

Nicole Girard

As the accused, Nicole Girard, you do not appear as a witness in this mock trial, because your lawyer has decided that it is in your own best interests not to appear.

However, the whole trial revolves around your actions, and you have an important role to play. Your major responsibility is to make the following taped statement. It will be used in the trial as evidence. You need to "become" Nicole Girard in order to make an effective statement. The strength of your presentation on the tape will be vital to your future. To enter into the role as fully as possible, you need to become really familiar with the "Battered Wife Syndrome." You should find out as much about this syndrome as you can.

You also need to be photographed by Cst. Kellsted, for the exhibits. This is a photograph of you that was taken shortly after you shot your boyfriend. The role sheet for Cst. Kellsted describes how you need to dress in order to be photographed.

Statement

Cst. Stevens: Now Nicole, I have told you that you are under arrest for murder and you've talked to your lawyer here. I want to obtain a statement from you and I have told you that you are not bound to say anything, but that anything you do say may be taken down and will be tape recorded to be used as evidence at your trial. It is now 05:50 hours, October 29, 1990, and we are at the office of the Williams lake R.C.M.P. detachment.

Nicole: Can I ask you something off the record? What will I get for murder? My lawyer told me 25 years.

Cst. Stevens: I think, Miss Girard, that I shouldn't go into that with you. But you know that murder is a very serious offence. Right now I want you to tell us what happened tonight, okay?

Nicole: I don't know what I'm going to say. All I know is I was scared. It's not the first time.

Cst. Stevens: Just start at the beginning. Maybe from when you guys got back to your place from the Lakeview.

Nicole: We came back from the Lakeview and parked the bikes in the yard. Kevin wanted to have a shower, so he went up to have a shower. So me and Joanne went outside and sat at the picnic table and talked, and uh oh my sister phoned so I went in the house and talked to my sister for a while. By that time Kevin was out of the shower and he called me off the phone and asked me if there were clean jeans, and I said no but I'd wash them if he wanted. He said, no

don't bother. I got back onto the phone with my sister and by that time Kevin was downstairs and I had to get off the phone. I broke a wine glass and got shit for breaking it and name called. We all got our glasses of beer, and there was Keith, Kevin, Joanne and me. We just sat around and talked and drank.

Herb drove up and he got his glass of beer and then everyone sat around for about 15 minutes. Herb, Keith and Kevin decided to go to Canadian Tire to get some speaker wire.

Me and Joanne when they got back decided to go for ice because they forgot it, and a Big Gulp for Kevin and munchies and chips at the 7-11. We were back in 10 minutes with the stuff. By that time Ken was there.

We all sat at the picnic table drinking. Kevin's sister Wendy showed up with a girl and three guys I think. Herb sat down beside me and started talking to me. Kevin got mad. Kept saying, "Come here, come here, get your ass over here." Then we went downstairs. There was me, Joanne, Herb, and I think Ken and then oh then Kevin came downstairs and wanted to change a disk and I said, "No, you're too drunk," and I changed it. We argued a little bit over that. He sat down on the couch and kind of passed out, he was getting pretty drunk. Okay and then I went outside and one of the guys with Wendy was acting like a jerk so I told him to take off.

Wendy went downstairs and I guess she told Kevin and he came upstairs, outside. Me and Wendy argued as usual and I ran in the house after Kevin pushed me, I was scared, I was really scared. I went upstairs and hid in my closet from Kevin. I was so scared. My window was open and I could hear Kevin asking questions about what I was doing and what he said was, "Wench, where are you?" Okay, then he turned and he saw me in the closet. He wanted me to come out but I didn't want to come out because I was scared, so scared. He grabbed me by the arm right there. There's a bruise on my face also where he slapped me. He didn't slap me right then, first he yelled at me and then he pushed me and I pushed him back and he hit me twice on the right-hand side of my head. I was scared. All I thought about was all the other times he used to beat me, I was scared, I was shaking as usual. The rest is a blank, all I remember is he gave me the gun and it went off. This is all so fast. And then he loaded it the second shot and gave it to me. And I was going to shoot myself, I was so upset. Okay and then he went and I was sitting on the bed and he said something like, "You're my old lady and you do as you're told," or something like that. He said, "Wait till everybody leaves, you'll get it then," and he said something to the effect of "either you kill me or I'll get you," that's what it was. He kind of smiled and then he turned around. I shot him but I aimed out. I thought I aimed above him and a piece of his head went that way. There was blood and he kept calling my name. He went down just like in the movies.

I went running out of the house to the front lawn. Everyone was asking what happened and I told them and everyone, they all scrambled, like, "shit, I better get out of here." Then I went back in the house and Joanne was on the phone calling the police.

I wanted to see him but everyone said no. I want to go to his funeral. And then Joanne kept hugging me and saying, "I know, I know," and arguing with what I said.

And then you guys came, the police came. And that was it.

Cst. Stevens: You mention that Kevin kind of passed out when he came downstairs. Do you know how much he had to drink?

Nicole: I'd say about 12. He was kind of nodding off. Oh, he got sick. I remember he barfed on the carpet in the rec. room and I took him into the laundry room and I was comforting his back, like rubbing it, and he was sick over the sewer and he kept pushing me away. He didn't want me to comfort him, and he sobered up a bit.

Cst. Stevens: You say that Kevin gave you the gun. Where did he get the gun from?

Nicole: The guns were all kept in the second bedroom on the left hand side.

Cst. Stevens: Is that the bedroom you were in?

Nicole: No, I was in my bedroom. We have separate bedrooms.

Cst. Stevens: So Kevin had to leave your bedroom to get the gun?

Nicole: I guess so.

Cst. Stevens: You say a shot was fired after he gave you the gun. Who fired that shot?

Nicole: Me.

Cst. Stevens: Did you aim that shot anywhere?

Nicole: No.

Cst. Stevens: Did Kevin say anything when you aimed the gun at yourself?

Nicole: He didn't try to stop me. He said he was going downstairs. I guess he said, "You or me," and that I'd get it when everybody leaves. That I remember good.

Cst. Stevens: You say you thought you aimed above him for the second shot. Did you actually sight down the barrel of the gun before you pulled the trigger?

Nicole: No, I was too upset, scared. I tried to aim higher. I didn't want to shoot him. I was too scared.

Cst. Stevens: A number of people came and went to your place throughout the evening. Who all would have still been in the house when Kevin was shot?

Nicole: Keith, on the couch, passed out. In the house?

Cst. Stevens: Or at your residence?

Nicole: Ken Cato, Joanne Wright, Kevin, and Keith on the couch. Everyone else should have been gone.

Cst. Stevens: How long had you been living with Kevin?

Nicole: On and off for four years.

Cst. Stevens: How much had you had to drink prior to the shooting?

Nicole: Two at the bar. About four or five mugs of draught beer, that's it. Oh, and a couple of mugs of wine.

Cst. Stevens: Do you feel you were drunk?

Nicole: No, feeling pretty good.

Cst. Stevens: Do you feel that you were in control of yourself?

Nicole: I don't want to answer any more questions.

Cst. Stevens: That's okay. Can I just ask your birthday and where you work?

Nicole: Sure. My birthday is April 26th. I'm 21. And I work at the Williams Lake Tribune.

Cst. Stevens: Thanks Nicole. The time is now 6:00 a.m. and this completes your statement.

