regarding domestic violence occurrences. In the spring of 2003 members were trained who then went out to train supervisors. The RCMP also has an online training program as preparation for members who will be going on formal domestic violence training. As of May 2005, he stated that just over 800 RCMP members have been trained on domestic violence.

Chief Superintendent Knecht said that all the 91 recommendations in the managerial report are monitored to ensure that they are being implemented on an ongoing basis at the Red Deer City Detachment. Inspector Calvert indicated that the recommendations of the RCMP managerial review recommendations have been implemented for the most part where feasible.

In the end, Sergeant Glasgow found no grounds to charge Blagica Fekete for violating the Family Court Order as alleged in Josif Fekete's complaints, which for the most part were minor. Similarly no charges of uttering threats were ever laid against Josif Fekete based on the more serious complaints of Blagica Fekete. The only charge laid was the traffic ticket against Byron Harpold as registered owner of a motor vehicle that failed to yield to a pedestrian (being Josif Fekete) in a cross walk based solely on the uncorroborated complaint of Josif Fekete.

Recommendations for the Prevention of Similar Deaths

1. Following the deaths of Blagica, Alex and Josif Fekete the Department of Alberta Child and Family Services Authority implemented recommendations for future practices in these types of situations. The administrative and managerial review of the Red Deer RCMP Detachment by K Division of the RCMP resulted in 91 recommendations of which 30% related to domestic violence investigations. Both the recommendations of Child and Family Services and the RCMP were referred to in the attached report of circumstances surrounding the deaths of the three Fekete family members. There is therefore no need to repeat them, other than to recommend that any of these recommendations that have not yet been implemented should be done so as soon as possible and sufficient resources should be provided to ensure their ongoing effectiveness.

It is further recommended that:

2. All officers in charge, watch commanders, and all other senior ranking officers in a supervisory capacity of all police forces in Alberta, particularly the RCMP, and most particularly the Red Deer RCMP Detachment, ensure that all of their members be aware of and are compliant with all instructions, directives, and policies issued by their own police force, particularly relating to domestic violence complaints and investigations.

3. The recommendations of the RCMP management review of the Red Deer Detachment particularly relating to domestic violence complaints be implemented in each RCMP detachment in Alberta, and that all other police forces in Alberta implement similar recommendations or directives if they have not already done so.

4. All police officers in Alberta receive training and education in the handling of domestic violence complaints and investigations.

5. All police officers, when receiving complaints or statements made by people whose first language is not English, realize that such people may not be able to express themselves in English as clearly and succinctly as those with English as their first language. Therefore officers should make whatever effort is necessary to ensure that the complaint or statement made is an accurate reflection of what that person is trying to convey. On occasion this may require the assistance of an interpreter.

6. Police officers should not treat chronic complaints made by a recipient of domestic violence, such as those made by Blagica Fekete regarding death threats, as a nuisance and therefore unworthy of belief and thus not conducting further investigation, which could result in arrest and laying of charges.

7. Police officers should not summarily discredit or be dismissive of the veracity of a potential witness, as was done with Valerie Carr, who could possibly provide corroboration to a domestic violence complaint.

8. Police officers should, before concluding that corroboration of a domestic violence complaint was necessary before a charge should be laid against the alleged perpetrator, first inquire from the complainant if anyone else was present when the incident occurred who could provide corroborating evidence as this is basic police work. For example in Blagica Fekete's case, a number of Red Deer City RCMP officers, including supervisory officers, took the position that corroboration was required before laying a charge against Josif Fekete, without inquiring if anyone else was present who could provide such corroboration, since in many situations when

threats are uttered, no one else is present except the person uttering the threats and the recipient.

9. In cases such as the Feketes, where numerous allegations are made by each party against the other, police officers should focus more on the serious allegations, such as those made by Blagica Fekete, rather than on the minor ones, such as those made by Josif Fekete, which didn't involve violence or threats of violence against him.

10. In cases where death or serious bodily harm is threatened against an individual, such as in the case of Blagica Fekete, investigating police officers should not wait to have a taped statement transcribed before laying a charge against the perpetrator and arresting him.

11. The Red Deer City RCMP Detachment should implement a more speedy and efficient method of transcribing taped statements in cases of domestic violence.

12. Police officers should give serious consideration to apply for a firearms prohibition order under Section 111 of the Criminal Code in domestic violence cases such as the Fekete case where the police were advised on numerous occasions that Josif Fekete possessed firearms, since seizure of firearms while obviously desirable prior to such an application, is not a mandatory prerequisite before commencing it.

13. Wherever possible, all police forces and RCMP detachments have certain members designated as domestic violence investigators, so that all such cases and complaints are brought to their attention for compilation and determination of action to be taken, in order to provide continuity and a historical perspective.

14. The Red Deer Detachment continue it's liaison and team work with the Department of Children's Services and the Central Alberta Women's Shelter regarding domestic violence cases.

15. The RCMP, as well as all other police forces in Alberta should not treat Emergency Protection Orders as a civil matter and therefore not part of their responsibility, but should assist victim's of domestic violence in making an application for such an order. Presumably, that is one of the functions of their victim services unit.

16. In domestic violence files, particularly chronic ones such as the Feketes, the police investigators present the entire chronology of complaints and investigations to the Chief Crown Prosecutor or her or his designate, to determine whether there is sufficient evidence to lay a charge or charges and proceed to arrest and prosecution. This type of interaction between the Crown Office and the Police should be encouraged.