



COMMISSION OF INQUIRY INTO THE CIRCUMSTANCES
SURROUNDING THE DEATH OF PHOENIX SINCLAIR

Commission Disclosure 0081

STATEMENT OF: Samantha KEMATCH
Date: 2006-03-10
Time: 18:44 hours
RCMP MEMBER PRESENT: Constable Tara CLELLAND-HALL

CLELLAND-HALL: My name is Tara CLELLAND-HALL and I'm a Constable with the RCMP. I work with in the Major Crime Unit in Winnipeg. The date is March the 10th 2006 and the time that I have is 18:46 hours. And I will be interviewing Samantha KEMATCH again and um, as in my previous interview anything that is said in this room is said with an attempt to illicit the truth. So I apologize if there is any offence taken or if any of the remarks are deemed derogatory.

[Room is empty]

[CLELLAND-HALL and KEMATCH enter the room]

CLELLAND-HALL: So what did you have for supper?

KEMATCH: McDonald's.

CLELLAND-HALL: Yeah. Um, when we had left before with Constable BAKER and we went to the Magistrate....

KEMATCH: Mm hm.

CLELLAND-HALL: ...um, you had asked me when were in the hallway together what all these charges are that you have and uh I told you at the time I didn't know about it.

KEMATCH: Mm hm.

CLELLAND-HALL: But uh I did find out now. So I just want to make sure you understand everything. So I'm just gonna um, read this to you and then if you have questions then I'll answer them for ya if I can okay?

KEMATCH: Mm hm.

CLELLAND-HALL: Um, you know from before that I am a police officer and I told you

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that you can feel free to call me Tara.

KEMATCH: Yeah.

CLELLAND-HALL: Um, so the charges that you have been charged with is aggravated assault. Assault with a weapon. Unlawful confinement.

KEMATCH: What's unlawful confinement?

CLELLAND-HALL: That's if you um, hold somebody in a place where they don't want to be. Like if you're forcing someone to stay somewhere that they want to leave. Um, possession of a weapon dangerous to public peace. And fail to provide the necessary's of life.

KEMATCH: What?

CLELLAND-HALL: And this is all against Phoenix SINCLAIR and these charges are all under the Criminal Code of Canada. And the charges state that these incidents occurred between April the 1st 2005 and August 31st 2005. Um, near Fisher River First Nation in Manitoba. And then as before you um when you were in here you knew that you were also under investigation for the murder of Phoenix SINCLAIR, okay? Um, and just like we had told you before you have the right to res' retain and instruct counsel in private with out delay. So that means that before we proceed with our investigation you can call any lawyer you wish or get free legal advice from Duty Counsel. And um, if you want to call a lawyer then a telephone and phone book will be provided for you to do that. And uh when you're charged with an offence you can also apply to legal aid for assistance. So this is the same stuff that we had told you before but now that you're aware of the other charges um, do you understand that you do have the right to contact a lawyer or Legal Aid Duty Counsel?

KEMATCH: Mm hm.

CLELLAND-HALL: Okay. Now did you want to do that? Did you want to call your lawyer again?

KEMATCH: Um, yeah I do.

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CLELLAND-HALL: Okay. Um, and then also as I had told you before you don't have to say anything and you have nothing to hope from any promise or favor and nothing to fear from any threat whether or not you say anything. So what that means is if anybody's promised you anything or if anybody has threatened you in any way that has nothing to do with what we are doing here. There has been no promises made and no threats that should make you feel like you have to say anything. Okay? And anything that you do say here can be used as evidence. Do you understand that?

KEMATCH: Yeah.

CLELLAND-HALL: Okay. And um, you also know that while we're here um, we can be audio and video recorded anytime that you're in police custody. Anywhere

KEMATCH: Mm hm.

CLELLAND-HALL: ...that you are here you can be audio and video recorded, okay? Does all of that make sense to you?

KEMATCH: Yeah.

CLELLAND-HALL: Okay.

KEMATCH: Can I read that with my....

CLELLAND-HALL: Sure.

KEMATCH:own eyes?

CLELLAND-HALL: Sure you can. Yeah its just what I um just read to you. So these are the charges here.

[Pause]

KEMATCH: So the its those charges and plus murder?

CLELLAND-HALL: That's right.

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[Pause]

CLELLAND-HALL: Do you have any questions?

KEMATCH: Um, no I don't think so.

CLELLAND-HALL: Okay. And when we had uh...

KEMATCH: Oh uh wait. What's that charge pending?

CLELLAND-HALL: Pending? Where did you see that?

KEMATCH: 'Cause that's what she said at the Magis'.

CLELLAND-HALL: Oh, when you're charges are pending that just means that they're still before the courts. That they haven't you haven't been um convicted yet or any time somebody's charged with something until its completely dealt with in court its still called pending. That just means that its waiting for court.

KEMATCH: Are those charges all pending? Or do I have.

CLELLAND-HALL: Yes. All, you've been charged with all of those things.

KEMATCH: Oh.

CLELLAND-HALL: Yeah. So when you and I had been in here together before um, before we left to go to the magistrate and before supper and everything um, we were talking about you know doing the right thing and you had said to me that you wanted to tell me what has happened but you had just wanted to talk to your lawyer first. So we took you out to do that. Did you get a chance to speak with her?

KEMATCH: I spoke with her yeah.

CLELLAND-HALL: Okay, so how do you feel now? Are you still, like I know when when we left each other before you know you were really at a place where you were ready to do the right thing. And you know we were ready to come to the truth and do what we need to to

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bring Phoenix to a proper burial. And have this thing end the way it should.

KEMATCH: No, I'm I'm just, I'm, I spoke to my lawyer and like, like I can not say anything. She told me not to say anything.

CLELLAND-HALL: Yeah and, and you know that that's your right is to not say...

KEMATCH: Yeah.

CLELLAND-HALL: ...anything. We talked about that hey?

KEMATCH: Yeah.

[Knock on the door]

CLELLAND-HALL: Oh, I'm just gonna see if that's for me. I'm not sure what that knock is.

KEMATCH: (Coughs)

CLELLAND-HALL: Sorry Sam. Okay. Um, now I know you saw your lawyer yesterday face to face. And then you talked to her last night and then you talked to her again today. But now um, when I talked to you about all these charges and explained to you what's happening now. You had said to me when I said do you want to call a lawyer again. You had said yes. So are you still wanting to do that?

KEMATCH: Mm hm.

CLELLAND-HALL: 'Cause um I can take you to a phone now if you want to talk to her about these new things that have come up?

KEMATCH: Yeah.

CLELLAND-HALL: You wanna do that?

KEMATCH: Yeah.

CLELLAND-HALL: Okay. I'll take you back to the um, that same phone room that you

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have used before.

[Talking in the background - (inaudible)]

[Room is empty]

CLELLAND-HALL: Did you uh, did you get a hold of your lawyer?

KEMATCH: Yeah.

CLELLAND-HALL: Okay. You talked to her?

KEMATCH: Yeah.

CLELLAND-HALL: Okay. So do you feel better for talking to her?

KEMATCH: Yeah.

CLELLAND-HALL: And what did she tell you? And you don't have to tell me that either you know because your conversation with her is private but um while you and I were away from each other at all and you were with other people, did anybody make any threats to you?

KEMATCH: No.

CLELLAND-HALL: Did anybody make you any promises about anything? Okay. You think what's important for us to do Sam is to get back to the big issue of why we're here. And I know all this stuff that came up at the Magistrate's kind of freaked you out. And they were reading you all these charges and saying all these things and you're like what the hell. Like what is going on. And sometimes all these legal words and all these things we say, they're kind of scary. Like I just want you to understand that how we were in here last time we were together. None of that's changed. Do you remember before when I told you that all this information has come to us and we've been looking into things. And that we talked to [REDACTED] and [REDACTED] and [REDACTED] DOE#1 and the statements that the boys provided, all of the information from them is where all these charges have come from. So um, it's not that we've learnt any n' big new things. Um, this is

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DOE#1 all just stemming from things that we've learnt from [REDACTED] and [REDACTED] DOE#2. And th' the main issue is still Phoenix. And its still the fact that you know you have the choice to bring that little girl back to be given a proper burial. And so all this other stuff that we've dealt with that seems kind of scary and intimidating and its confusing and especially the words that they use and how legal stuff is said. Like I don't understand half of it most of the time. They just, I know that it's a scary thing and it it can be a little bit overwhelming but the whole point of you being here and me spending the time with you still is the same that it was before in that we need to do what's right for Phoenix. That hasn't changed. And I don't think that in the couple hours that we've been apart, I don't think you as a person has changed from wanting to do the right thing, to somebody who now doesn't care. I think you still want to do the right thing and its just a scary thing to do. And nobody said it was easy. I'm not saying that its easy and it should be something that you can easily talk about. I know that this is very difficult and I know there's a lot of things going on that you're probably really confused about. And you're afraid. And I understand that. But we still need to do the right thing like we were gonna do a couple of hours ago. And you know y' remember when I had told you before that the m' the biggest part of my job the most thing that I have done over the past few years is interview children. And um, you know an' and victims of different crimes. And that in interviewing kids I've got very good at knowing when they're lying or when they're telling the truth or an' and like I said to you before, you know I believed [REDACTED] right off the hop. There's no there's nothing about him that sa' really shows me that he's lying. And um you know at that time all we had was his words and [REDACTED] words DOE#2 and things that they told us. Things that had happened in the house. Um, not just that day but other days too. And you know different things that had happened to Phoenix and so now, remember how I talked to you about those crime scene investigators being at your house in Fisher River? Well they're still in there and they're still doing their thing. And um, you know we've talked to them to see what they have found so far. And some of the things that they have found there match exactly what DOE#2, DOE#1 [REDACTED] and [REDACTED] have said. So now its not just the boys words, its not just them saying something. There's actual evidence there that proves that they are telling the truth. So I've been telling you

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during our whole time together that this is not going away. And that this thing is just, its here, its now its we have to deal with it. There's no running from it anymore. And there's no pretending it didn't happen. As much as we'd like to you know snap and make it go away and make it that this never happened and take back that day, we can't. All we can do now is do the right thing and you know what that is. You know, there's nothing that I can sit here and tell you that you don't already know. And those boys are eaten up inside. You know the, the things that they have seen. The things that they've had to watch and the things that they've had to keep quiet about and keep inside. Its tearing them up and they now that they're in a safe place and they feel comfortable. Now they can tell exactly what happened. And like I said its not just their words its not just them talking and just making things up. Because the investigators that are in that house are finding things just like the boys said. Even though there is new people living there. Those new people didn't change certain things in the basement and those new people that live there haven't moved everything or cleaned every thing out that was left. And you know th' the the question here isn't you know, did Phoenix die there? The question is how? Like we had talked about did she have an accident? Did something happen or you know was she beaten? Was she kicked? Was she punched? Was she shot?

KEMATCH: Who shot? What do you mean shot?

CLELLAND-HALL: Well I'm just saying, there's lots of possibilities for how a person can die. And we've talked we talked about that lots earlier today, you know. That how like sometimes accidents do happen. And kids get bumps. Kids get bruises, kids fall down. Kids bang their head. Those things happen. And if that's what this is then I need you to tell me. And it all it all comes back to what you know, the person that you are sitting in front of me right now. You know what the right thing is. You're no different here than you were two hours ago. The woman that sat here and felt pain for her dead daughter. And felt like you knew what the right thing was to do. You told me nobody deserves to be laying where she's laying right now. And you are right, nobody deserves that. Nobody deserves that, especially a five year old little girl. And you, you are the one. You're the one that sat here and shed tears for your dead baby.

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For your little girl who is still laying out there alone. And you knew what the right thing was to do then. You knew that you wanted to tell the truth and that as the last good thing you could do as her mother to bring her back from where she is right now and bury her right. And you know like I told you before, sometimes in our life we get very few chances to do the right thing and to make things that we have wronged. We get very few chances to make them right. And this is your chance Sam. Whatever happened is done. We can't change it now. All we can do is change today. Change from here on, how you choose to be as a person. And how you choose to see this thing end.

[Pause]

CLELLAND-HALL: An' and this is your chance and its your chance to make the right choice and do the right thing. And I know you're scared. Anybody would be scared. And you think you're a twenty four year old woman sitting here who's lived how many years and you know, think of how scared you are as an adult woman sitting here today. How scared do you think a five year old little girl was? And she was dying and then being wrapped up and dumped somewhere. How scared do you think that she was? I bet you anything that whatever fear that you have right now is nothing compared to what the fear was that she had. And we can't change that now. You can't change that now. But what you can change is how you choose to live with it. And how you choose to see it end.

[Pause]

CLELLAND-HALL: For the last thing that you ever do for your daughter to be a good thing in stepping up and doing the right thing and bringing her back to a place where you can bury her right. She'll never be back for you to say I'm sorry. And she'll never be back for you to say I did love you. I just never told you. She'll never be back for those things but she can be back for you to say goodbye properly. And she can come back for people to show respect for her for the life that she did have. It's not right. It's not right where she is right now and you know that. And I know you know that because I sat here with you not very long ago and I saw you shed tears for that little girl. And you said to me that I wanna tell the truth. And I

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respected you for that very much. Because it takes a big person to stand up and say I made a mistake and I wanna make it right.

[Pause]

CLELLAND-HALL:

You know like I said to you before, when somebody is strong enough and a big enough person to stand there and say, you know this got out of hand. I didn't mean for this to happen. I'm sorry, I made a mistake and now I wanna make it right. How can we possibly look at that person and think bad of them, when they're trying to do a good thing now. People can respect that. You know one thing that it makes me think about is um, like just you know in my own life how I can compare that is you know I have uh two little nephews and if they're over playing and stuff like they like to chuck the ball around and goof around in the back yard and you know they're just kids and they're pretty careless they don't think about things before they do them. Um, so when they're chucking this ball around if it came flying through my kitchen window and broke my window and I came to these boys and you know the older one was saying to me you know oh I, I don't wh' I didn't do it I didn't do it. It was the neighbor kid, he threw a rock and it came through the window and you know he was just lying to me and denying, denying, denying. Where's as the li' little guy he is always so honest and if he said you know what Auntie I, we were playing the ball and I threw it to Josh and he missed the ball and it went through the window and I'm really sorry and I didn't mean for that to happen. And like think about how you look at those two kids. The one that's just standing there saying like oh it wasn't me it wasn't me it was uh you know the neighbor kid did it and we didn't do it. And you know he's lying while he's standing there. And then you got the other little guy who's like you know what, I did it. And I'm sorry and I didn't mean for that to happen. How can you be mad at him? You know people make mistakes and things don't always go the way they're supposed to and sometimes things get out of hand and things happen that we don't plan for. But what we do about it after, that really says a lot about what kind of person we are. And I don't think this is something that you set out to do on purpose. I don't think you woke up that day and said hey I'm gonna kill Phoenix today. I don't think that's what happened Sam. And if I did, like I told you before if I thought that that's the type of

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person you were I wouldn't waste my time with you. I wouldn't be sitting here and be in this room with you and be talking to you for this length of time. I don't think that that's what happened. I think something got out of hand and it just started happening and you had no way to stop it. And you didn't know what to do. And you got scared.

[Pause]

CLELLAND-HALL: And we talked about this before that when we're in situations and we're just overcome by fear and we don't know what to do. We make decisions that we wouldn't normally make. And we do things to try to get out of that situation and you know sometimes we just don't think straight about things. And you know nobody can fault you now for setting it right. And you, you know you know what you need to do here. I don't need to tell you. You know that the right thing is to have the truth come out. Have Phoenix be brought away from this place that she is right now. She shouldn't be laying out there like that. Just dumped like garbage. Its not right. Her life was worth something. Just like yours is. And she is part of you, she's your blood. You carried her in your body for nine months. She is your baby girl. And you now are in a position where you can do the right thing for her. And you know, you know Sam what the right thing is. We talked about it before. Your own words were that you knew the right thing is to tell the truth. And you told me that you wanted to tell me the truth. And you know I was I was really proud of you for getting that far because I know this is a hard thing. I know that this whole thing is just it seems so crazy to you and its like it almost probably feels like a nightmare. You know that you can't believe this is happening. An' and I know its scary but I think you are strong enough to do this and you can do the right thing. And you know you should.

