

EPISODE 1 - "33 DEAD IN DORVAL"

COLD OPEN

[ARSHY MANN]

On the evening of March 28th, Norma Christie was waiting. The 92-year old was living in the Résidence Herron, a long-term care facility in Dorval, Quebec on the West Island of Montreal. Like many of the other people living in the home, she needed the staff to help her get ready to go to sleep each night

[AARON DERFEL]

She'd wait in a wheelchair for an orderly to lift her out of her wheelchair to place on her bed.

[ARSHY]

That's Aaron Derfel, a veteran health reporter for the *Montreal Gazette*.

Someone would usually come at around 7:30 p.m. to assist her. But that evening, it appeared that the staff were going to be late. So, Norma Christie waited. An hour went by. Then another hour. Then another.

By 11 o'clock, she was still sitting there in her wheelchair. So she called up her daughter. "I don't understand. I'm still in my wheelchair," she told her. Her daughter promised to find out what was happening. After that call, Christie wheeled herself out of her room and into the hallway.

[DERFEL]

And she describes this really... almost like a zombie-like scene of residents leaving their rooms, walking aimlessly in the hallway and no one at the nursing station.

[ARSHY]

The elderly residents, many of whom had dementia, were just wandering. And then there were the blinking lights. At the abandoned nurses station, Christie could see the call lights flickering on and off. Each one represented an elderly person begging for help, wondering what was happening.

Norma Christie's daughter called the police around 1 a.m. They arrived at the Herron about 30 minutes later.

[DERFEL]

Someone arrived at the door and the police said, "OK, you have to put Norma Christie to bed."

[ARSHY]

A staff member finally went to assist the exhausted woman. But because of the pandemic, the police couldn't enter the Herron. So, what they didn't realize was that the facility had been all but abandoned. The long-term care facility, where around 150 incredibly vulnerable people lived, had only two staff left. Within two weeks, over 30 residents would be dead.

INTRO

[ARSHY]

It's been a month and a half since the WHO declared COVID-19 a pandemic. In Canada, we worried that our hospitals would be overrun, our intensive care units would be bursting and we'd be out of ventilators, just like we'd seen happen in Northern Italy.

But we were wrong. We completely overlooked the places where this pandemic would hit the hardest. As health authorities focused limited resources on shoring up our ICUs, the novel coronavirus was spreading like wildfire somewhere else.

Today, we're only beginning to understand the extent of the carnage. We now know that, across Canada, 79% of the people who have died from COVID-19 have died in long term care. That's despite the fact that less than 1 per cent of Canadians actually live in these homes. This pandemic is impacting all of us. But the vast majority of the people it's killing... They're in long-term care.

On this emergency season of *Commons*, we're going to begin by focusing in on these vulnerable places. We'll be bringing you stories from the frontline of the pandemic. Residents, workers, family members. But we'll also be exploring how we let this system become so fragile, and what we'll need to do to avoid this kind of catastrophe again.

And we're going to start with the shocking story of the Résidence Herron.

I'm Arshy Mann and from Canadaland, this is *Commons*.

PART 1

[ARSHY]

A warning: Some of what you're going to hear next is pretty disturbing.

Aaron Derfel has been covering the health beat in Montreal for over two decades. And he wasn't surprised for a minute that this pandemic would hit long-term care homes hard.

[DERFEL]

You don't need to be a rocket scientist to have known this. I mean, anyone who covered health knew that long-term care centers are always hit with outbreaks, whether it's the seasonal flu or VRE or MRSA. These are these superbugs.

[ARSHY]

But it wasn't until Derfel wrote about what had been taking place at the Résidence Herron that Quebec and the rest of Canada began to wake up to the scale of the problem.

Derfel was deep into reporting on the pandemic when he got a call from a source.

[DERFEL]

A really, really good source of mine called me up and--and just described what had happened. That's when I knew that there was this kind of... I don't know if you'd call it a paradigm shift, but that there was something--something horrific happening.

[ARSHY]

His source told him that on March 29th, the day after Norma Christie had been left alone in her wheelchair, a nurse from St. Mary's Hospital called Résidence Herron. A person from Herron who had been admitted to their emergency room had tested positive for the novel coronavirus.

But the nurse couldn't get through. No one at Herron was picking up. The nurse alerted the police and public health authorities and went over to Résidence Herron with other workers.

And what they found was simply horrifying.

[DERFEL]

They saw patients who were so dehydrated, and their mouths were so dry they couldn't speak at first. They were malnourished. They discovered two patients dead. Their deaths had gone unrecognized. They saw patients who were on the floors. They saw urine bags that were full to bursting. They were weak. And this just general disorder, this abandonment that there--there was no one in charge. It was surreal. It was like they had come to liberate a concentration camp. This is what my source had told me. It was like a concentration camp.

[ARSHY]

Even for a seasoned newspaperman like Derfel, this was shocking.

