

Journey for Justice: Story of Gladys Tolley

Gladys Tolley was a loving mother, grandmother and great-grandmother from Kitigan Zibi Anishinabeg. She was born on August 9, 1940 to Gabriel Cayer and Agnes Stevens in Maniwaki, Québec, the town next to her reserve. She is dearly missed by the large family she left behind, including 6 children, 18 grandchildren and 11 great-grandchildren. On October 5, 2001 Gladys was struck and killed by a Sûreté du Québec (SQ) police cruiser in front of her home, along the highway that runs through Kitigan Zibi. Calling attention to issues with the police investigation and subsequent reporting of the incident, Gladys's family is calling on the Government of Québec to conduct an independent investigation into the death of their loved one.

Gladys was the oldest child in her family, followed by three brothers and two sisters. She attended school in Maniwaki but left to help her mother care for her younger siblings. As a young woman Gladys was trilingual; she spoke Algonquin, English and French. One of her favourite pastimes was listening to music. Gladys married, first to John Tolley and later to Xavier (Soup) Tolley, and had six children: Shirley, Bridget, Carol, Dean, Rebecca and Neil.

Gladys was a strong support for her family. She regularly went to church and worked as a chambermaid alongside her mother. "That was one of her things that she really liked to do, clean the rooms at the hotel and she worked there for a few years," recalls Gladys's daughter, Bridget. "Then after that she'd come home, spend the evenings with family, go out for car rides. That was her favourite, going out for rides."

Gladys lived in Kitigan Zibi all her life and enjoyed the simple pleasures of her home land, especially going to the bush. "That was her time," Bridget says. "She really liked to go hunting and fishing, and just drive and look at all the animals. Stuff like that. And she took care of her kids and her family."

Bridget remembers her mother as a very caring and sensitive person. She never once heard her mom get mad or yell at anybody. Gladys always seemed to be in a good mood. "I always wondered, 'What's wrong with my mom?'" Bridget recalls with a smile. "Everyone gets mad now and then, but she didn't have a cross bone in her body." Bridget says that Gladys loved everybody. She welcomed everybody and anybody into her home, no matter who they were. "She was a really, really happy, soft-spoken woman," concludes Bridget.

One of Bridget's favourite memories of her mother was the time she enjoyed at her family reunion in 1996. It had been a couple of years since Cassandra, Bridget's granddaughter and Gladys's great-granddaughter, was born and Bridget decided to organize a family gathering. This event was important to the family because they were bringing together five generations of women: Gladys's mother, Agnes; Gladys; her daughter, Bridget; her granddaughter, Charlene; and her great-granddaughter, Cassandra. The reunion took place outdoors on a piece of land near some of the family members' homes. "I made that big party and I invited all the family and every one of them showed up," Bridget remembers. "We had some beautiful pictures taken and I can just remember the smile on my mom's face and my grandma's. They were so happy."

The family did not know that the gathering would be one of their last times together. In 1998 Gladys's mother, Agnes, passed away. Three weeks later, Gladys's youngest sister, Della, died in a car accident. The following year, Gladys's husband, Xavier, died. In such a short time Gladys was left without many of the people she loved and shared her life with. These difficult times brought back other sad memories. Gladys was reminded of the two brothers she lost when she was younger. Her baby brother, Wallingford, was killed by a drunk driver when he was only 16. She lost her second brother, Camille, in a car accident in 1983. After suffering the loss of so many of her loved ones, Gladys fell into a depression and turned to alcohol to cope.

On October 5, 2001 at around 11:30 p.m. Gladys was struck and killed by an SQ police cruiser on Highway 105. She was 61 years old. Earlier that evening, Gladys had been visiting her daughter, who lived across the road. When she began to make her way home, she walked across the two-lane highway and was hit by the police cruiser. Gladys left this world to be with the Creator.

The series of events following the accident have left the family questioning both the investigation that took place at the scene of the incident and subsequent reporting of it. What they find particularly troubling is the lack of objectivity throughout the investigation. The officer who came to investigate the scene was the brother of the officer who was driving the cruiser that hit Gladys. Bridget also points out jurisdictional concerns. "It happened on the reserve and instead of calling the Kitigan Zibi Police Department first, they called their own police station," states Bridget. "They didn't call the Kitigan Zibi police until later. I felt it was the Kitigan Zibi Police Department's jurisdiction plus it was the SQ that killed my mom. The SQ should have never been around the scene, especially the brothers." The Montreal Police Service was also called to the scene, but it took them about eight hours to get there and by the time they arrived nothing was left.

Additionally, Bridget was very upset by the way her mother's body was handled. Bridget remembers when her mother's sister died in a car crash near where Gladys was struck, her body was brought to the hospital where she was pronounced dead. "When this happened to Mom, the SQ for some reason went to get the doctor at the hospital and brought the doctor to the scene. He pronounced my mother dead on the road and then the SQ drove the doctor back to the hospital," Bridget recalls. "Why? Why didn't they just bring the body to hospital like they usually do?" After Gladys was pronounced dead, the local funeral home in the neighbouring town of Maniwaki came to pick up the body and took her directly to the funeral home. Later, the owner of the funeral home told Bridget that this was the first time a body had ever been brought directly to the funeral home. In his experience, this was certainly not standard procedure.

On the night of the accident there were at least 10 SQ and at least five Kitigan Zibi Police Department (KZPD) officers on the scene. With so many officers present, Bridget wonders how the investigation could have been done so poorly. Bridget felt let down by the police in her community. Rather than protecting Gladys's body, she says they went into her mother's home to take pictures of beer bottles on the table. These photographs were later used in police and coroner reporting to infer that alcohol was a primary cause of Gladys's death, removing all responsibility from the officer driving the cruiser. Gladys's family believes that since Gladys was

a Native woman and had been drinking the night she was killed, the SQ did not treat the investigation of her death by normal guidelines nor with the respect they would have offered a non-Native person.