[Pause]

CLELLAND-HALL: And there's no denying and no getting away from what those investigators are finding in that house right now. There's no way to get around that, there's no way to try to say that those things didn't happen. And those boys they may have been scared at one time. At one time they may have been too scared to talk and too

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scared to say anything. Well they're not scared now.

[Pause]

CLELLAND-HALL: They've told us everything that went on in there Sam. And that day that Phoenix died we know what happened.

[Pause]

CLELLAND-HALL: We know what happened. You know what happened.

[Pause]

CLELLAND-HALL: And you know what the right thing is to do now.

KEMATCH: I can't say anything right now. I spoke to my lawyer and .

CLELLAND-HALL: Are you afraid? Which part of this is the most scary for you?

KEMATCH: Everything.

CLELLAND-HALL: What do you mean everything? (Pause) Are you scared about what Karl's telling the police? You know we talked about Karl a little bit before and um, you know I know you don't want to tell me much about your relationship with him but from an outsider looking at it and you know from talking to the people that have dealt with him, you know he's twice your age. He's got twice the amount of life experience that you do. He's been around the block you know twenty more years than you have. And he knows how to survive. He knows how to and I'm sure you know he's been in and out of the criminal system. He's been charged lots of times before. He knows exactly what to do and how to do it. And he he's a survivor. And uh, you know Phoenix, that wasn't his daughter. Phoenix is nothing to him, he doesn't care. And its, there's not a chance in hell that he is gonna be the one that goes down for this. He, he's not gonna stand up for you. He's not gonna say anything to s' to keep you from, you know paying the consequences for this. He will do what he needs to do to come out on top and to survive. And yeah it's his boys that said what happened but those boys are his blood. Phoenix wasn't his blood. Those boys are though. And

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he will save himself and protect those boys before anything else. Before you. He's got two ex's that he used to beat the shit out of all the time. He's got kids with a few women. And when you're sitting in jail for all this stuff that's happened, don't think for a second that he's gonna be sittin' waiting for you. And that he's not gonna move on and find another family. That's how men are. They can not be alone. They need to be taken care of. They need to have a woman there. They need to have sex all the time. He's not gonna wait. That's, men just don't. That's how they are. And you know that. Like I'm not telling you anything new. And what he is telling police, you know he's not gonna be giving a thought to whether this is gonna come down looking bad on you or not. Phoenix wasn't his kid. You know his two kids with you are still healthy and happy and in a good place right now. His blood is taken care of. His older boys and his young babies they're fine. They're in safe places. They're healthy, they're doing good. Phoenix that's not his, he doesn't care. She was never his. And you know regardless of what he says, what you say. What we want is to get to the truth here. That is all that we are looking for is the truth. That's what's important. And you know that.

[Pause]

CLELLAND-HALL: And I know there's a lot of things about this that scare you. And you know that's normal. Anybody that's in your spot would be scared. But there's two things that you need to think about and two things you need to take care of and one of them is yourself and the other one is Phoenix. The whole reason that we're here. You know and you know Sam she is she's a beautiful little girl. She looks very much like you. And she is the reason why we need to do this right. We need to find the truth and we need to get her from this place she's laying and do it right. You need to bury her properly, give her a proper farewell. And that's it. It comes to you and her right now and that's it. And you know, you know what's right. I know that you know that.

[Pause]

CLELLAND-HALL: And those, the boys d' um ^{DOETH1} [redacted] and ^{DOETH2} [redacted] they're not lying Sam. ^{DOETH1} [redacted] knows exactly what happened that day. He was a perfect

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little witness. You know he can give very good detail and he remembers exactly. And I don't know if you knew or if you realize now how much he actually cared about Phoenix.

[Pause]

CLELLAND-HALL: I don't have any doubts that you cared about her too. You know I don't think Karl felt any attachment to her at all 'cause it wasn't his. She wasn't his. She was yours. And like I said before I don't think you woke up that day and looked at this little face and thought yeah I'm gonna kill her today. I don't think that that happened. But something happened and she died and you got rid of her. And you know Sam what I don't know is if you got rid of her because you wanted to. Or if you got rid of her because Karl made you or because you were afraid to lose Karl. Or because you were afraid of him or of something happening to you. I don't know what your reasons are, only you can tell me that.

[Pause]

CLELLAND-HALL: But what you know what I do know is if you could go back and do it again I'm sure you'd do it different. Like if she was here now Sam, if, I don't know what you believe in. If you believe in God or if you believe in a creator or I don't know what your beliefs are. But I do believe that there's something after and that this isn't it on earth that we're done, once we die that's it. And if her spirit was here or if she was somehow around you. What would you say to her? What would you say to Phoenix if you could say anything? Would you tell her you're sorry?

[Pause]

CLELLAND-HALL: Would you tell her that you loved her?

[Pause]

CLELLAND-HALL: Or would you tell her you're not worth it so I'm gonna leave you where you are? Like do you an' and it all depend, everybody believes in different things and everybody has a different idea of life and death. And like do you ever think about whether she is still

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around or whether she's watching down on you or whether you know she's ever asking like why mommy? Why did this happen? Why did you do this to me? Do you ever think about that?

[Pause]

CLELLAND-HALL: When you think about Phoenix what do you think? Are you glad she's gone? Are you glad she's gone or would you bring her back in a second if you could?

[Pause]

CLELLAND-HALL: Where is she Sam?

[Pause]

CLELLAND-HALL: Sam? Are you the one that beat her? Or did Karl just make you help him move her? This is your chance Sam. This is it, this thing has gotten way out of control and now is the time to stop it.

[Pause]

CLELLAND-HALL: Can you look at her and say she doesn't matter?

KEMATCH: Everybody matters.

CLELLAND-HALL: I agree with you. I think everybody matters too. That's why I'm here. I think you matter. That's why I'm sitting here. Everybody matters, and so did she.

[Pause]

CLELLAND-HALL: And I know that you wanna bring her back. And I don't just mean take that day away and bring her back to life. I mean you know that that's not possible and you can't do it. But I know that inside you know that you want to bring her from the place that she's laying and you wanna bury her the way she should be. Because she matters Sam. And you need to bring her back. You need to do the right thing. And you didn't that day but you can now.

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[Pause]

CLELLAND-HALL: You can now. (Pause) Are you the one that beat her? Or did you just have to help take her away?

[Pause]

CLELLAND-HALL: Sam. Just tell me that much. Were you the one that actually beat her until she died? Or did you just have to take her away?

[Pause]

CLELLAND-HALL: I know this is hard Sam. Its probably one of the hardest things you'll ever do. But its also the best thing that you'll ever do.

[Pause]

CLELLAND-HALL: Did you beat her that day? Did you kick her and punch her and stomp on her until she died? Or did you just have to clean up the mess after? Did Karl just make you help get rid of her or did you help kill her? How did it happen Sam? (Pause) How did it happen? You can't hide from it anymore. And I know it hurts and I know its scary but its here now and you have to deal with this. This isn't going away. And where, where do you want to be left at the end of the day once all the evidence is taken from the house. Once Karl's talked to the police. Once [REDACTED] and [REDACTED], they they're *DOE#1, DOE#2* done their statements. Where do you want to be left at the end of all that? This is your chance. This is where you step up and you tell the truth. And you do what you need to do for Phoenix. This is where you choose what kind of person and what kind of mother you want to be. And I know its scary. And I know you've got lots of doubts and questions and you don't know what's gonna happen after this and you don't know what Karl is saying and you don't know what Karl's gonna do after. Or if he's gonna still be there. Or, like I know that there's a lot of stuff going on in your head. But like I said. You need to look after you and you need to look after her and that's it.

[Pause]

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: You gotta look out for yourself Sam. Nobody else is gonna look out for you. Not your mom, not Karl. Nobody is gonna look out for you. You have to do that on your own. And you know what, I, I know what you wanna do. And I know what you know you need to do.

[Pause]

CLELLAND-HALL: And I know its hard but you've been through a lot of things that are hard. And you can do this too. Nothing has come easy for you and I know that. You've had struggles your whole life and I know that. But its not very often that you get the chance to redeem yourself and to rise above something, a mistake. Its not very often that those chances come where we're kind of given a second chance to make things better. But this is one of those chances for you. I know you know you dealt with a lot of hard things and this is another hard thing and you can do this. You can have the chance to, you know, say you're sorry. You can have the chance to tell her that you love her. You can have the chance to bury her properly and show yo' you know some respect for her life. Because she matters. Like you said everybody matters.

[Pause]

CLELLAND-HALL: And you matter too. I wouldn't be here with you Sam if you didn't. And its okay to be scared and its okay to have doubts. And its okay to make mistakes. Everybody makes mistakes. Everybody does things that aren't right. Everybody does things that they wish they could take back. Everybody has done something wrong. But how we overcome that and how we deal with it after is what says a lot about who you are.

[Pause]

CLELLAND-HALL: And just because we make bad choices and do bad things sometimes doesn't mean we're bad people. Good people make mistakes. And good people make bad decisions. But good people also know when its time to make it right and when its time to say I'm sorry and lets fix this. (Pause) [REDACTED] and [REDACTED] have told us *DOE#2, DOE#1* a lot of information Sam. And a lot of that information that they said we have been able to prove with evidence.

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STATEMENT OF: Samantha KEMATCH

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[Pause]

CLELLAND-HALL: This thing's not gonna go away. And I think the most important thing to come out of this is what I've been telling you about is to not leave her thrown like garbage out in the middle of nowhere.

[Pause]

CLELLAND-HALL: You know when I talk to you before and I said does...

KEMATCH: Can I just look at that?

CLELLAND-HALL:sure you can. And I'd asked you before if she deserves to be laying out there where she is. You said to me nobody does. Nobody deserves that. And you're right nobody does.

[Pause]

CLELLAND-HALL: How old was she there?

KEMATCH: I don't know.

CLELLAND-HALL: How old was she when she died? (Pause) The boys said she was five. (Pause) Was she a good little girl? (Pause) You know its okay to talk about the dead. Some people think it's not but I think that it's a way to honor them and always remember them and who they were, how they were.

[Pause]

CLELLAND-HALL: Some people think its disrespectful but I think that's the only way we remember somebody and keep their spirit alive is by talking about them. And...

KEMATCH: Where did you get that picture from?

CLELLAND-HALL: We've like you know how I told you we have a ton of investigators working on this and we've got people interviewing people all over the place and we're you know we do a very thorough job in situations like this. And we do all the background that we can

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STATEMENT OF: Samantha KEMATCH

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possibly do and turn up everything. And just in our investigation this picture came up. You know it was good for us, 'cause it now, you know now we have a face to put to this name that we've all been working on and I just got this today actually. Do you still have pictures of her?

KEMATCH: I never did have pictures of her.

CLELLAND-HALL: How come?

KEMATCH: Steve had them all.

CLELLAND-HALL: How long did she live with you for?

[Pause]

CLELLAND-HALL: Was she living with you when this picture was taken? She was with Steve then? Did you ever ask Steve if you can have any of them?

[Pause]

CLELLAND-HALL: Sam, where is she?

[Pause]

CLELLAND-HALL: You know what the right thing is to do. You know she can't stay out there. Sam tell me where she is, please.

[Pause]

CLELLAND-HALL: At the very least in all of this we can't leave her out there. That's not right. And I know you remember. Things like that a person never forgets. No matter how hard they try. (Pause) Where is she?

[Pause]

CLELLAND-HALL: Sam.

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STATEMENT OF: Samantha KEMATCH

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[Pause]

CLELLAND-HALL: Sam you can look at me. You don't need to look away or, you know if you're looking away from or you don't want to look at me because your ashamed, you don't need to feel that way. (Pause) Where Is Phoenix?

[Pause]

CLELLAND-HALL: Do you think that she should just be left where she is? You know you, you're the one that's her mother, not me. If that's good enough then tell me. If where she is, where she was left if that's good enough then say so. And I'll quit pushing it. (Pause) It's the most important thing in all of this. The important thing, not what the boys said. Not what happened that day. Not what's happening right now. The important thing in all of this, this whole thing is about bringing her back and doing it right. Bury her properly. She's a person.

[Pause]

CLELLAND-HALL: She's a person. She lived, she played, she cried, she laughed.

[Pause]

CLELLAND-HALL: And just like you said, nobody deserves that kind of an end. Nobody does.

[Pause]

CLELLAND-HALL: You need to do the right thing Sam. And I know you want to. I know that you want to make this right and move on. And you know that there's no getting out of it or there's no denying it, or there's no making the evidence go away. Phoenix may have gone away but this situation right now, what we're in, what's happening, it's not going away.

[Pause]

CLELLAND-HALL: You know she may have disappeared for a little while but she's got

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STATEMENT OF: Samantha KEMATCH

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fifty voices speaking for her now. And those fifty voices are all the people that are in the house in Fisher Branch, all the investigators who are working in Winnipeg, myself. There's a lot of people working for Phoenix now and speaking for her. And you know she may have disappeared and gone away but she's back now through us. And she could be back through you. You could make this right and do one last thing as her mom and bring her back. And be her voice. And I know you want to.

[Pause]

CLELLAND-HALL: I know you want to. You know what's right.

[Pause]

CLELLAND-HALL: Where is she?

[Pause]

CLELLAND-HALL: You can do so much right now. You just have to make the choice to do it.

[Pause]

CLELLAND-HALL: You know speak for her. Speak for you. (Pause) I don't want this thing to end with us having all this evidence against you and against Karl and us having to use dogs to under cover where she is. And it be you know police dogs that find her. I don't want it to end like that. I want you to be able to make it right for yourself. 'Cause if we make it right for you, it's not the same thing. And you will always know that you had the chance and that you could've done it right. But that you just decided not to. That will always stay with you. You know, make this end on your terms Sam, not ours. Have her brought back because you chose to, because you're her mom. Because you loved her and because you know what the right thing is. And because you're a good person. And because you do feel sorry.

[Pause]

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: You know, I want you to be the person that does that. So for the rest of your life you can at least know that yeah I made a mistake but in the end I did the right thing. And I did the best that I could at the time. I honestly want that for you. I don't want you to go through your whole life hating yourself because you made a wrong decision again, when you had the chance to fix it.

[Pause]

CLELLAND-HALL: You can save her from where she is right now. You know, you can be the one that saves her from that place. Instead of letting the police be the one that come in and find her and bring it back and make it right. You be the one.

[Pause]

CLELLAND-HALL: You know Sam, I have no doubts at all that we'll find her. You know we have the best of the best working in our organization. The RCMP is one of the best police forces in the world. I have no doubts that we will find her but I just think it would be so much better for you and how you feel and how you can move on and just show what kind of person you are if you don't make it come to that.

[Pause]

CLELLAND-HALL: You know you, despite having a pretty shitty upbringing and not really being taught what's right and what's wrong and the difference between being good and being bad. For somebody who has gone through all that shit you do know what's right. Despite everything else, you know what's right. You know what's wrong and you know exactly what you need to do.

[Pause]

CLELLAND-HALL: You've overcome a lot of things. And all of those things have made you who you are today. And this person sitting before me is somebody that I know wants to do it right. You know I don't think that you're somebody that's just sitting here and is just not effected by this. You're not somebody that's sitting here and just doesn't

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STATEMENT OF: Samantha KEMATCH

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give a shit. And you know there are people like that. And I really don't think you're that way. I think you're just scared.

[Pause]

CLELLAND-HALL: Did things just get out of hand that day? Or was that supposed to happen? (Pause) Was she just being punished for something and it just went too far? (Pause) Sam, can you look at me when I ask you this because I really want to know the truth from you about this one thing. Were you the one that actually beat her or did you just move her? Sam?

[Pause]

CLELLAND-HALL: Did you beat her or did you just move her? (Pause) Why can't you look at me? (Pause) Did Karl make you help him move her? Or were you there the whole time for the beating?

KEMATCH: Wish I could say but I can't say anything.

CLELLAND-HALL: You can....

KEMATCH: I want....

CLELLAND-HALL: ...say Sam.

KEMATCH: ...to say.

CLELLAND-HALL: I know you want to. I know you do. I can see it all over your face.