[DERFEL]

I got up really early that morning. I--I--I didn't sleep well the night before. It was bothering me. It was... I couldn't the... What was described. You know, that it was a concentration camp. I--I--I just couldn't sleep well.

[ARSHY]

So Derfel hit the phones, trying to confirm the information he had received.

He already suspected that COVID-19 was more pervasive in long-term care institutions than was being reported.

[DERFEL]

There was a refrigerated truck that was parked outside this, um, long-term care center in Lasalle, which is again is close... very close to Dorval, that geographic area. And, uh, the West Island Health Authority... They weren't answering my questions. "Why is this refrigerated truck there?"

People began to speak out about the Herron. Loredana Mule, A former nurse, who had been volunteering there spoke to CityNews Montreal about the conditions she encountered.

[LOREDANA MULE]

There was no staff. I was, uh, extremely surprised. Uh, nobody told me if they were... The staff didn't come in because of the COVID. When I entered the rooms, uh, I discovered that their lunch trays were

not even touched. Their mattresses were full of urine. Uh, the wheelchairs that they were sitting in were drenched with urine. I believed that they were sitting in urine and feces for about a day or so.

When I got into my car, I still had the stench of urine and feces up my nose and I--I--And I... I just broke down. I just... I just couldn't believe it. I cried.

[ARSHY]

But that CityNews story didn't break through the flood of the rest of the coronavirus coverage. As Derfel continued his research into Résidence Herron, he came across something strange.

[DERFEL]

The official death toll from the documents that I received earlier. There was just.. There were two deaths. But I was speaking to people. They were saying, "No there are more than two deaths." There were people, family members who were showing up in the parking lot. They were weren't allowed to go in, but they could see the funeral vans leaving, you know, like every few hours.

So one of the workers told me, look, there were 27 deaths just in the--in a short period of time.

[ARSHY]

Twenty-seven deaths. In normal times, an average of three to four people a month die at Résidence Herron. Twenty-seven people dying over two weeks was extraordinary. The local health authority wasn't being transparent and they wouldn't confirm Derfel's reporting. So, after talking to his editors, he decided to run with the story that he had.

On April 11, they published the story on the Montreal Gazette website, and it hit the province like a bomb. The mass death. The concentration-camp-like conditions. And the desertion.

[DERFEL]

This is what was so troubling to so many people, even across the country, that workers there would abandon that facility in droves, that they would turn their backs on the elderly residents.

[ARSHY]

Premier François Legault had been planning to take a day off from his daily press briefings that Saturday.

[DERFEL]

And then what happened is, shortly before 1:00 p.m., he tweeted that, no, he wasn't taking his day off. He was going to address the Herron.

So at this point, I was... I--I knew that, uh, I simultaneously felt somewhat validated in my reporting. But I was also really scared because I thought, oh, my God, he's going to address the--the whole province and indirectly the whole country. And he was gonna say that, you know, the Montreal Gazette got it wrong, that it's not 27 deaths. That it was, like, grossly inaccurate; that there was like three or four deaths.

[FRANÇOIS LEGAULT]

Good afternoon. I'm here because of what we learned last night about a situation in a private senior residence in, uh, the west of Montreal. Yesterday evening at 8:00, we learned that, since March 13, there's been 31 deaths at Résidence Herron.

[ARSHY]

Thirty-one deaths. Aaron Derfel had undercounted.

[DERFEL]

He said there were 31 deaths. I felt somewhat validated, but at same time I felt sick in the pit of my stomach that I--I just knew how--how horrific was--this was.

[ARSHY]

Right now, there are numerous investigations underway, trying to piece together what happened at Résidence Herron, how the conditions got so bad and why so many residents died of COVID-19.

[DERFEL]

So there's the police investigation. There's now a coroner's inquiry. There is a public health probe. There is a special inspector who's gone in and three professional orders: the Quebec College of Physicians, the Order of Nurses and the Order of Auxiliary Nurses.

They are also carrying out a separate investigation now into the Herron, which is private, a privately run facility. But a publicly-run one in the center of Montreal, the *Institut de gériatrie de Montréal*.

[ARSHY]

There's still a lot we don't know. But here's what you have to understand about Résidence Herron. First, there's the owners.

The Herron is owned by the Katasa Groupe, a for-profit company that owns properties in Quebec and Ontario, including six retirement homes. And it turns out that its president, Samir Chowieri, has a criminal past and alleged ties to organized crime.

In the 1980s, he was convicted of drug trafficking, as well as fraud, related to a cheese-smuggling ring. In the 1990s, he was investigated by the RCMP and the CRA for allegedly using a company of his for money laundering, but charges were never laid. He was then charged, and pled guilty, to tax evasion a few years later. And in 2006, Chowieri and a business partner bought an office building in Gatineau for \$1 from a man accused by the Charbonneau Commission of being a front for Vito Rizzuto. Yes, that Vito Rizzuto.

If you want to work in a long-term care home in Quebec, you have to pass a criminal background check. But when Samir Chowieri's company purchased a long-term care home, the authorities found nothing. He'd been pardoned and his record had been wiped clean a year earlier.