After Gladys's death, the family did not receive communication from any of the police departments involved. "They didn't talk to me at all," says Bridget. "Still today they never talk to me. It's seven years now. I'm still waiting." The investigation was officially closed three months later, on February 8, 2002, but no one informed the family. "They didn't tell me," says Bridget. "They didn't tell my family. They didn't tell us anything."

Instead, Bridget learned that the investigation into her mother's death had been closed when her phone rang one day in November 2002. It was a reporter from *Le Droit* newspaper. He was doing a story on Gladys's death and the death of a non-native man who died in Kitigan Zibi in an SQ police chase and wanted to know how Bridget felt about her mother's case being closed months earlier. The reporter had no idea that he would be breaking this news to Gladys's family. "That was very upsetting. So that's when I got a lawyer," says Bridget.

In the absence of communication from police, Bridget decided to take initiative on behalf of her family to obtain and examine police and coroner reports regarding her mother's death—but she came up against a barrier. Despite the fact that police reports are usually available to families once a case is closed, Bridget had to work with five or six lawyers to obtain the reports. After spending a long time carefully combing through the information, Bridget found contradictions and anomalies. One report said that Gladys was on all fours when she was hit, but the officer driving the vehicle said that he thought she was a sign. "A sign is as tall as me," Bridget points out of her own tall frame. What really happened? Gladys's neighbour was the first person on the scene, yet the police report contains no interview with him. "It was like he never even existed," says Bridget. "Why?" A female SQ officer was on the scene from the beginning, but there was no mention of her or information provided by her in the police report. Again Bridget is left wondering, "Why?"

Bridget was most shocked to learn what police cited as the causes of her mother's death: "That was just unbelievable, I couldn't believe it. They said that the first factor was negligence of a pedestrian and the second factor was alcohol. And it was the brother of the cop that struck my mom who wrote this report." Bridget and her family were upset by the way police seemed to take the fact that Gladys had been drinking the night of her death and use it to absolve the police officer driving the cruiser of responsibility. Additional reporting of the incident seemed incomplete and ill-informed. Bridget goes on, "It was just unbelievable, all the mistakes in the reports. The times, the dates, the place, everything was wrong. They had different addresses. Everything. Everything."

The coroner's report was completed on June 28, 2002. Disturbingly, the family learned that the coroner wrote the report without ever seeing Gladys's body. To compile the report he used pieces of information from the police report and confirmed the police's assertion that alcohol was a cause of Gladys's death. Once again, Gladys's family was left with the feeling that their loved one's death was being treated by a different set of standards. "There is a coroner in

Maniwaki, right next door, and they didn't call her," Bridget points out. "They called a coroner that was an hour and a half away and that never even saw the body."

After everything her family has been through Bridget's humour persists. "After reading the police reports and everything I said to myself: they will never call me a drunken Indian. They can kill me, but I'm not going to be drunk," Bridget says, part jokingly and part with true resolve. "I'm one step ahead of them now. They lost one of their 'drunken Indians.'"

Gladys's family is now on a journey to find answers to the questions they have about the death of their beautiful mother, grandmother and great-grandmother. While they have a number of them, some that top the list are: Were standard procedures adhered to throughout the entirety of the investigation into Gladys's death? Does the SQ have policies against investigating serious incidents involving its own officers? If these policies do exist, why were they not followed? Why are officers able to investigate incidents involving their own family members within the police force? Why did the KZPD not have the lead role in the investigation considering it was within their jurisdiction? Why have the police failed to communicate with Gladys's family? And, most importantly, why was Gladys's death not treated with dignity and respect?

Many of Gladys's family's questions could be answered in an honest conversation with police, something the family knows they have a right to and is long overdue. Yet one of the barriers they have encountered is the police's refusal to engage with them in any capacity. Gladys's family thinks that because Gladys was a Native woman who had consumed alcohol before she was killed, the police did not treat the investigation into her death as professionally as they would another person. They feel that the police's unwillingness to speak to them could indicate that the answers to the family's seemingly simple questions would paint them in a negative light.

After years of failed attempts to speak to police and the coroner about Gladys's death, Bridget, on behalf of her family, has taken her mother's story and her family's search for answers public. Bridget has shared this story at numerous community events, including at vigils, on panels and on Parliament Hill. Bridget's search for a way to honour the memory of her mother was a driving force behind the first Sisters In Spirit vigil on October 4, 2006; the spirit of remembering Gladys and the more than 582 missing and murdered Aboriginal women and girls in Canada inspired 72 communities across the country to hold their own vigils on October 4, 2009. Gladys's family wants her story to be told and hopes that shedding light on these injustices will help build a better future for her great-grandchildren and generations to come.

With the support of eight organizations and communities—Kitigan Zibi Anishinabeg, Algonquin Anishinabeg Nation Tribal Council, Assembly of First Nations of Québec and Labrador, Assembly of First Nations, Québec Native Women, Native Women's Association of Canada, Amnistie internationale (Francophone Canadian branch) and Amnesty International Canada—Bridget and her family are calling for an independent investigation into the death of Gladys Tolley. The bottom line is simple, as Bridget says, "I just want to know what happened to my mom and I have a right to know."

Update:

In April 2010, the Government of Quebec denied the family's call for an independent investigation into the death of their mother, grandmother, and great-grandmother. Although frustrated and disappointed, Bridget will not give up. She is involved with several social justice groups in Quebec and says the family will continue to fight for respect, dignity and answers. For justice for Gladys.