[Pause]

CLELLAND-HALL: I know you want to Sam. And you can, you can tell me. You can at least tell me if you were the one that actually beat her. You can tell me if you....

KEMATCH: (Coughs)

CLELLAND-HALL: ...If you helped. If you just watched or if you weren't even there

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STATEMENT OF: Samantha KEMATCH

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and just had to help after. (Pause) Were you there when she died? Sam?

[Pause]

CLELLAND-HALL: Sam, were you there when she was being beaten or did you just move after?

[Pause]

CLELLAND-HALL: Sam I know that you want to get this out. And you want to get this off your chest. And you want to get this weight lifted off of you that's being weighing you down since this happened. (Pause) Was it meant to happen or did it just go too far? (pause) Was I right when I said that I didn't think that you meant for this to happen? Was I right when I said that? (Pause) Was this an accident?

[Pause]

CLELLAND-HALL: Sam, did you mean for this to happen? Am I right when I say that I don't think you wanted that to happen that day? It just went too far. You know if I'm wrong tell me. You've got to set it right now. You know you do. 'Cause it won't go away. You know as much as you try to forget her, she's not going away either. You know she existed, she was real. And we will find her just like we found things in the basement. And you know when we find that red car I'm sure we'll find stuff there too. Like its, this whole thing it's, it's not going away and there's no doubt about what happened. But once everything is all finished and we're sitting at the end of this investigation and you know we're ready to deal with this thing, where are you gonna be sitting? Like I said, she was your daughter not Karl's.

[Pause]

CLELLAND-HALL: And you know that's that's the first thing he'll say is she wasn't my kid. Like right now you need to do the right thing for yourself and for Phoenix. And y' you know that. Like I haven't sat here today and told you one thing that you didn't know already. You need to fix this and I'm trying to help you do that. I'm really trying here

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STATEMENT OF: Samantha KEMATCH

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Sam but I need you to try too. You know I'm willing to spend all the time in the world with you to figure this thing out. And to come to the truth. And to get Phoenix back from this place that she's been left. It's important to me. And I think it's important to you too. And it says so much about how you cared about her and how you think about her now. By not letting her stay there. You can't let her stay there. And I know you don't want to and you just don't know what to do. And I understand that. But follow your heart, like, you know inside it's telling you what you should do. You know what the right thing is to do. Don't ignore that. Don't ignore the good part of you that is wanting to do the right thing. I want to help you make this as good as it can possibly be in this situation. And the biggest way that we do that is to not leave this little girl laying out there how she is. It's no way for somebody to end a life. You said yourself nobody deserves that. And you said yourself everybody matters.

KEMATCH: I need a smoke. Can I have a smoke?

CLELLAND-HALL: I don't smoke, I don't have any smokes.

KEMATCH: Can't we have a smoke or something? Does anybody have a smoke?

CLELLAND-HALL: I, you know what? I honestly don't know anybody that I'm working with right now that has, that smokes. Our one guy that used to smoke has quit three months now. And I know this is stressful for you and I know that you just you know want to get out of this situation. There's only one way to get out of this Sam. There's only one way to get out of this and to release this stress and this pressure. And the only way you're gonna do that is to get the truth out and to deal with this. And you know when the truth does come out only good things can happen from that. Nothing worse is gonna happen that whe' than what has already happened. There's nothing worse that could come out of telling the truth. You've already been charged with all of these things. Phoenix is already dead. The crime scene people already have a' like they already have evidence. We already have statements from witnesses. Like it, it can't get any worse than it is, this is it. The only thing that the that's gonna happen now by telling the truth is that its gonna be

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STATEMENT OF: Samantha KEMATCH

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better because you know, one, we're gonna have Phoenix back. Or you're gonna have her back to bury her properly. And two, maybe the answer to the question "why?" will be answered. Like you know there's, I know that you are afraid and I know that this is a scary step to take but I am here to take it with you. And you are not by yourself. And by taking that leap and telling the truth, like I said it is only gonna make it better. There's no way it can get worse. Do you, can you can you even imagine something that could make you feel worse than you do right at this moment? Like this, this is as bad as it gets Sam. And you're still okay.

[Pause]

CLELLAND-HALL: By telling the truth you are going to be a voice for Phoenix. You are going to release all this stress and this shame and guilt and all these things that you're feeling that have just built and built and built and just weigh like a ton of bricks on you. The truth will set that free. You will not have to deal with that anymore. Once it's out that's the hardest step. And once you take that step then the rest you can manage. And I am here right now to take this step with you. And it's the hardest one and I know that. So as scared as you are of telling the truth, I think that you are going to be surprised at how much better you feel for telling the truth and how much relief you have. And how that is absolutely the first step towards healing and putting this behind you and moving on for real. As much as you might think you've moved on or that you tried to put it behind you, obviously it's not behind you because it's right here in your face right now. And the first step to putting that behind you for good is to tell the truth and do what you have the power to do to make right. You know, you know that you have the knowledge of where she is and you have the power to tell us that and to let us bring her back so you can bury her right.

[Pause]

CLELLAND-HALL: And how can that, how can doing that possibly be worse than how things are right now? It can only make it better.

[Pause]

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: You gotta meet me halfway. Its important enough to me to be here with you to do this.

[Pause]

CLELLAND-HALL: You are important enough and she's important enough. And that's why I'm sitting here. And I will spend as much time with you as I need to. As much time as you want me to because this is important and this is something that we have to deal with because it is not going away. And everything we do in life is about choices. We choose to be where we are. We choose to be with who we are with.

KEMATCH: I have to use the washroom.

CLELLAND-HALL: You wanna use a washroom? 'Kay can you uh hold on for a second and I will see if one is available.

[No conversation]

BAKER: (Inaudible) take you to the washroom. Try to find you a smoke too.

[Room is empty for approximately 1 hour]

SPENCER: Is there no where to plug it in that we can?

ROBINSON: Well I, I can if you want to go back to the backroom and get the plug in. Like how long do you think you're gonna be?

CLELLAND-HALL: Ten minutes.

ROBINSON: Okay.

CLELLAND-HALL: But I'm gonna flip it down because I don't, it'd be nice if (inaudible). Yeah I'm gonna leave it flipped down.

[Talking in the background - (inaudible)]

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STATEMENT OF: Samantha KEMATCH

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ROBINSON: Okay, so just like that. So you're gonna see that its its like this. Just flip it up, okay?

CLELLAND-HALL: 'Kay.

ROBINSON: And even if you touch the mouse every so often. But all as you have to do is make sure that when you, when you start it there's your mouse. I'll leave....

CLELLAND-HALL: Okay.

ROBINSON: ...the mouse right there. Left click and it will start.

CLELLAND-HALL: You know what? Every so often I'll probably just glve it uh, just to keep the screen up, but....

ROBINSON: Well, lets move it away from here then. Okay there. Yeah, don't but then you just have to find the mouse. So just.

CLELLAND-HALL: Okay.

ROBINSON: 'Kay?

SPENCER: Okay Tara?

CLELLAND-HALL: Yep.

SPENCER: 'Kay.

CLELLAND-HALL: (Coughs)

[No conversation]

CLELLAND-HALL: Hey, Sam. Have a seat. 'Kay you and I have uh talked a lot today about doing the right thing and telling the truth and you know I spent a lot of time with you and I've been honest with you and as up front as I can be in explaining things. And um, you know I've, I've really been trying to give you an opportunity to set things right. And to you know step up and make things the way they should be.

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STATEMENT OF: Samantha KEMATCH

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You know d' like do you agree that I've given you that chance? And have I done anything here today to make you feel bad? 'Cause that's not my intention. If, if anything has come across that way then that's not how I meant it. And when I have been telling you that the most important thing in all of this is Phoenix and you know finding where she is and bringing her back to give her a proper burial and to come to the truth. When I when I tell you all that, I mean it. And when I say that I want you to be the one that has the opportunity to do that. I want you to not have to go through your life living with this, knowing that you could've made it right and didn't. When I say that to you, you know I'm I'm being honest with you. I do want you to have that chance. And you know I've been talking to you about different bits of information that we have and different evidence that we've collected and it just keeps piling up more and more all the time. And you know I have a lot more information right now than I did even forty five minutes ago when we were here together. And I have a lot of really important things to show you here. A lot of things that are gonna be significant to you, that are gonna mean a lot. And that are really important to this. And before I do that I want to give you another chance, Sam, to be the one that sets this right.

KEMATCH: Did anybody have a smoke then?

CLELLAND-HALL: No, they didn't. Before we do all this and before I lay this out for you, I want to give you a last chance. I want you to be able to be the one to step up. And the one to make it right. And that...

KEMATCH: But my lawyer said not to say anything.

CLELLAND-HALL: And you know I'm glad that you understand that.

KEMATCH: I don't want to say anything, right now.

CLELLAND-HALL: And you know what Sam? You don't have to say anything. The evidence says enough.

KEMATCH: But I do (inaudible). 'Cause I know what went on there.

CLELLAND-HALL: I know you do. I know you do Sam. (Pause) Tell me what went on

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STATEMENT OF: Samantha KEMATCH

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there. This is your time. And I don't want to take your time away from you. Which is why I am not showing you these things. I don't want to take that from you.

KEMATCH: What is that a statement? Or s'.

CLELLAND-HALL: You know Sam there's a lot of information here. A lot of it.

KEMATCH: Is that statements?

CLELLAND-HALL: Part of it yeah.

KEMATCH: From who, Karl?

CLELLAND-HALL: W' you tell me. Do you think Karl gave us a statement?

KEMATCH: Yeah in a way I do.

CLELLAND-HALL: Yeah well you're right.

KEMATCH: Well I I know I'd, (pause) I didn't .

CLELLAND-HALL: You didn't what Sam?

KEMATCH: I didn't kill her.

CLELLAND-HALL: I'm glad you told me that.

KEMATCH: It wasn't me.

CLELLAND-HALL: I'm glad you told me Sam. Did Karl kill her?

KEMATCH: (Coughs)

CLELLAND-HALL: Who killed her? (Pause) Who killed her Sam?

[Pause]

CLELLAND-HALL: You said you didn't kill her right?

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STATEMENT OF: Samantha KEMATCH

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KEMATCH: No I didn't kill her.

CLELLAND-HALL: What did you do?

KEMATCH: I didn't beat her to death.

CLELLAND-HALL: What did you do Sam?

KEMATCH: I never, I didn't move the body.

CLELLAND-HALL: Okay. (Pause) Who did those things?

[Pause]

CLELLAND-HALL: You've taken a big step Sam. And that's a good thing. (Pause)
How did it happen?

KEMATCH: I wasn't home when she passed away.

CLELLAND-HALL: Okay.

[Pause]

CLELLAND-HALL: Where were you?

[Pause]

KEMATCH: I was at Wes's dad's.

CLELLAND-HALL: At Wes's dad's? Who were you there with?

KEMATCH: Wes.

CLELLAND-HALL: Okay, who um who was at the house when she passed away?

KEMATCH: ~~DOE~~ was.

CLELLAND-HALL: Can you tell me about that day?

KEMATCH: What do you mean?

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: When did you last see her?

KEMATCH: That morning I think it was.

CLELLAND-HALL: And what happened that day?

KEMATCH: She, she was....

[Pause]

CLELLAND-HALL: What was she doing?

[Pause]

CLELLAND-HALL: Hey Sam, what, after you saw her in the morning that day, what was she doin'?

KEMATCH: She wasn't doing anything. She was just laying there. She was breathing, breathing like a normal person.

CLELLAND-HALL: Okay.

KEMATCH: She was fine when, when I left.

CLELLAND-HALL: When you left, where in the house was she?

[Pause]

CLELLAND-HALL: Hey Sam, where was she when you left?

[Pause]

CLELLAND-HALL: Did you leave the house that day by yourself? No?

KEMATCH: No.

CLELLAND-HALL: Who did you leave with?

KEMATCH: Wes.

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: So when you guys left the house, where was Phoenix?

[Pause]

CLELLAND-HALL: Sam? Where was she when you guys left?

[Pause]

CLELLAND-HALL: How long did you stay at Wes's dad's house? (Pause) Did you just go for tea or were you there for a long time?

[Pause]

CLELLAND-HALL: Is it uh difficult to remember? Or is it difficult to talk about?

KEMATCH: To talk about.

CLELLAND-HALL: Well I'll help you work through the day if you can answer questions I'll help work through it. How it happened. 'Cause you've already told me that you weren't the one that killed her and you weren't the one that beat her. And you told me that you weren't there when she died. Can you tell me where she was when you left the house that day?

[Pause]

CLELLAND-HALL: I know this is hard Sam but you've taken a big leap here and you're doing good. (pause) Now I can try to help you get the truth out. If its hard to just talk about I can ask questions. But then I'd need you to answer them for us to work through this.

KEMATCH: I told my lawyer I wasn't gonna say anything.

CLELLAND-HALL: And I can appreciate that. And you absolutely have the right to not say anything. But I think you wanna say something. I think you wanna tell the truth. I think you wanna get your side of this out. And it's normal to be scared.

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STATEMENT OF: Samantha KEMATCH

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[Pause]

CLELLAND-HALL: Do you remember what day it was? (pause) Can you remember the date? It was June 11th.

KEMATCH: Yes.

CLELLAND-HALL: You remember that day? Do you know how I know that?

KEMATCH: How?

CLELLAND-HALL: How do you think I would know the exact date that this happened?

KEMATCH: Karl?

CLELLAND-HALL: Karl.

KEMATCH: Are you telling me the truth?

CLELLAND-HALL: I am telling you the truth. And you know that is what my job is, is to get to the truth. So no matter what he has said, no matter what ██████ said, no matter what you say. At the end of the day what I want is the truth. And I have not lied to you once today. I have not kept any information from you. If I have known it I've shared it with you.

DOETH

KEMATCH: But how is this gonna look in court when my lawyer doesn't even know anything yet?

CLELLAND-HALL: You know exactly what happened. I know what happened. Karl knows what happened. And the team of people that are working on this thing know what happened. And the truth always comes out.

KEMATCH: Like I said, I didn't kill her. I didn't beat her to death. I didn't move the body.

CLELLAND-HALL: Do you know where the body is?

[Pause]

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: Can you tell me where the body is?

KEMATCH: I do know where it is.

CLELLAND-HALL: Can you describe it to me, the spot?

[Pause]

KEMATCH: I can't, I can't describe the spot.

CLELLAND-HALL: Okay. Do you think you'd be able to um, like kind of draw a little map of where it is? If you can't talk about it do you think you'd be able to show me on a paper? (Kematch shakes head - negative) No? Do you kn' um, where is it close too?

KEMATCH: I don't know.

CLELLAND-HALL: Who drove out there with you?

KEMATCH: I didn't drive 'cause I don't have a license.

CLELLAND-HALL: Okay. So who drove the car?

KEMATCH: Wes always drives the car.

CLELLAND-HALL: So he drove the car that day? (Kematch nods head - affirmative) Yeah?

[Pause]

CLELLAND-HALL: Where was Phoenix in the car? (Pause) Hey Sam, where was Phoenix in that car when you guys drove out there?

[Pause]

CLELLAND-HALL: Was she in the trunk?

[Pause]

CLELLAND-HALL: We have the car Sam. It was at a place on Simcoe and Notre

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STATEMENT OF: Samantha KEMATCH

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Dame. (Pause) Who put her in the trunk?

KEMATCH: Not me.

CLELLAND-HALL: So when you guys came home from Wes's dad's place, wh' how was Phoenix when you found her? Where was she?

[Pause]

KEMATCH: She wasn't breathing.

CLELLAND-HALL: Okay.

KEMATCH: She didn't move.

CLELLAND-HALL: Where did you find her when she wasn't breathing?

[Pause]

CLELLAND-HALL: Was she in the basement?

KEMATCH: Yeah.

CLELLAND-HALL: So after you found her and she wasn't breathing and you said she wouldn't move, what happened? What did you do?

[Pause]

CLELLAND-HALL: Sam, can you tell me about the raincoat?

KEMATCH: What do you mean?

CLELLAND-HALL: You know what I mean.

KEMATCH: Well what do you want to know about rain coat?