Then, there's what took place before the pandemic: Back in 2016, Résidence Herron nearly doubled its capacity. Soon, the home was being investigated by the Quebec Ombudsman and was issued a warning that it may not have enough trained staff. Like many long-term care homes across the country, turnover was high. The work is difficult and wages are low.

And then there's what happened when the novel coronavirus did arrive. Two related disasters took place. The virus was allowed to spread through the facility and, at the end of the month, the staff largely abandoned the residence.

Throughout March, as Quebec implemented social distancing measures, the common cafeteria at Herron remained open and residents were still allowed to mingle. Workers said that they weren't given the protective equipment to do their jobs safely and prevent the virus from spreading, undetected.

On March 27th, a man from Résidence Herron was rushed to the hospital. He had died of COVID-19, and that news sent a panic throughout the facility. Seven staff quit that day. They've all since tested positive. The next day, two more residents died, and more staff quit. That was the same day Norma Christie was left in her wheelchair.

And the next day, March 29th, public health workers and police arrived and found the residents abandoned, malnourished and dehydrated.

That day, the local public health authority took over Résidence Herron and put it under trusteeship. Now remember, this is still thirteen days before the *Gazette* broke the story about what happened there, eliciting an expression of utter surprise from Premier François Legault.

[DERFEL]

So after my initial story came out, and after the health minister's press conference, they went in and then they said it was only that night that they felt that there were 31 deaths and, uh, and they were blaming the private owners for withholding this.

And then once I got the death records, I realized, "No, this is not true. This can't be possible. These deaths were occurring under the watch of the government, right? Under the watch of the West Island health authority.

[ARSHY]

Most of the deaths happened after the public health authority had placed Résidence Herron under trusteeship. The owners and the government fought bitterly during those crucial days.

[DERFEL]

There was a feud going on between the West Island health authority and the owners. They were accusing each other of mismanaging. And what had happened was that the residents were being neglected, you know? They were being neglected.

[ARSHY]

Derfel learned something else. When health care workers--who were volunteering to fill in for Herron's absent staff--arrived, they got some very odd instructions.

[DERFEL]

And this is something that I had--I--I haven't, uh, reported. I don't mind sharing it with the Canadaland audience. They were showing up, uh, with all their personal protective equipment. So that--that meant with the gloves, with, uh, the gowns, the, uh, N95 mask and the facial shield. And then they got, like, a nasty email from [scoffing chuckle] the director of professional services saying, you know, "No, no. You don't go in with all this stuff, because you're going to you're going to freak out the staff who are already there." You know, the staff who are underequipped, basically, who got infected and who then spread the coronavirus to the patients.

[ARSHY]

And then, confronted with the fact that most of the deaths took place after Herron had already been put under trusteeship... Quebec's response seems redundant.

[DERFEL]

And the minister said, "Oh, yes, yes, we're appointing a special inspector. This is like the third thing that they were doing. But then she said in French, she used the word "*compenateur*." So then, a *compenateur* in French is basically one step short of a "trustee." So what the government had done is appointed a trustee to oversee the trustees of the Herrod,

OUTRO

[ARSHY]

So who do we blame for the deaths in Résidence Herron, for the horrific conditions that the residents were left to endure?

The first instinct will be to blame the workers who left their posts. But these people were overworked and underpaid. And serious questions have been raised about whether or not they were even given the proper equipment to do their jobs safely.

And then there's the owners and the public health authority.

But here's the thing. Thirty-three people died at Herron. But it's not the hardest hit long-term care facility in Quebec. Not by a long shot. There are at least nine long-term care homes in Canada where more people have been killed by COVID-19 than at the Herron. In one facility in Laval, Quebec, 78 people have died.

What's happened at Herron is a terrible betrayal of the people who lived there. And it's far from the only one. Across the country, the deaths in long-term care are piling up. This is systemic.

This is a failure of epic proportions. It just speaks to our failure as a society to care for and provide for our elderly. It's a gross shame on our country.

END CREDITS

[ARSHY]

That's your episode of *Commons* for the week. This episode relied on reporting done by Aaron Derfel and Paul Cherry of the *Montreal Gazette*, Radio Canada's *Enquête*, Alyssia Rubertucci of CityNews Montreal, Nora Loreto, and many, many others.

We'll be bringing you more stories about long-term care in the coming days. If you have any tips or experiences you'd like to share, please get in touch. You can tweet us at @COMMONSpod. You can also email me, arshy@canadalandshow.com. This episode was produced by myself and Jordan Cornish. Our managing editor is Andrea Schmidt. Our new art for this season is by Michael DeForge and our music is by Nathan Burley.

Just want to shout out our old managing editor, Kevin Sexton. Kevin was involved in making this show right from the get-go, and it we wouldn't be where it was without him. So, thank you so much, Kevin. If you like what we do, please help us make this show. You can support us and get ad-free podcasts by going to patreon.com/CANADALAND.