CLELLAND-HALL: I wanna know what you did with Phoenix after you guys found that she wasn't breathing.

KEMATCH: Wes did CPR on her. And that was (inaudible).

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: Okay. He did CPR. Then what?

[Pause]

CLELLAND-HALL: Did she ever move again?

KEMATCH: I don't know.

CLELLAND-HALL: Where were you when he did CPR?

KEMATCH: Standing there.

CLELLAND-HALL: Standing there? So when CPR didn't work what did you guys do?

[Pause]

CLELLAND-HALL: You're doing good Sam. After the CPR, and then you guys realized it wasn't working, what did you do?

[Pause]

CLELLAND-HALL: Was ^{DOE#1} [REDACTED] still there? (Pause) Who's idea was it to wrap her up?

KEMATCH: Not mine.

CLELLAND-HALL: Who thought of doing that?

KEMATCH: Can you please find a smoke?

CLELLAND-HALL: You know I'll, my...

KEMATCH: Somebody.

CLELLAND-HALL: ...I do not have a smoke.

KEMATCH: I know. Can you find a some a smoke from someone in here?

CLELLAND-HALL: I can try but what we're doing here right now is more important than a cigarette.

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KEMATCH: I know, but.

CLELLAND-HALL: How did you wrap her up Sam?

[Pause]

CLELLAND-HALL: Do you believe that I know what happened that day? Yeah you do? (Kematch nods head - affirmative) Okay. Well I do know what happened, you're right. And knowing what happened I'm still sitting here with you. Okay, I still want to talk to you and I still want to find out from you what you say happened. So you don't need to be afraid to tell me something if you're scared of what I'm gonna think. Or if its gonna change what I think about you because it's not. Because I know what happened. I knew from ^{DOELL} [REDACTED] when I first met with you today what happened....

KEMATCH: Mm hm.

CLELLAND-HALL: ...and that hasn't changed anything. And if I was gonna think anything bad about you I wouldn't have spent this time with you today. And I wouldn't still be sitting here now. But I think its important that you have a voice in this. And you've taken a huge step. And you're doing really good and I know you're having a hard time but you're doing a good thing here.

[Pause]

CLELLAND-HALL: Can you tell me how Phoenix was wrapped up?

KEMATCH: In plastic.

CLELLAND-HALL: Where did the plastic come from?

KEMATCH: Hmm, garbage bag.

CLELLAND-HALL: A garbage bag? Wh' like what kind of garbage bag?

KEMATCH: I don't remember.

CLELLAND-HALL: Okay, and can you tell me about the rain coat? (Pause) What did

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you do with a raincoat?

[Pause]

KEMATCH: She was wrapped up in it.

CLELLAND-HALL: Who's coat was it?

KEMATCH: It was some coat Wes found.

CLELLAND-HALL: Where did he f'....

KEMATCH: (Inaudible).

CLELLAND-HALL: Sorry.

KEMATCH: It was some ladie's raincoat that he found a long time ago.

CLELLAND-HALL: Okay, so um, was she wrapped up in the plastic first and then the coat? Or the coat and then plastic?

KEMATCH: The, plastic I think.

CLELLAND-HALL: Okay. So was that, did that happen in basement? (Kematch nods head - affirmative) Yeah? So after you guys got her all wrapped up, what did you do with her?

KEMATCH: I went upstairs (inaudible).

CLELLAND-HALL: You went upstairs? (Kematch nods head - affirmative) And what did Karl do?

KEMATCH: He came up I think.

CLELLAND-HALL: Did he come up with Phoenix or was she left downstairs?

KEMATCH: She, he left her.

CLELLAND-HALL: Okay. Do you remember what time of the day that was that that happened?

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KEMATCH: Mm the...

CLELLAND-HALL: Like was it uh...

KEMATCH: Around the evening I think.

CLELLAND-HALL: Was it still light outside?

KEMATCH: Kind of.

CLELLAND-HALL: 'Kay. So after you guys left the basement and she was already wrapped up. Then when did you go back to get her?

KEMATCH: I never moved her.

CLELLAND-HALL: Did Karl move her? Karl went and got her? Yeah? Okay. And was that the same day, just later on? Was it, Sam was it later that same day?

KEMATCH: I think it was a while after.

CLELLAND-HALL: Like the next day? Or just a few hours after?

KEMATCH: Hm, a few hours after I think. I'm (inaudible) or something.

CLELLAND-HALL: Okay. A few hours. So when you went back downstairs to get her, um was it dark by then when he went back to get her?

KEMATCH: It was dark out yeah.

CLELLAND-HALL: So when he brought her upstairs, then what did you guys do with her?

KEMATCH: He, he said he he said he put her in the car already.

CLELLAND-HALL: Okay, what else did he say to you?

[Pause]

CLELLAND-HALL: Is that when you guys left to go put her where she is?

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STATEMENT OF: Samantha KEMATCH

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KEMATCH: A little while after.

CLELLAND-HALL: Like she was in the car for a little while first?

KEMATCH: Mm hm.

CLELLAND-HALL: Where in the car was she?

KEMATCH: The trunk.

CLELLAND-HALL: Okay. So, um what were you guys waiting for to move her?

[Pause]

CLELLAND-HALL: Do you remember why you waited?

KEMATCH: I think for darkness.

CLELLAND-HALL: For darkness? And then when you guys left it was Wes driving that car?

KEMATCH: Yeah.

CLELLAND-HALL: Did you sit up in the front seat with him?

KEMATCH: Yeah.

CLELLAND-HALL: And then where did you guys, where did he drive to? (Pause) Do you remember where he drove to? Cause you told me a little bit earlier that you know where the body is.

KEMATCH: Hm?

CLELLAND-HALL: You told me that you knew where she was. (Kematch drops a kleenex on the floor and bends over to pick it up) It's okay, don't worry about it.

KEMATCH: I can't describe it.

CLELLAND-HALL: Do you remember passing anything on the way there? (Pause)

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When he was driving did you notice anything, like did you drive by any buildings or any places?

[Pause]

KEMATCH: It was, it was past the garbage dump. The garbage dump.

CLELLAND-HALL: Okay. And the

KEMATCH: Yeah.

CLELLAND-HALL:garbage dump where, in Fisher River?

KEMATCH: Yeah.

CLELLAND-HALL: Like a long way past it, or?

KEMATCH: I don't know, I don't know it was just past the garbage dump.

CLELLAND-HALL: Okay. So was it uh, like in a place where there's lots of trees around? Or just an open field?

KEMATCH: Lots of trees.

CLELLAND-HALL: So when you guys drove there, once you got to that spot, tell me what happened when you got there.

KEMATCH: He carried her body.

CLELLAND-HALL: Where did he carry it to?

KEMATCH: I don't know, some spot.

CLELLAND-HALL: How long did it take you guys to dig that hole?

KEMATCH: Don't know, don't remember.

CLELLAND-HALL: Did it feel like a long time?

KEMATCH: Yeah.

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CLELLAND-HALL: How deep did you have to dig it?

KEMATCH: I don't remember.

CLELLAND-HALL: So who put her into the hole?

KEMATCH: Wes did.

CLELLAND-HALL: And did you guys cover her up again with the dirt, or?

KEMATCH: Yeah.

CLELLAND-HALL: So did you take the shovel back with you or did you leave it out there?

KEMATCH: We took it back.

CLELLAND-HALL: And what did you do with it?

KEMATCH: I think he left it in, I think he left it in the trunk.

CLELLAND-HALL: It's still in the car?

KEMATCH: No not anymore.

CLELLAND-HALL: No? Left it where?

KEMATCH: It was laying outside for a while.

CLELLAND-HALL: Like at your house at Fisher River you mean? (Kematch nods head - affirmative) Okay. And then where did it go after that?

KEMATCH: I don't, I don't know. I, I think I think that he put it in somebody's yard.

CLELLAND-HALL: Like someone that lived close to you in Fisher River?

KEMATCH: Yeah.

CLELLAND-HALL: So, can you tell me about when you guys painted the basement

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floor?

KEMATCH: I ne' I didn't paint it.

CLELLAND-HALL: So, ar' are you saying that Wes painted it?

KEMATCH: Wes painted it.

CLELLAND-HALL: And why did you guys think you had to paint the floor?

KEMATCH: I don't know.

CLELLAND-HALL: So, what happened down there Sam that 'caused her to pass away?

[Pause]

CLELLAND-HALL: And what happened that day before you and he left to go to his dad's house?

KEMATCH: The, that day?

CLELLAND-HALL: Like what, what happened 'cause you said that she was alive when you left?

[Pause]

KEMATCH: Mm. Nothing, nothing that I remember.

CLELLAND-HALL: Well how do you think she died?

KEMATCH: Choking I think, I think she choked.

CLELLAND-HALL: What do you think she choked on?

KEMATCH: Her puke I guess.

CLELLAND-HALL: On her puke? Why did she puke?

KEMATCH: I don't know.

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: What makes you think that that's what happened?

KEMATCH: 'Cause there was a puke spot by her.

CLELLAND-HALL: Had you or Karl been hitting her for any reason?

[Pause]

CLELLAND-HALL: Was she in trouble for something? No?

KEMATCH: I don't remember.

CLELLAND-HALL: Do you what do you remember about her getting beat up that day?

[Pause]

CLELLAND-HALL: Hey, why did she get beat that day? Why was she hit?

[Pause]

CLELLAND-HALL: Was there a reason, or? Or, was she just hit?

[Pause]

CLELLAND-HALL: Had she done something bad? 'Cause I don't think she choked Sam. Pretty sure that's not how she died.

KEMATCH: I don't know, I wasn't there that day when she passed away.

CLELLAND-HALL: So that day when you left you said you when you la'....

KEMATCH: She was alive when I left.

CLELLAND-HALL: And...
DOES #1

KEMATCH: [REDACTED] called us at his dad's, his, Wes's dad's house saying that she wasn't breathing.

CLELLAND-HALL: And then what?

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KEMATCH: We came back. And Wes did CPR on her.

CLELLAND-HALL: So when you had left her and she was still breathing, she was alive when you left, where was she when you left?

[Pause]

CLELLAND-HALL: Was she in the basement?

KEMATCH: (whisper) Yeah.

CLELLAND-HALL: Yeah? So can you explain why there'd be blood on the floor?

[Pause]

CLELLAND-HALL: Hey Sam, why would there be blood on the floor?

[Pause]

CLELLAND-HALL: I know you know what happened. And I know you know she didn't choke. Now you told me before that you weren't the one that beat her. So who was the one?

[Pause]

CLELLAND-HALL: Sam?

KEMATCH: Wes was.

CLELLAND-HALL: Did you see it happen? Tell me what he did Sam?

[Pause]

CLELLAND-HALL: What did Wes do? (Pause) Sam what did Wes do?

[Pause]

CLELLAND-HALL: You know she didn't choke don't you? Did you have to clean up her puke? Yeah? Sam, did you have to clean up her puke on the floor? You said it was Wes, well what did Wes do?

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[Pause]

CLELLAND-HALL: Did he have a weapon?

[Pause]

CLELLAND-HALL: You know what happened. You know what happened before you went to his dad's. And you've told me what happened when you got home. So what happened in that basement before you left?

[Pause]

CLELLAND-HALL: Are you afraid to say because you were there too? Were you helping him?

KEMATCH: No. I did not help him.

CLELLAND-HALL: Well what did he do then?

KEMATCH: I think she died because he pushed her really hard on the floor. She banged her head really hard.

CLELLAND-HALL: What, after she banged her head did she move?

KEMATCH: She moved, and he didn't, I don't think he did it on purpose though.

CLELLAND-HALL: Okay so, when, after she banged her head did you see her move at all? Or did she just lay there?

KEMATCH: She...

CLELLAND-HALL: Hey, did you see her move after? Like did she even twitch at all after he pushed her? (Pause) You know do you ever watch um, do you watch a bunch of tv?

KEMATCH: Certain shows.

CLELLAND-HALL: Do you ever watch CSI? (Kematch nods head - affirmative) So, when we find Phoenix, are you, you've probably seen before when

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they do an autopsy or they do an exam they can tell exactly how a person died. Or how they were killed. You know that right? (Kematch nods head - affirmative) So when we find her, do you think that the only injury that she's gonna have is something on her head from falling on the floor?

[Pause]

CLELLAND-HALL: 'Cause you know when we do find her that if there's any fractured bones, any broken bones any you know anything. Any injuries that she suffered. If she was kicked in the stomach and it cracked a rib. Or like, with little kids it doesn't take much to hurt them, right. So when we do find her, we're gonna learn exactly what happened. So I don't want you to get caught in a lie down the road because you weren't completely honest with me here today.

KEMATCH: I don't think she'd have, maybe yeah because of the maybe um, brain hem' hemorrhaging I think maybe.

CLELLAND-HALL: Yeah. Do you think there'll be any other injuries on her that we'll find?

KEMATCH: Mm. Mm.

[Pause]

KEMATCH: I (makes a noise). I'm not sure. I'm....

CLELLAND-HALL: So you think that when we find her we'll find that the cause of death was blunt trauma to her head?

KEMATCH: I think so yeah.

CLELLAND-HALL: Now is there any reason why we would find any markings on her that would indicate that any kind of a tool or a weapon or anything was used to hit her?

KEMATCH: On the back. She had like uh, a a cut or gash on her back.

CLELLAND-HALL: Okay. What was that from?

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STATEMENT OF: Samantha KEMATCH

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KEMATCH: Wes showed it to me.

CLELLAND-HALL: Who showed you?

KEMATCH: Wes.

CLELLAND-HALL: Okay what and what was it from?

KEMATCH: He said it was from the the nail on the wall.

CLELLAND-HALL: In the basement?

KEMATCH: Yeah.

CLELLAND-HALL: And how did the nail gash her back?

KEMATCH: I wasn't down there when it happened.

CLELLAND-HALL: Okay. Now will there be any other old injuries like things that have healed already? 'Cause those show up too. I'm like I'm sure you know that. Anything that might have ever been injured before that's healed, are we gonna find any old injuries on her that are gonna raise questions later?

[Pause]

KEMATCH: I'm not sure.

CLELLAND-HALL: Okay. I want you to think about something and then answer my question again about any injuries that we might find on her okay? Can you tell me about the BB gun?

[Pause]

KEMATCH: Like um, what do you mean, like?

CLELLAND-HALL: Like that BB gun that was at the house. Is there an' an' you know all the information that I have I've learnt like I've explained to all day right. You know how I've learnt certain things. And the BB gun that was there, can you explain why we might find some

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STATEMENT OF: Samantha KEMATCH

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injuries on Phoenix that would look like they came from that?

KEMATCH: 'Cause Wes would shoot her with it.

CLELLAND-HALL: 'Cause why?

KEMATCH: 'Cause Wes would shoot her with it.

CLELLAND-HALL: Okay. And why, like when would that happen? Why would he do that?

KEMATCH: I don't know, to, fun. I don't know. Just to see what would happen. I don't know.

CLELLAND-HALL: So when she would get shot with the BB gun, what did happen?

KEMATCH: She would make uh, a little cry.

CLELLAND-HALL: So if she, if she got shot with that BB gun and made little cries then what would happen? What would he do?

[Pause]

KEMATCH: Just (Inaudible)

CLELLAND-HALL: Um, on that BB gun Sam, is there any reason why your DNA would be on the trigger part and not his?

KEMATCH: On DNA?

CLELLAND-HALL: Like you know...

KEMATCH: (Inaudible).

CLELLAND-HALL: ..on the on the BB gun. Is there any reason why if we had that gun, is there any reason why we would find it that it was you that had touched that and not him? Did you ever use that?

KEMATCH: Because I was last, I think I was last one that picked up that gun.

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: Okay...

KEMATCH: When we moved out.

CLELLAND-HALL: Have you ever shot it?

KEMATCH: 'Cause It was in the bedroom.

CLELLAND-HALL: Okay. And so where is it now? Do you know?

KEMATCH: I think Wes said it's in Fisher River still. Yeah. It should be in his dad's garage.

CLELLAND-HALL: Is there any other things that happened that we're gonna find out about when we do an autopsy on her?

KEMATCH: Like what do you mean, like?

CLELLAND-HALL: That she, would she have had any other injuries from other things that she had been hit with?

KEMATCH: No. I think she has uh, uh cut or on this side. But I don't know, I don't know.

CLELLAND-HALL: Do you know what its from?

KEMATCH: That I don't know.

CLELLAND-HALL: Okay. So that day when she died, what did you guys say to ~~██████████~~ ^{DOB:██} about that? 'Cause he was there when this happened right? What did you guys talk to him about?

[Pause]

CLELLAND-HALL: Did you guys have any talk with him about not telling anybody about this? (Pause) Or was there any kind of a rule made in your family that you guys wouldn't talk about it anymore? (Pause) And you know if I'm wrong about that then please tell me. If you guys didn't talk to him about it all then, you know correct me, but. I think there was a conversation after. Was there? (Pause) You

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don't want to talk about that? One thing that I have tried to do with you all day today and that I think is important, is that I have wanted to give you the opportunity to tell the truth and be honest. And you know that I wanted to leave it open for you to do that.

KEMATCH: That's what I've been telling you.

CLELLAND-HALL: And, and I appreciate that but there's one more thing I wanna talk to you about that, you know I don't want you to leave this room without being fully honest about it. And without telling the truth about it. Because when we get Phoenix from where she is, um you know you know every time we touch something every time like we're constantly leaving parts of our self everywhere. We always are shedding skin cells, we're shedding hair. Like there's DNA everywhere. And even when we touch certain surfaces our finger prints are left on things and you know we don't even think about it 'cause its it just happens all the time. So when we take Phoenix out of that hole and they examine that plastic and they examine that rain coat and they you know, you know how they go over things and all the tools that they have and all these like fancy things they use to examine stuff like that. You had told me that you didn't wrap Phoenix. You told me you didn't move her. You told me you didn't put her in the car. You didn't take her out of the car and you didn't put her in the hole. And I want you to really think about that.

KEMATCH: It's true. I, I didn't but I did get the garbage bags for Wes 'cause he asked for them.

CLELLAND-HALL: Okay. 'Cause if that comes back and that like the stuff like this is important for you to tell the whole truth about it. 'Cause if you leave stuff like that out and then we get Phoenix and when they're doing this examination then they find your fingerprints all over it. But you've told me that you didn't even touch it. Then it makes it...

KEMATCH: (Inaudible).

CLELLAND-HALL: ... look like you're lying you know.

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STATEMENT OF: Samantha KEMATCH

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KEMATCH: I know, I know I didn't say I didn't wrap her up but gave him the.

CLELLAND-HALL: Okay, you went and got the bags?

KEMATCH: Yeah.

CLELLAND-HALL: Where did you get them from?

KEMATCH: The garbage bags.

CLELLAND-HALL: Where do you guys, where'd you keep them in that house?

KEMATCH: Upstairs. On, on that ledge by the back door.

CLELLAND-HALL: Okay. Um, do you remember what, what like what kind of garbage bags did you guys buy? Like you know you can get black ones, you can get clear ones....

KEMATCH: They were....

CLELLAND-HALL: ... you can get orange ones.

KEMATCH: ...black ones. I think they were black one's.

CLELLAND-HALL: Okay. So you went and got the bags for him and brought them downstairs? (Kematch nods head - affirmative) Now is there anything else that when we are finished our whole examination and all the forensic stuff, all the evidence that we have, is there anything else that's gonna come back and make it look like you lied 'cause you forgot a part? Just like that one where you went to get.....

KEMATCH: Now my finger prints will be on there 'cause I got the garbage bags. Wes cut the plastic and he used to wrap her up.

CLELLAND-HALL: Where did the plastic come from?

KEMATCH: It was uh, it was I think it was down there already. Yeah it was down there already.

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CLELLAND-HALL: Okay. Now what kind of plastic? Like do you remember the color of it or anything?

KEMATCH: It was clear.

CLELLAND-HALL: Okay. And um, did you guys have to use tape or anything? Or how did you hold the plastic on her?

KEMATCH: Yeah he used tape.

CLELLAND-HALL: So whose finger prints or DNA would we find on the tape that's wrapped around her?

KEMATCH: Wes's. Maybe mine too.

CLELLAND-HALL: Okay, so if we find your's...

KEMATCH: 'Cause I touched the tape before.

CLELLAND-HALL: Okay. Now you know on a tape roll how there's like the outside then once you rip keep ripping it gets down lower, lower to the middle to the middle. So if you touch the tape before just 'cause it's a normal thing in your house then I would expect that your finger prints would be around the outside of the tape.

KEMATCH: Mm hm.

CLELLAND-HALL: But as pieces are ripped off and are wrapped around her, the new pieces that are showing, is there any reason why your finger prints would be on the new pieces that are around, bound around her?

KEMATCH: I'm not sure.

CLELLAND-HALL: Do you think we might find your prints on that tape? That's around her?

KEMATCH: I don't think so, I'm not sure. (Kematch nods head - negative)

CLELLAND-HALL: Okay. 'Cause this, the reason why I'm giving you this chance now and to say all this stuff now is because you know what it'll look like

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later on down the road right if you, I just don't want it to look like you're lying to me. You know?

KEMATCH: I'm not lying, I'm wanna, I wanna tell the truth, can't, lying about this to myself forever.

CLELLAND-HALL: Do you feel...

KEMATCH: I already done it too long.

CLELLAND-HALL: What? Sorry.

KEMATCH: I've already done it too long. To lie to myself about it.

CLELLAND-HALL: Does anybody else know?

KEMATCH: About?

CLELLAND-HALL: About what happened? Other than you and Wes and the boys? Does anybody else know?

KEMATCH: No, I never told anybody.

CLELLAND-HALL: So where does everybody think Phoenix is if she just disappeared one day?

KEMATCH: They think she's at, they, think she with her dad.

CLELLAND-HALL: With Stephen? Is that what you guys tell people?

KEMATCH: Yeah we tell them, if they only if they asked us.

CLELLAND-HALL: Have you ever been back out there to where she is? (Kematch shakes head - negative) No?

KEMATCH: Like what do you mean like gone back to Fisher River and...

CLELLAND-HALL: Like gone back to where she's buried.

KEMATCH: Mm, yeah.

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CLELLAND-HALL: When did you go?

KEMATCH: I don't remember.

CLELLAND-HALL: And when you went back out was she still in the same place you left her? (Kematch nods head - affirmative) Yeah. Did Wes go out with you?

KEMATCH: Yeah.

CLELLAND-HALL: You guys talk about it very much?

KEMATCH: Just to, I've said to Wes that it's, I said it's not gonna, we're not gonna be free forever I told him.

CLELLAND-HALL: Did you know that this day would come?

KEMATCH: (Kematch nods head - affirmative) I did.

CLELLAND-HALL: Does it feel better to tell the truth?

KEMATCH: Yeah.

CLELLAND-HALL: Is there anything that you haven't told me that you think you should?

KEMATCH: I'm not sure. I don't know, I can't think straight.

CLELLAND-HALL: There's um, something that I wanna ask you about and you know I really appreciate you telling the truth and being as honest with me as you can.

KEMATCH: Mm hm.

CLELLAND-HALL: And I don't want that to change now.

KEMATCH: Mm hm.

CLELLAND-HALL: Can you tell me about the night before Phoenix died? Did something happen between you and her? And you were angry or I

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don't know what led up to it, what happened that you ended up hitting her.

KEMATCH: I hit her but I didn't, I hit her in the leg.

CLELLAND-HALL: Okay do you remember where on her leg?

KEMATCH: Uh, um, think in, in, in the back or the side. I'm not sure.

CLELLAND-HALL: Okay. And what did you hit her with?

KEMATCH: Uh, um, it was a long, it was a bars. It was a bar I think.

CLELLAND-HALL: What kind of a bar?

KEMATCH: Mm, just a bar.

CLELLAND-HALL: Like how long do you think it was?

KEMATCH: Like about that long I think.

CLELLAND-HALL: Okay. And like was it like a round one or....

KEMATCH: A round bar yeah.

CLELLAND-HALL: Okay. And do you remember why? Like what happened that made you do that?

KEMATCH: I don't remember why. I th', 'cause I m' I remember hitting her in the leg because I heard her crying. And I went down there, and
DOE#1 [REDACTED] was down there. I think I think she was crying because
DOE#1 [REDACTED] was poking her, poking her or something with it with that bar I think.

CLELLAND-HALL: Okay. So did you hit her because she was crying?

KEMATCH: Yeah, 'cause she was crying for a while, for a bit there.

CLELLAND-HALL: So did she stop after you hit her?

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KEMATCH: She s' stopped I think.

CLELLAND-HALL: How many times did you have to hit her to get her to stop?

KEMATCH: Just two times I hit her. It was just two times I think.

CLELLAND-HALL: Okay. And are you sure that that time that we're talking about, are you sure that was in the leg?

KEMATCH: Yeah. I never hit her in the head with anything.

CLELLAND-HALL: Okay. I' like even before that ever?

KEMATCH: No, I never hit her in the head.

CLELLAND-HALL: Okay. Like where would you hit her then?

KEMATCH: Just in the leg.

CLELLAND-HALL: Okay. Anywhere else on her body? Like you wouldn't hit her head but would you like, what other parts of her body?

KEMATCH: That was it.

CLELLAND-HALL: Just her legs? (Kematch nods head - affirmative) Okay. Is there any reason why somebody else would say something different than that?

KEMATCH: I don't know.

CLELLAND-HALL: Okay. Um, can you tell me about where Phoenix used to sleep?

KEMATCH: She would sleep upstairs. She did sleep upstairs.

CLELLAND-HALL: Uh, where? Like on...

KEMATCH: On....

CLELLAND-HALL: ... what?

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KEMATCH: ...In the bedroom on a bed.

CLELLAND-HALL: Did she have her own room or was it....

KEMATCH: Yeah.

CLELLAND-HALL: ...someone else's room?

KEMATCH: Yeah she had her own room.

CLELLAND-HALL: Okay. Did she ever stay in the basement?

KEMATCH: Yeah.

CLELLAND-HALL: And tell me about that? Like where would she stay and why would she have to stay in the basement some times?

KEMATCH: Why?

CLELLAND-HALL: Mm hm.

KEMATCH: 'Cause she would piss herself, sh' would shit herself. I would get mad and I'd start cleaning it up. Wes would get even madder.

CLELLAND-HALL: So if she pissed and shit herself then like what would happen to her?

KEMATCH: Wes would start, Wes would start beating her.

CLELLAND-HALL: What would he beat her with?

KEMATCH: Beat her with a bar sometimes. (Inaudible) He would choke her.

CLELLAND-HALL: Choke her how? Can you show me?

KEMATCH: Sometimes he would go like this.

CLELLAND-HALL: With his hand around her throat?

KEMATCH: Sometimes he would go like that.

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CLELLAND-HALL: Did he choke her any other ways?

KEMATCH: Hm. Hm. I don't think so. I'm trying to remember but I don't think so.

CLELLAND-HALL: So what, wh' and like when he choked her then what would happen to her? What did she do?

KEMATCH: She started crying.

CLELLAND-HALL: So she started to cry, what would happen?

KEMATCH: He'd just get more mad and hit her again. Tell her to shut up.

CLELLAND-HALL: Any, any times when she was choked did she ever pass out?

KEMATCH: Mm hm.

CLELLAND-HALL: And what would happen when she passed out?

KEMATCH: Like...

[Pause]

KEMATCH: ...like he would just, she'd end up falling banging her head.

CLELLAND-HALL: Did she usually lay there for a little while till she woke up again?

KEMATCH: For a couple seconds.

CLELLAND-HALL: Did uh Wes ever say anything while he was doing that?

KEMATCH: He'd say to her get up.

CLELLAND-HALL: And what would Phoenix say?

KEMATCH: Sometimes she would say okay.

CLELLAND-HALL: And then other times what would she say?

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KEMATCH: Nothing, she'd be crying.

CLELLAND-HALL: So when she cried, did it make you guys mad?

KEMATCH: Sometimes.

CLELLAND-HALL: So, if she wouldn't stop crying and you guys were really mad, w' llike what kind of things would happen?

KEMATCH: I'd just tell her to shut up. Stop crying, you have no reason to cry. Sometimes, sometimes she would just cry for nothing. Just cry for nothing you know. I wouldn't be doing anything to her and she'd be crying for nothing.

CLELLAND-HALL: So did she listen when you'd tell her to shut up?

KEMATCH: Sometimes.

CLELLAND-HALL: What about the times when she didn't listen? And she would just keep crying and crying and crying?

KEMATCH: She would, she would just keep crying.

CLELLAND-HALL: So what did y' what would you guys do? What would happen?

KEMATCH: I would just (inaudible) started crying and sometimes I would just get mad at her and just say shut up already, just shut up.

CLELLAND-HALL: And what would Wes do?

KEMATCH: Sometimes he would hit her.

CLELLAND-HALL: So those times when she would shit and piss herself and then you put her in the basement, where did she sleep down there?

KEMATCH: She slept on a couch down there.

CLELLAND-HALL: What kind of a couch?

KEMATCH: I don't know?

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- CLELLAND-HALL: Can you tell me about he pen that was down there? Like the pen that was built?
- KEMATCH: Wes built that.
- CLELLAND-HALL: What did he build it for?
- KEMATCH: For Phoenix. So that she would sit, sit there, stay in that one spot so that she wouldn't be sneaking around.
- CLELLAND-HALL: So she wouldn't be sneaking around? (Kematch nods her head - affirmative) So did you guys have a name for it? Did you call it anything?
- KEMATCH: What?
- CLELLAND-HALL: The pen.
- KEMATCH: I didn't.
- CLELLAND-HALL: So was it was it like uh a kennel kinda. Like you know how you put dogs in a kennel so they don't run all over the house and stuff. Was it kin', like was it like that?
- KEMATCH: No.
- CLELLAND-HALL: What did it look like?
- KEMATCH: It was just.....
- CLELLAND-HALL: Like....
- KEMATCH:just a...
- CLELLAND-HALL:a square?
- KEMATCH: Yeah its like a square.
- CLELLAND-HALL: And what was it built out of? What's it made of?

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KEMATCH: It was just two like a board just put on there and to there.

CLELLAND-HALL: Oh okay.

KEMATCH: Like maybe about that, that low.

CLELLAND-HALL: Okay. So if she was put in there would she stay there?

KEMATCH: I think so. Sometimes he'd hear it, the thing fall over. She be sitting in there still yeah.

CLELLAND-HALL: Okay. So how long would she sit in there?

KEMATCH: All day.

CLELLAND-HALL: So on those days when she was sitting in there all day, did she um eat anything down there or?

KEMATCH: Yeah.

CLELLAND-HALL: So who would feed her?

KEMATCH: I fed her or Wes fed her.

CLELLAND-HALL: You guys would just take food down to her and give it to her in the pen? Or in the like the like what, what do you call it, that thing?

KEMATCH: I don't know. Just uh, like I don't call it anything. It was just a little block off part.

CLELLAND-HALL: S' and then so it was in the basement? (Kematch nods her head - affirmative) Okay. So where it was blocked off like that's on like the cement floor and then there was a wall on each side?

KEMATCH: No, there was no walls.

CLELLAND-HALL: So....

KEMATCH: It was just like, like thing like that. And then uh just like a wall like this. Where the basement wall there.

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CLELLAND-HALL: Yeah.

KEMATCH: And just like a piece of wood. Just a little piece of wood about maybe about this high. Its just from there to there.

CLELLAND-HALL: Oh, okay. So like there was the wall of the house though, I mean.

KEMATCH: Yeah.

CLELLAND-HALL: And that's what the wood was against?

KEMATCH: Yeah.

CLELLAND-HALL: To make kind of a square....

KEMATCH: Yeah.

CLELLAND-HALL: ...In the corner? Okay, and that was down in the basement? So um, like what kind of things would happen the, where she had to go into that spot.

KEMATCH: I think she would just sit there.

CLELLAND-HALL: Was she allowed to leave there? Or...

KEMATCH: No.

CLELLAND-HALL: So then um, who would decide when she could come out of there?

KEMATCH: Wes.

CLELLAND-HALL: So is that where she had to go if she was bad? Or if she did something? (Kematch nods head - affirmative) And then you had said sometimes she would be in there all day. (Kematch nods her head - affirmative) Did she ever sleep in that little box?

KEMATCH: Mm hmm. Sometimes she would sleep on the couch.

CLELLAND-HALL: So is there anything that we are gonna find in the house in Fisher River that you haven't explained yet?

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KEMATCH: I don't....

CLELLAND-HALL: Like underneath the all the new paint on that part of the floor that's been painted. When they get that up and find what's under there.

KEMATCH: Maybe blood from her head, from, from yeah from her head. From, maybe when she'd been hit. I'm not sure.

CLELLAND-HALL: Okay. And what about any other parts of the house. Are we gonna find her blood in any other parts of the house?

[Pause]

KEMATCH: Can you find me a smoke, please?

CLELLAND-HALL: I can try. I don't know if anybody here would have one. I will try okay? I'll be right back.

KEMATCH: Somebody anybody.

[Clelland-Hall leaves the room , no conversation]

Kematch is walking around the room.

KEMATCH: I didn't kill her, I know that. I didn't.

[Pause]

KEMATCH: So sorry.

[Pause]

KEMATCH: I'm so sorry Phoenix. I didn't mean to. Sorry Phoenix. But that doesn't cut it. I know that you're never gonna come back.

[Pause]

KEMATCH: You didn't mean no harm for anybody. Told my lawyer I wasn't gonna say anything. Can't keep this in forever. I had, I had to tell the truth, sorry Wes. Sorry. I'm sorry this had to happen. I'm

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sorry. I love you and I'm sorry.

[Pause]

KEMATCH: Sorry. I had to. Oh fuck Wes why did we have to get into a mess like this. We had a family Wes. We we had a life. We had nice things. Everything was all good okay. Until this happened. This didn't need to happen. This wasn't supposed to happen. This wasn't meant to happen.

[Pause]

KEMATCH: Sorry that I hurt you Wes. Sorry. Sorry that I hurt myself. I'm sorry that I hurt Phoenix. Sorry that I hurt everybody. (Inaudible).

[Pause]

KEMATCH: This is a really nice microphone.

[Pause]

KEMATCH: You had a whole life ahead of you Phoenix. And it was all taken away from you. You didn't deserve any of this, nobody does. I know you, I know you'll be in a happy place. I'm sorry. I love you. I do love you.

[No talking]

KEMATCH: I'm not lying about anything, I'm telling the truth. Some maybe I forgot something. But I'm not lying about anything. I'm telling the truth. I might have forgot some things but I didn't lie. I'm telling the truth. I have to tell you the truth, had to. 'Cause you can't hold it for ever. Can't deny it. I hurt myself. I hurt Phoenix. I hurt Wes. I hurt, I hurt a lot of people about this. I hurt a lot of people about this.

[Pause]

KEMATCH: I know I'm being video taped and I'm being recorded, I know. I

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know what I'm saying. I know its gonna be used as evidence in court. I know. This wasn't meant to happen, none of this. It wasn't planned that's for sure. We didn't do it purposely. None of this. It was just something that got out of hand an accident. This wasn't supposed to happen. I never wanted this to happen.

[Pause] (Kematch opens the door of the interview room)

ROBINSON: Yes.

KEMATCH: I'm just I'm waiting for her.

ROBINSON: Tara will be back in a second okay. She'll come and see you in a minute.

Kematch comes back into the room.

KEMATCH: Please, I don't wanna get anybody in trouble. I don't want to get anybody in trouble, it just happened. Why, why did this have to happen.

CLELLAND-HALL: Hey, I looked everywhere and nobody has a smoke. Whoever may have is gone already.

KEMATCH: Can't somebody buy any?

CLELLAND-HALL: I'm sorry, can you have a seat again please. How are you doing in here? You've done very well Sam. You've done a good thing here and I appreciate you being honest with me. And telling the truth. You did the right thing. There's um, a couple things that we talked about that I'm a little bit confused on though. 'Cause I, I feel like I kind of have two different stories about it.

KEMATCH: Okay.

CLELLAND-HALL: So I wanna make sure I got it right. And get the truth about what happened, okay? The part that you and I talked about, that day uh when Phoenix died, you were telling me about what you think killed her in the basement. Um, can you explain that again because you explain it one part but you had talked before about it

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and its kind of different. So I wanna

KEMATCH: I think that....

CLELLAND-HALL: ...make sure I got it right. So I want you to talk to me about the morning. Um, or that the day that you guys were at home when Phoenix died before you went to Wes's dad's house.

KEMATCH: She was she was okay. She was breathing.

CLELLAND-HALL: Okay. And y' I and that's what you told me. But when I had asked you about what it is that you think....

KEMATCH: (Inaudible).

CLELLAND-HALL:killed her.

KEMATCH: Yeah when we came back I said it looked like she ch' she choked on her puke. That's what I said. That looks like ma' that she might have died from choking on her puke.

CLELLAND-HALL: Right.

KEMATCH: 'Cause there was a puke spot there.

CLELLAND-HALL: But then we talked about what happened down there.

KEMATCH: Yeah.

CLELLAND-HALL: And that's where I'm confused, is the time when you talked about the puke but then you also talked about Phoenix being thrown across the floor. Or thrown onto the floor banging her head.

KEMATCH: Yeah that was the day before.

CLELLAND-HALL: Okay. See that's where I'm confused about. As what day, what thing happened.

KEMATCH: Mm hm.

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CLELLAND-HALL: So...

KEMATCH: The like what do you mean? Like...

CLELLAND-HALL: The day before she died. So we we we know she died on June 11th right?

KEMATCH: Mm hm.

CLELLAND-HALL: So on June 10th what happened that day? What happened to her that day. Those things you were telling me about.

KEMATCH: That's the day Wes pushed her, she banged her head on the floor.

CLELLAND-HALL: Okay.

KEMATCH: That's what I said she banged her head on the floor....

CLELLAND-HALL: Right.

KEMATCH:when Wes pushed her.

CLELLAND-HALL: See I thought you said that that was the day that she died.

KEMATCH: No.

CLELLAND-HALL: Okay. So this is why I want to talk to make sure I've got it right. 'Cause there was parts that confused me about that. So on June 10th the day before, that's when he threw her and she hit her head on the floor. (Kematch nods head - affirmative) Okay, so

KEMATCH: Yes.

CLELLAND-HALL:what else happened that day?

KEMATCH: (Makes a noise, sighs)

CLELLAND-HALL: Now you had told me about hitting her in the leg a couple times with the that bar or that pipe. Think you called it a bar maybe.

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KEMATCH: A, a pole or.....

CLELLAND-HALL: A yeah.

KEMATCH: ...a pole or.

CLELLAND-HALL: So did you hit her with that p' that thing that day? The same day that he pushed her and she hit her head?

KEMATCH: No.

CLELLAND-HALL: 'Kay so what day did you h'...

KEMATCH: That was a different day. I don't know what day that was but that was a different day. I know that wasn't the day before she died.

CLELLAND-HALL: Okay.

KEMATCH: It was just a different day.

CLELLAND-HALL: 'Kay now the day that she died you had talked about leaving with Wes to go to his dad's ...

KEMATCH: Mm hm.

CLELLAND-HALL: And then you came back because ^{DOE#1} [REDACTED] phoned 'cause she wasn't breathing.

KEMATCH: Mm hm.

CLELLAND-HALL: Well before you guys left, before you went to his dad's, what happened in the basement? I need you to talk to me about that again?

KEMATCH: Nothing happened in the basement. Hm, like what do you mean? Like something like, like what do you mean like what happened?

CLELLAND-HALL: Well we talked about....

KEMATCH: She, there's nothing that happened, she was she was breathing.

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She was alright to me when before I left.

CLELLAND-HALL: Okay so.

KEMATCH: She was, she was laying there yeah but she, she was breathing.

CLELLAND-HALL: And when you say she was laying there. Where was she laying?

KEMATCH: On the floor.

CLELLAND-HALL: In the basement?

KEMATCH: Yeah.

CLELLAND-HALL: Okay. And that's the last time you saw her?

KEMATCH: Yeah.

CLELLAND-HALL: And how do you know she was breathing?

KEMATCH: 'Cause I checked her.

CLELLAND-HALL: Okay, what why did you think you had to check her to see if she was breathing before you left? What had happened?

KEMATCH: 'Cause I had just I always checked on her. I just checked, there's just something like, I don't know why. I just did.

CLELLAND-HALL: 'Kay 'cause we had talked before and you had suggested to me that Phoenix died 'cause she choked on her puke.

KEMATCH: Mm hm, that might have been I said.

CLELLAND-HALL: Okay. I don't believe that's true. And I don't think you do either. After we had talked about that and I asked you what do you really think killed her and you told me that it will probably be an injury to her head. When....

KEMATCH: (Inaudible).

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CLELLAND-HALL: ...right?

KEMATCH: Yes.

CLELLAND-HALL: So when you had talked to me about how she got that injury, what day did that injury happen?

KEMATCH: On June 10th.

CLELLAND-HALL: And how do you know that?

KEMATCH: 'Cause I remember that was the day, 'cause I remember thinking maybe, maybe that's how she died I was thinking. That's what I thought. Maybe that's how, maybe that's why she died. Maybe 'cause she had an injury to her head because may' 'cause when she fell. (Inaudible).

CLELLAND-HALL: Okay. So...

KEMATCH: Maybe that was what happened.

CLELLAND-HALL: So was there anything wrong with her on June 11th that would make you think that she was still hurt from the day before?

KEMATCH: Um, I think so. 'Cause Wes said that he told her. No he didn't tell her. He said that she said she, that she couldn't that she couldn't she wasn't hungry I think. Hungry or she couldn't or she couldn't come ups' she couldn't come upstairs. He said that he asked her to come upstairs. And she said she couldn't come upstairs.

CLELLAND-HALL: Why couldn't she come upstairs?

KEMATCH: I don't know. He didn't say why. She didn't say why he said. All he said was that she said she couldn't come upstairs.

CLELLAND-HALL: So what happened on the morning of June 11th that hurt her where she couldn't come up stairs? (Pause) Like Sam you know and I know....

KEMATCH: I'm trying....

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL:that something...

KEMATCH: ...to remem', remember it and. I'm trying to remember it.

[Pause]

KEMATCH: I don't know. I don't, I think.

CLELLAND-HALL: So when you said that you went to check on her...

KEMATCH: Yeah, when I went and checked on her she was okay and breathing.

CLELLAND-HALL: Now she was breathing but was she....

KEMATCH: Yeah.

CLELLAND-HALL: ...beaten up? Was she hurt?

KEMATCH: I think maybe she was hurt.

CLELLAND-HALL: Okay.

KEMATCH: But I didn't like I didn't like couldn't tell like 'cause I don't I just, well like, she was just laying there. And she was breathing and just like when somebody's just laying there. I don't know when someone's just laying down.

CLELLAND-HALL: Okay. So you

KEMATCH: She was okay though when I looked at her.

CLELLAND-HALL: Okay. So she was alive you say when you looked at her. Now when you think she was kind of hurt. What made you think she was hurt?

KEMATCH: 'Cause I was thinking maybe thinking maybe 'cause of her head maybe. I was just wondering about that.

CLELLAND-HALL: Okay. And so are you telling me that nothing happened in the

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Samantha KEMATCH

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basement that, before you went that nothing happened to her in that basement on June 11th?

KEMATCH: Mm.

CLELLAND-HALL: 'Cause you had said before that you weren't the one that beat her.

KEMATCH: Mm hm.

CLELLAND-HALL: And I said well who beat her? And you said it was Wes.

KEMATCH: Yeah I did.

CLELLAND-HALL: And we were talking about that day.

KEMATCH: No, I said he beat her but but like, I said he beat her but she....

CLELLAND-HALL: All I want you to do Sam is tell me the truth.

KEMATCH: I'm telling you the truth. I didn't beat her.

CLELLAND-HALL: Okay. And I'm not saying that you did. I'm asking you to tell me the truth about what happened before you went to his dad's house that day?

KEMATCH: I don't, yeah I checked on her she was okay. She was breathing.

CLELLAND-HALL: Did somebody beat her that morning? Or earlier in the day before you went to his dad's, did somebody beat her?

KEMATCH: Like from the time when we were gone and the time we got back?

CLELLAND-HALL: No. From before you went. You and Wes were still home, [REDACTED] ^{DOES#} was there and Phoenix was there. Before you and Wes left.

KEMATCH: Well yeah I said yeah I said Wes beat her but I didn't say he beat her that day. I'm talking about the day before.

CLELLAND-HALL: Okay. I wanna know what happened that day.

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STATEMENT OF: Samantha KEMATCH

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KEMATCH: That day. I think, I think that day, I think he told her to have a shower that day, that morning. I'm not sure. Unless I'm thinking of another day. I don't...

CLELLAND-HALL: Did Phoenix get hit before you and Wes went to his dad's?

KEMATCH: I'm not sure. I never, I never hit her though. I didn't hit her.

CLELLAND-HALL: Was Wes downstairs with her before you left?

KEMATCH: He was down there with her.

CLELLAND-HALL: And what was he doing down there?

KEMATCH: I'm not sure. That's when after he told me that she didn't wanna like she said she couldn't come upstairs.

CLELLAND-HALL: Okay, so he was downstairs with her, he came up and that's when he told you she said she can't come upstairs?

KEMATCH: He told me yeah, she couldn't come up stairs. He asked her, he said he asked her to come up stairs and eat. Yeah to eat and she said she couldn't.

CLELLAND-HALL: Okay. So then is, did you go downstairs and check on her?

KEMATCH: No.

CLELLAND-HALL: So after he came up and said she can't come up and eat, what happened?

KEMATCH: I didn't think anything. I thought maybe she was just too lazy or just tired to. Or just didn't want to.

CLELLAND-HALL: Okay.

KEMATCH: 'Cause that's how she was sometimes. She wouldn't want to eat sometimes.

CLELLAND-HALL: Okay. So then you went and checked on her before you left?

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KEMATCH: Yeah I checked on her before, I just went down there.

CLELLAND-HALL: Okay, so did you see her again after Wes had come up and said you know I asked her to come and she says she doesn't want to. Did you see her again after that?

KEMATCH: No.

CLELLAND-HALL: Okay, so then you guys went to his dad's? And is that when [REDACTED] ^{DOE#1} called?

KEMATCH: He called after yeah, at his dad's.

CLELLAND-HALL: And what did he say?

KEMATCH: Wes talked to him.

CLELLAND-HALL: Okay, so when Wes got off the phone what did he tell you?

KEMATCH: He just said okay dad we'll see you later, we're gonna go home now.

CLELLAND-HALL: Did he tell you why?

KEMATCH: And then when we got in the car there, I said why did [REDACTED] ^{DOE#1} call? He said because she's not breathing.

CLELLAND-HALL: Okay.

KEMATCH: And then I got scared and (inaudible)

CLELLAND-HALL: So then when you got home, what is the first thing you did when you got back home?

KEMATCH: Went downstairs .

CLELLAND-HALL: And what did you see when you went down there?

KEMATCH: She was laying there.

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CLELLAND-HALL: Where in the basement was she laying?

KEMATCH: Mm on the floor probably I don't know. On the floor by the, by the I don't, like on the left s' like when you come down the stairs....

CLELLAND-HALL: Mm hm

KEMATCH:like this way kind of by the wall.

CLELLAND-HALL: Okay. Is there any windows in the basement there?

KEMATCH: Yeah.

CLELLAND-HALL: So from where the window is, where was she laying? Like where in that basement when you come down the stairs where is the window?

KEMATCH: The window's over here.

CLELLAND-HALL: So it's to your left.

KEMATCH: To the left by the by the wall.

CLELLAND-HALL: Okay, so where was Phoenix laying, like in relation to the window?

KEMATCH: It was like kind of like this end.

CLELLAND-HALL: Was she...

KEMATCH: (Inaudible).

CLELLAND-HALL: ...near the same wall as the window?

KEMATCH: No. It was like um, how do you explain it.

CLELLAND-HALL: Was she near a wall or in the middle of the floor?

KEMATCH: She was kind of in, kind of kind of in the middle of the floor. There was, there was things. There was a there was yeah there was, been like furniture by the wall there.

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CLELLAND-HALL: Okay. Like what kind of furniture was down there?

KEMATCH: There was uh washer and dryer and couches and um, just uh like a wall unit.

CLELLAND-HALL: Okay. So from where the washer and dryer is where was Phoenix? Like if you think ...

KEMATCH: Like the washer and dryer was it was like that was junk that was down there.

CLELLAND-HALL: Oh okay they weren't hooked up?

KEMATCH: No.

CLELLAND-HALL: Okay.

KEMATCH: They were just leaning where ever where ever.

CLELLAND-HALL: 'Kay so you went down stairs and she was laying on the floor. Um, how was she laying?

KEMATCH: Mm she was laying on, she was laying on her, her back.

CLELLAND-HALL: Okay, did she have any clothes on? (Kematch shakes head - negative) No? So when you guys went down there and you found her naked laying on her back is that when you said that Wes tried CPR? (Kematch nods head - affirmative) Okay and then that's when it got into where you went to get garbage bags and you guys wrapped her and we talked about that already.

KEMATCH: We talked about stuff like that already yeah.

CLELLAND-HALL: Yeah. Now one thing we haven't talked about...

KEMATCH: But...

CLELLAND-HALL: ...sorry go ahead.

KEMATCH: But we, we like like I told you we didn't wrap her up right away.

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STATEMENT OF: Samantha KEMATCH

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We didn't wrap her. It wasn't no....

CLELLAND-HALL: So how long did you wait to wrap her up?

KEMATCH: I, I told you already. I don't know I just...

CLELLAND-HALL: I think you said before it was maybe a couple hours right?

KEMATCH: Yeah. It was, it was something that wasn't supposed to happen. It wasn't.

CLELLAND-HALL: There's one thing Sam that we haven't talked about at all. And it's something that came up in one of those uh statements and it's really important that I ask you about this.

KEMATCH: Okay.

CLELLAND-HALL: Okay? Can you have seat?

KEMATCH: Well I'm not lying or anything. I'm telling you the truth. I'm trying to remember and.

CLELLAND-HALL: And I'm not and I'm not saying that you are lying I just want to make sure that I got everything right and I haven't confused what you've said. Okay? Now the one thing I wanna ask you about is when Phoenix was downstairs when you guys came back and found her. I want you to tell me about what you noticed about her bum.

KEMATCH: I didn't notice it downstairs.

CLELLAND-HALL: Where did you notice?

KEMATCH: (Inaudible) what happened to her bum?

CLELLAND-HALL: Mm hm.

KEMATCH: I noticed it in the bath tub 'cause I was looking at her. 'Cause I was trying to wake her up and ask her questions. Talk to her and everything?

CLELLAND-HALL: Was this that day when you guys came home?

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KEMATCH: Yeah, it was after a while.

CLELLAND-HALL: Okay.

KEMATCH: Mm hm.

CLELLAND-HALL: So you mean after Wes did CPR....

KEMATCH: Yeah.

CLELLAND-HALL: ...did you take her upstairs to the tub?

KEMATCH: Yeah into...

CLELLAND-HALL: Okay.

KEMATCH: ...if she'd warm up or anything like you know like wake up or something you know.

CLELLAND-HALL: Yeah. So did you put her in warm water in the tub? (Kematch nods head - affirmative) Okay. And so what did you notice about her bum?

KEMATCH: That uh it was like open.

CLELLAND-HALL: Okay. Like how would you describe what it looked like?

KEMATCH: Like, I don't like just like I don't know how to describe it. Just like something like, like open.

CLELLAND-HALL: Okay, like was it like a big hole?

KEMATCH: Like yeah, like, like, like it opened up.

CLELLAND-HALL: Okay and was there anything around it like that you noticed it was bruised or bloody or you know did she poop or like did you see anything around her bum? Or just saw that it looked open?

KEMATCH: I just saw that it looked open. I didn't, I didn't really look at it that long, I just 'cause I didn't know what to think then.

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Samantha KEMATCH

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CLELLAND-HALL: Okay, um so what what do you think now? What, why would her bum be like that?

KEMATCH: I don't know. I asked Wes that, I asked him why her bum was like that. I said it looked like somebody put something up there or something and he said no. He said if somebody did that there would be blood or poop or something he said. He said when p', he said that when when people die like it when somebody hangs themselves he said like it happ' like their nerves or something like um, open or something he said. That's what happens to people when they hang themselves. Like....

CLELLAND-HALL: Okay.

KEMATCH: ...It goes like that.

CLELLAND-HALL: So do you think that anything happened to her bum?

KEMATCH: Think so, I'm hoping not. I believe not.

CLELLAND-HALL: Okay. Had anything ever happened that made you think that he was doing bad things like that to her?

KEMATCH: Sometimes.

CLELLAND-HALL: So what, what made you think that? Like what kind of things did you see or hear that made you think that?

KEMATCH: 'Cause sometimes he would like say to her I' suck my, suck my ... dink.

CLELLAND-HALL: He would say that to her? And then she, what did she say or do?

KEMATCH: No.

CLELLAND-HALL: Did she say anything?

KEMATCH: She'd say no.

CLELLAND-HALL: And when he said stuff like that did he do anything? Like did he

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take it out or anything? Or, when he said stuff what did he do?

KEMATCH: No, he, he'd (inaudible). Sometimes he would, sometimes he would take it out and say that, but she wouldn't. She said no.

CLELLAND-HALL: Okay, so he would take his penis out of his pants and say to Phoenix suck my dink? (Kematch nods head - affirmative) Okay and if she said no then what would he do?

KEMATCH: He wouldn't do anything. He'd say just just kidding.

CLELLAND-HALL: Okay. So did anything else happen that ever made you kind of wonder if he was doing something to her?

KEMATCH: No, just, just that. I've never seen him do anything else.

CLELLAND-HALL: Okay. Um, like I know you guys had a computer and he used to spend lots of time on the computer at your place. Um, do you know what kind of things that he looks at or what chat, like what there's all, like I, I don't understand a whole lot about computers. I don't know if you do but I know there's different chat rooms and different sites you can go on. And um, like what kind of stuff does Wes use your computer for?

KEMATCH: He goes in chat rooms. He would look look on web sites. Like job web sites. That I know of.

CLELLAND-HALL: Like job ones you said?

KEMATCH: Yeah, that I know of and that I see. And that's it, that's all I know.

CLELLAND-HALL: Okay. Do you know, like I know a lot of guys use the Internet to look at pornography instead of going to buy magazines or rent movies now. You can find all that stuff on the internet. Does Wes use the internet for anything like that?

KEMATCH: No.

CLELLAND-HALL: Instead of going to rent them, or?

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KEMATCH: Not that I know of.

CLELLAND-HALL: Okay.

KEMATCH: Not that I've seen.

CLELLAND-HALL: Okay. Does he uh do you know why he would be looking on the site for the high risk offenders? Like the um there's a web site you can go to that has people that are either high risk offenders or sex offenders or different things like that. Do you know why he would be looking onto that site?

KEMATCH: No.

CLELLAND-HALL: Okay.

KEMATCH: I didn't know that.

CLELLAND-HALL: Okay do y'...

KEMATCH: Isn't that like....

CLELLAND-HALL:do y'.

KEMATCH: ...high risk offenders, isn't that like like um like robberies or something? Isn't that it.

CLELLAND-HALL: Well that, it can be uh different kinds of things but usually a high risk offender is somebody that you know is likely to re-offend or to do the a, a crime over again that they've done before. And um, a sometimes if somebody's can like a sex offender and now they're released back into the community then sometimes that's who's names will be on there. And like do you know of anything that he uses the internet for, his or the computer for? Other than the job site that you had said?

KEMATCH: No not that I know of.

CLELLAND-HALL: Okay.

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KEMATCH: He's never said anything to me.

CLELLAND-HALL: Okay. Um, so after you had taken, you took Phoenix back up and tried to warm her up in the back tub and you know see if you could wake her up. And then it didn't work, what did you do with her after that?

KEMATCH: That's when, that's when we took her downstairs after.

CLELLAND-HALL: Oh okay. So after you tried to warm her up in the tub you took her back down stairs. Is that when you wrapped her up?

KEMATCH: That's when she was wrapped up yeah.

CLELLAND-HALL: Okay. Um, now we had talked about, you had said that Wes painted the floor down there?

KEMATCH: Mm hm.

CLELLAND-HALL: Uh, where did you guys get that paint from?

KEMATCH: Walmart.

CLELLAND-HALL: Wh' which like where is there a Walmart close to there?

KEMATCH: And we came in the city here.

CLELLAND-HALL: Oh you, you came to Winnipeg to buy the paint?

KEMATCH: Mm hm.

CLELLAND-HALL: What Walmart did you go to?

KEMATCH: Mm, I think it was the one on Ellice I think it was the one on Ellice there.

CLELLAND-HALL: Oh okay.

KEMATCH: I think so.

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: Like the one that's near....

KEMATCH: That's near Empress, Empress right?

CLELLAND-HALL: Yeah.

KEMATCH: Yeah.

CLELLAND-HALL: Okay. And um, do you remember what kind it was you bought? Like uh the brand it was or anything?

KEMATCH: I don't I don't remember the brand. All I know is that it was for a basement.

CLELLAND-HALL: It's to paint a basement floor? And um, like did you just buy what ever was cheap or do you remember how much it was?

KEMATCH: I'm not sure. I tho' I think it was \$14.97 I'm not I think.

CLELLAND-HALL: Okay. Did you just buy one of those big cans like that? Like one.

KEMATCH: Yeah, yeah.

CLELLAND-HALL: Okay and did you have to get brushes too?

KEMATCH: Um, just the the tray.

CLELLAND-HALL: Oh okay. To pour the paint in?

KEMATCH: Yeah, it it came with brushes. The roly thing.

CLELLAND-HALL: Oh okay. Like the hand held rollers? Okay. Um, and w' so what did you guys do with those after? The tray and the rollers.

KEMATCH: Threw them in a garbage. Threw 'em in a garbage.

CLELLAND-HALL: Okay. Um, now we had talked about um, you know if we find Phoenix's blood in the basement and there it would be from her head probably when she hit it on the floor that day. Um, like what, how did you guys clean up that blood? Or what did you use to

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clean up down there before you painted?

KEMATCH: Mm, Wes, Wes scrubbed the basement floor.

CLELLAND-HALL: What part did he have to scrub?

KEMATCH: He just scrubbed it all.

CLELLAND-HALL: Like with a mop or?

KEMATCH: With a, b' b' brush thingy.

CLELLAND-HALL: Like was it one of those long ones that you just go like this? Or did he have to like get down and?

KEMATCH: He got down on his knees and started scrubbing the floor.

CLELLAND-HALL: Oh just in like one certain spot where the blood was? Or the whole floor?

KEMATCH: The whole floor. He just did the whole floor.

CLELLAND-HALL: Okay. And is that, did he just use the regular stuff you guys have at home to clean with? Or did he have to go buy that stuff?

KEMATCH: No I think he just used the stuff at home.

CLELLAND-HALL: So do you guys still have this the scrub brush and the pail and stuff? (Kematch shakes head - negative) Where would it be?

KEMATCH: In the garbage.

CLELLAND-HALL: How come, why would you throw it out?

KEMATCH: (Coughs)

CLELLAND-HALL: So how come just part of the floor is painted?

KEMATCH: Just part of the floor? What do you mean?

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Samantha KEMATCH

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CLELLAND-HALL: Like the like the whole entire basement isn't completely brand new paint.

KEMATCH: Brand, isn't completely brand new?

CLELLAND-HALL: Like you know didn't you guys just paint like a section of it? Like, like 3/4 of the basement or something?

KEMATCH: He painted it all except for by the furnace there and washer and dryer.

CLELLAND-HALL: Yeah how come that part didn't get painted?

KEMATCH: 'cause he didn't have enough paint.

CLELLAND-HALL: Okay.

KEMATCH: And it was like all rusty by that thing there. That um, furnace, the floor there.

CLELLAND-HALL: Oh okay. So is there any other reason why you guys painted that floor that day?

KEMATCH: No.

CLELLAND-HALL: Like how long after you took Phoenix out near the dump, how long after that did you paint?

KEMATCH: Um, I don't remember. It I know it was on a cheque day that we bought the paint and painted it.

CLELLAND-HALL: Was it like the next cheque day after June 11th?

KEMATCH: I, I think so.

CLELLAND-HALL: Okay. Um, there's just one more thing that I want to get you to try and do Sam if you can. I know you have a hard time remembering and you can't describe it to me but can you try to sketch where you guys took Phoenix? If I give you a paper and a pen can you try to, the best you can. And I know that it's hard

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and you tried to talk about it and you can't but you can do your best and try to explain to me where she is. Can you do that?

KEMATCH: I feel like I'm the one who's getting blamed here or something?

CLELLAND-HALL: Well you know where she is. You know, you were out there with Wes and you know the place where she is in the ground right now. And I just want you to try to help us find where she is.

[Pause]

CLELLAND-HALL: Can you try?

KEMATCH: Why am I being asked?

CLELLAND-HALL: 'Cause you're one of the people that knows.

KEMATCH: So does Karl.

CLELLAND-HALL: I know that.

KEMATCH: He knows.

CLELLAND-HALL: I know he knows.

KEMATCH: Did you's ask him too or no?

CLELLAND-HALL: Yes we did.

[Pause]

CLELLAND-HALL: Why, is that something that you don't want to do? You don't want....

KEMATCH: It's something I wanna do.

CLELLAND-HALL: Okay, great. 'Cause that'll you know, h' helps find where she is. You're the one that knows or you're one of the people that knows.

KEMATCH: In a way I have a feeling that Karl never even told you's.

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STATEMENT OF: Samantha KEMATCH

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CLELLAND-HALL: Sam, I have told you today that I have not lied to you and I haven't. Does that signature look familiar to you? Does this map look familiar to you? That spot familiar?

KEMATCH: Which?

CLELLAND-HALL: I'll show....

KEMATCH: Which way does this go?

CLELLAND-HALL: This is uh the 224. This is the church right here. This is the cemetery, that's the dump and there's Phoenix.

KEMATCH: I know that but.

CLELLAND-HALL: So...

KEMATCH: I know the, the road but like...

CLELLAND-HALL: I'm not lying to you when I tell you that Karl talked to us. And I'm not lying to you when I tell you that we know where she is. I haven't lied to you once in this room today.

KEMATCH: Mm hm. Its, it's a road but I don't know like the road doesn't have a name or anything.

CLELLAND-HALL: Can you draw, can you try to....

KEMATCH: Like.

CLELLAND-HALL: ...do what Karl did and try to show us how to get there?

KEMATCH: Like from....

CLELLAND-HALL: Whatever you can picture in your head, like a land marks or buildings or anything that you can remember that will lead us to where that place is.

KEMATCH: I know from the, from the house there's I don't know what, here's uh here's the house and then there's the road again. And then the

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road goes and goes and.

CLELLAND-HALL: So this is your house here, where you ...

KEMATCH: Yeah.

CLELLAND-HALL:guys lived.

KEMATCH: But the road goes and goes but it won't all but it won't all fit on here.

CLELLAND-HALL: How 'bout we do this. And then I'll just put them together after.

KEMATCH: The road goes then there's like, like uh it goes like, like this a bit. And then the other road (inaudible) is it just goes like that a bit in there. And like there's a road down this way. And just like a little bu' there's a little bends.

CLELLAND-HALL: 'Kay.

KEMATCH: And then there's like a a whatever bunch of rocks. This is a whole garbage.

CLELLAND-HALL: That's the dump there?

KEMATCH: That's the garbage dump.

CLELLAND-HALL: This is?

KEMATCH: Yeah.

CLELLAND-HALL: Okay. And is there anything else along the way here?

KEMATCH: This is um, just right over here I think there's a few houses over, over here or something.

CLELLAND-HALL: Okay.

KEMATCH: The rest's just bushes.

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CLELLAND-HALL: Okay.

KEMATCH: And then just that road. That road, yeah. (Inaudible) then then there's like a this road goes on still though. There's like a clearing and then there's a little a walkway down this way.

CLELLAND-HALL: So where would the clearing be?

KEMATCH: Um...

CLELLAND-HALL: Like on this part or over here?

KEMATCH: ...right here's the clearing.

CLELLAND-HALL: Okay.

KEMATCH: This is the road.

CLELLAND-HALL: Oh and then this is just a little like dirt road or something off of it?

KEMATCH: No, no like um, its all gr' like its there's like its all grass. Its like maybe you can see that it's for um, you can see the like cars been there and that.

CLELLAND-HALL: Okay.

KEMATCH: And there's a little walkway down this way, this way. And it goes on for a bit but not enough papers. Then there should be like a little spot. It's close....

CLELLAND-HALL: So...

KEMATCH: ...it's close to.

CLELLAND-HALL: ...so this part here, can you drive the car all the way in here? Or do you have stop the car...

KEMATCH: Um...

CLELLAND-HALL: ...down here because the road ends?

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KEMATCH: ...we, we, we stopped it here.

CLELLAND-HALL: Okay and then...

KEMATCH: And then we walked.

CLELLAND-HALL: ...you just carried her in here?

KEMATCH: Yeah. He carried her in there.

CLELLAND-HALL: Okay. Um, so that's your house there?

KEMATCH: Yeah.

CLELLAND-HALL: Can you label what that one is?

KEMATCH: That's the house. What should I name it? Cuz, well we don't live there anymore, so what should I....?

CLELLAND-HALL: You just put house there...

KEMATCH:just put house?

CLELLAND-HALL: ...like the house or whatever you want to call it. And so what uh is there any other buildings or anything along the way that you passed? Or, what's that?

KEMATCH: Um, road.

CLELLAND-HALL: Oh okay.

KEMATCH: Over here there was some neighbor. I don't know who and another neighbor, another neighbor lives over here. I think there's one or two of them that live down this way.

CLELLAND-HALL: Okay. So what....

KEMATCH: And there's lots, well there's yeah there's lots of houses on the way....

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CLELLAND-HALL: Okay.

KEMATCH: ...on the way on both sides.

CLELLAND-HALL: 'Kay. So what made you guys pick that spot? Like did you know that that's where you were gonna go?

KEMATCH: 'Cause Wes looked at it before, looked at it first.

CLELLAND-HALL: What do you mean?

KEMATCH: He looked at it first....

CLELLAND-HALL: Like...

KEMATCH: ...where to bury her.

CLELLAND-HALL: Oh, so what day did he go find a spot to bury her?

KEMATCH: The day she passed away.

CLELLAND-HALL: Okay. So like when, do you remember? Like you had talked about taking her to the tub and try to warm her up. And taking her back down stairs and then that's when she was wrapped.

KEMATCH: When she was, when she was in the tub they left. ^{DOE#} [REDACTED] and Wes left.

CLELLAND-HALL: While you had her in the tub?

KEMATCH: Yeah. And that's when I was talking to her and trying to wake her up and everything.

CLELLAND-HALL: Okay. So while you had her in the tub that's when they left to find a place to bury her? So he found this spot?

KEMATCH: No, he didn't exactly find this spot....

CLELLAND-HALL: But that area?

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KEMATCH: ...he found, yeah.

CLELLAND-HALL: And so then you guys went back there after it was dark?

KEMATCH: Yeah.

CLELLAND-HALL: Okay. Um, can you sign your name down on that paper and then on this one too? And I'll sign it too. Okay. So then how many times have you and Wes gone back there to see that spot?

KEMATCH: Just like, just the time that she was buried and one other time that was it.

CLELLAND-HALL: Yeah. So was it still summer when you went back the second time? (Kematch nods head - affirmative) Okay. So then and then you guys moved shortly after, did you?

KEMATCH: We moved in back to the city in No' November. In around I think middle or near the end of November.

CLELLAND-HALL: Okay. Um, and I know that this has been a difficult day for you. And that you had a really hard time with doing this. But I just want to congratulate you for coming this far and telling the truth and taking that big step. It takes a big person to do that.

KEMATCH: I needed to. I had to because it wasn't right. It was just....

CLELLAND-HALL: Well you did good thing Sam. And I'm proud of you for that.

KEMATCH: I didn't lie about anything. I didn't lie. If I forgot something its not because I did it on purpose.

CLELLAND-HALL: Okay. And you know when I talked to you before and I had said to you, you know if Phoenix was here and if you could say anything to her. If you could you know, say I'm sorry or say I love you or just say s' anything that you wanted to say to her if she could be here or if she could somehow hear you. Remember when we talked about that? (Kematch nods head - affirmative) Sometime's in these situations it helps people to do that and because it's not possible 'cause she's not here to hear you. And sometimes people

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find it helpful to kind of write her a letter. And it, it just gets it out and if you wanna do that if you wanna you know write something or say something to Phoenix I can leave you alone and give you a pen and a paper to do that. Lots of people find that that helps and when they have these feelings and you know they've got guilt or remorse....

KEMATCH: (Coughs)

CLELLAND-HALL: ...or they feel bad about something or there's things that they wish they could say. This is a really good way to do it. Do you want me to leave you for a couple minutes by yourself to do that? (Kematch nods head - affirmative) Okay. I'll leave you that pen. And um, couple sheets of paper here for you. So you take your time, okay? And I'll come back and check on you in you know ten minutes or so. Okay?

[No conversation - Samantha is writing letter]

KEMATCH: That I miss you and.

[No conversation]

KEMATCH: Fuckin' (Inaudible).

[No conversation]

KEMATCH: [Making noises/ moving around - writing letter.]

CLELLAND-HALL: Hey, did you have enough time? 'Kay. Um, you know you and I have been in here a really long time together. And the whole time we've been in here there's a whole team of people putting this whole thing together and figuring out what happened. And you know there's, it takes a lot of us to do this to put this together.

KEMATCH: Mm hm.

CLELLAND-HALL: And uh, I'm just wondering if you can explain to me, for myself so I can understand this. Is how you could let that little girl, five

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years old naked lay on that basement floor from the 10th to the 11th and just let her die?

KEMATCH: From the 10th.

CLELLAND-HALL: How did you do that?

KEMATCH: I didn't just let her me.

CLELLAND-HALL: When he threw her on the 10th and she hit her head on that floor you knew something was wrong.

KEMATCH: I had a feeling something would have been wrong but I wasn't sure.

CLELLAND-HALL: Why was she naked?

KEMATCH: I don't know. I, I th' don't know. We just, we didn't put clothes on her.

CLELLAND-HALL: You didn't put clothes on her on the 10th?

KEMATCH: No. We didn't put clothes on her.

CLELLAND-HALL: Why?

KEMATCH: 'Cause she would always pee herself and poop herself. I wanted, there's a lot of things I wanted to do but I know I wouldn't have been able to do 'em because of Wes. Some things I would like try to do and he'd get all mad at me and say no.

CLELLAND-HALL: You never saw her move again after he threw her did you?

KEMATCH: She moved, yes she did.

CLELLAND-HALL: When?

KEMATCH: That day before we left. And she moved that night. That day when he pushed her she was still moved. She moved, I know she did.

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- CLELLAND-HALL: What when you say moved, what do you mean? Like she twitched?
- KEMATCH: (Inaudible). Like she, like she got up. Pretty sure she got up.
- CLELLAND-HALL: Well did, did she get up or didn't she?
- KEMATCH: She, I'm trying to remember. Yeah he pushed her, she hit her head. She, she had to have gotten up. I, pretty sure she got up.
- CLELLAND-HALL: But you don't know?
- KEMATCH: I can't remember, I'm pretty sure though.
- CLELLAND-HALL: So she laid in that basement naked from the 10th til the 11th when you brought her up to the tub?
- KEMATCH: Mm.
- CLELLAND-HALL: You didn't put clothes on her on the 10th and you didn't put clothes on her on the 11th. And she laid on that basement floor from the time that he threw her until the next day when you brought her up to the tub?
- KEMATCH: No she, he had, she had to have moved. She had to because she was alive when I seen her last time. And I'm pretty when I was talk when I said about the shower. Pretty sure if it was that day that he gave her that shower. That he told her to take a shower. I'm not sure if it was that day. But I know she was alive, I know that.
- CLELLAND-HALL: She may have been alive Sam but she was not okay. And she laid on that floor until she died.
- [Pause]
- CLELLAND-HALL: How many days did she not have clothes?
- KEMATCH: Um, I think it was a couple of days I think.

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CLELLAND-HALL: Was that a normal thing for her to not have clothes?

KEMATCH: No.

CLELLAND-HALL: So why those days?

KEMATCH: She'd um, she'd have clothes. 'Cause we didn't, we put clothes on her and then she would shit and piss herself and that.

CLELLAND-HALL: And why do you think that happened at five years old? Why was she shitting and pissing herself?

KEMATCH: I don't know. None, none of this none of this started, none of that like none of that like her pissing and shitting herself started until til we were with Wes. Til we moved in with Wes. When I never lived with him we were okay. We were good.

CLELLAND-HALL: Did she used to use the bathroom properly?

KEMATCH: She used to yeah.

CLELLAND-HALL: So what happened to her that all of a sudden now she can't...

KEMATCH: I don't know. She, I don't know why. She 'd tell me that she had to use the washroom and I would tell her to go. I'd tell her to go, go just don't tell me. If you have to use the washroom just go. You have to feel it, if you feel you gotta pee go I'd tell her. Go, don't tell me. I kept telling her that. I said 'cause you gotta learn if you have to pee you gotta go on your own. You can't tell me I told her. I'd always tell her that.

CLELLAND-HALL: So if she had accidents that's....

KEMATCH: (Inaudible).

CLELLAND-HALL: ...when...

KEMATCH: And then I don't know.

CLELLAND-HALL: ...that's when she got beat and her clothes got taken and she got

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put in the basement? (Kematch nods head - affirmative)

KEMATCH: There was tim' there was things when I want but you know I wasn't allowed to do. Wes wouldn't let me do things. Like try to help or anything. He wouldn't let me, he'd get mad at me.

CLELLAND-HALL: So did you try to help....

KEMATCH: (Inaudible).

CLELLAND-HALL:her between the 10th and the 11th when you found her downstairs? When ~~DOE#~~ called? Did you try to help her on the 10th? Or the first part of the day on the 11th?

KEMATCH: When ~~DOE#~~ called?

CLELLAND-HALL: ~~DOE#~~ called you at Wes's dad's.

KEMATCH: Oh, that was the 11th, yeah.

CLELLAND-HALL: Yeah. So before that, between the 10th when she got thrown on the floor and the next day when you left the house. Did you do anything to help her?

KEMATCH: No I.

CLELLAND-HALL: Why?

KEMATCH: 'Cause I didn't know and I just nothing just went. I didn't know what to think. I'm not lying. I didn't know what to think. There's, I was scared. 'Cause I knew that was my kid and I didn't want to see my kid that way and it hurt to see her like that. And I always thought to myself why is why is this happening. But I didn't, I didn't think of anything. I didn't think of her being hurt like that, that night. From the 10th going on to the 11th. I didn't think of her being hurt that way. Like

CLELLAND-HALL: And she....

KEMATCH: ...(Inaudible).

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- CLELLAND-HALL: ...wouldn't eat? She wouldn't eat on the 10th when you guys asked her?
- KEMATCH: Uh, I think she ate. Yeah I think she ate.
- CLELLAND-HALL: So there'll be contents in her stomach from what she ate?
- KEMATCH: There should be yeah.
- CLELLAND-HALL: She eat on the 11th at all?
- KEMATCH: No, that was the morning that was the day that Wes told her to eat. And she that's when she said I c' I can't. I can't go upstairs.
- CLELLAND-HALL: But you didn't hear her say that?
- KEMATCH: Not me.
- CLELLAND-HALL: He told you that?
- KEMATCH: He told me that. 'Cause I fed her oatmeal. 'Cause we had oatmeal.
- CLELLAND-HALL: When?
- KEMATCH: The, the day before. The 10th. We had oatmeal.
- CLELLAND-HALL: So was it after she ate oatmeal that she did something to get put in the basement naked?
- KEMATCH: No. Um, she was just sitting in the basement.
- CLELLAND-HALL: So if she was just sitting down there not doing anything why did Wes throw her across the floor?
- KEMATCH: I'm not sure. He kept, I'm not sure why he did. He seemed to think she, I don't know. Sometimes he would just, sometimes he would just beat her for nothing. Like 'cause if he, if he gave her like a choke thingy and she'd start crying and he'd get all mad and then that's when sometimes then he would start beating her,

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hitting her.

CLELLAND-HALL: So....

KEMATCH: Sometimes he would he would just hit her just for for nothing.

CLELLAND-HALL: So why would you hit her?

KEMATCH: Hm?

CLELLAND-HALL: Why would you hit her?

KEMATCH: I know I hit her because I got mad at her and I know that's not right. I know that, I know that wasn't right.

CLELLAND-HALL: Tell me why...

KEMATCH: But I didn't kill her. I'm telling you that. I didn't kill her though.

CLELLAND-HALL: Tell me why Phoenix had to eat her own vomit?

KEMATCH: I don't know.

CLELLAND-HALL: Well why did you make her do that? Only you can answer that.

KEMATCH: 'Cause I was mad. I know it wasn't right. Of course it wasn't right.

CLELLAND-HALL: What would make her puke in the first place?

KEMATCH: I don't know.

CLELLAND-HALL: So when she did...

KEMATCH: I don't know...

CLELLAND-HALL: ...puke. Then how did you make her eat it?

KEMATCH: I don't, she was it was already there her puke.

CLELLAND-HALL: So what did you do to make her eat it?

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KEMATCH: Nothing, I just got mad at her.

CLELLAND-HALL: Did she use a spoon? Did she just eat it off the floor?

KEMATCH: No....

CLELLAND-HALL: How did'....

KEMATCH: ...she picked up with her hands. Then I just told her to get out of there.

CLELLAND-HALL: Horrible things have happened to that little girl.

KEMATCH: Yes I know.

CLELLAND-HALL: It absolutely breaks my heart, the things that that little girl went through in her short little life.

KEMATCH: Of course it does. I'm ashamed. Feel stupid. I know it wasn't right. Nothing was right. She didn't deserve anything like that.

CLELLAND-HALL: No she didn't.

KEMATCH: I know she didn't. I think about this everyday. I think about everything. I think about it lots all the times. How I wish she was here and everything. Thinking of how none of this would have happened. What she would be doing right now and everything. I think about that. I think about that everyday. I told Wes that I should just tell, that I should just tell the cops. One day when we got into an argument. 'Cause he said to me when we got into an argument, Oh you should just get out and give these kids up, he said. And I said if I give these kids up I said then I'm might as well go tell the police what happened. Then he said shut the fuck up. I wanted to tell the police but I didn't know. I felt scared to tell them and everything. And I felt scared like wondering what to do with my kids, like. 'Cause I know I can't hide from this. I know that. I knew this day would come.

CLELLAND-HALL: Well I'm glad that you chose to deal with it how you have and you know to just tell the truth and put it out there and try to move on,

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you know. So I appreciate that. Um, it's pretty late so I'm gonna see about getting you somewhere for the night where you can get some rest alright? Is there anything else that you wanna say before I go?

KEMATCH: I just wanna say about, I hope I did the right thing. I'm not lying. I try, told the truth. I did the best as I could to remember. If I forgot something or left something out.

CLELLAND-HALL: Okay. I'm gonna get somebody to take you back okay. Just wait here.

KEMATCH: What was that you were gonna show me?

CLELLAND-HALL: This had just uh, oh the battery died now. It had uh I just didn't know if you'd believe me or not if Karl actually talked to us.

KEMATCH: Can I see that?

CLELLAND-HALL: So it was just a little bit of his interview, well the battery is dead on that now. But I'm sure at some point down the road you'll be able to have a look at what he said. But not tonight. I'll be right back or somebody will be back.

SPENCER: Come on Samantha this way. Just grab a Kleenex (inaudible).

Constable Tara CLELLAND-HALL

rrb

Statement proofed by Cst. Tara Clelland-Hall 06-05-01

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