

RITA CHARLEBOIS

Rita Charlebois was hired in 1956 as the first female laboratory analyst at the Centre of Forensic Sciences (known then as the Attorney's General Laboratory of Ontario). She was always interested in science at an early age and wanted to become a medical doctor, but her father died and there were 3 others to put through University. So she decided to obtain a 4 year science degree with a major in chemistry.

After she graduated from the University of Ottawa, she also qualified as a medical technologist and was able to collect blood samples. She went to the US for one year and was in charge of a hospital lab in Ogdensburg in New York State. She returned to Canada and did chemical and biological research in the vitamin section of the Food and Drug Department.

She married Peter Charlebois, a medical intern and they went to Toronto where she obtained her position at the forensic laboratory there in 1956. She trained and was responsible for the various areas of alcohol including, teaching on the breathalyzer course, analyzing blood and urine samples for alcohol on various criminal cases, and testifying in court.

She was very valuable in her capacity as a phlebotomist and took thousands of blood samples from the police officers training on the Breathalyzer course over the years. The blood samples were compared with the Breathalyzer results on drinking subjects and confirmed that the Breathalyzer results were approximately 10% lower than the actual BAC and that "When two Breathalyzer results are properly made it may be concluded that the possibility of a result prejudicial to an accused person being presented to a court is virtually nonexistent"¹.

She made many observations about the effect of alcohol on drinking subjects which assisted in developing her expertise for court. One drinking subject she tested didn't look like he had been drinking at all. But when he went to type, he put the paper into the typewriter backwards and when he sat down he lost his balance and almost went over the Breathalyzer. Another student with a BAC of .07 could balance a glass of beer on his head and not spill a drop, but when she tested his reaction time it was 3X as slow compared to before he started drinking. But men she concluded had too much alcohol-induced confidence in their physical abilities and would have been dangerous driving on the highway².

¹ Howes, JR, Hallett, R.A., and Lucas, D.M., "A Study of the Accuracy of the Breathalyzer as Operated by Police Personnel", *Journal of Forensic Sciences*, 12: 444-453, 1967

² *Globe and Mail* Feb 27, 1969



MRS. RITA CHARLEBOIS MAKES BREATHOLIZER TEST

Figure: Rita Charlebois

Charlebois took the somewhat overt sexism of the times with good grace. She was referred to sometimes as “Mrs Peter Charlebois”³. Headlines of newspaper stories about her stated:

“Testifies in Murder Case, Girl Really Loves Her Job”⁴

and

“She Can Teach Men Something About Themselves”⁵

As the Centre of Forensic Sciences provided forensic services to the entire province of Ontario, she and other forensic experts traveled thousands of miles a year testifying in criminal courts scattered about the province.

Rats don’t drive

³ Globe and Mail, August 22 1964

⁴ Toronto Daily Star, April 3rd, 1964

⁵ Globe and Mail, February 27, 1969

The usual criminal case that Charlebois and other CFS toxicologists testified to were drinking and driving cases involving the Breathalyzer. When she was notified of the trial date, Charlebois would study the case carefully the evening before. When she first testified was especially concerned that her English was impeccable and spent many long hours reviewing and going over each word in English with her husband.

If the trial was within a day's driving distance, which to her could be to Ottawa and back, she would leave Toronto early in the morning in order to arrive in court early so she could discuss the case with the crown prosecutor. Criminal court usually started at 10:00 a.m. Court is very stressful and staying alert for many hours is difficult. It has been compared to acting in a play on stage but without scripts. One never knows when you appear at the courthouse, whether it will be a long and difficult day berated by the defence lawyer or judge for hours, or if the accused plead guilty.

One had to keep your wits about you and be alert on the stand, no matter how tired, stress, nervous or sick you felt. At the time of the breathalyzer law, one also had to stand upright on the stand when testifying, no chairs were allowed. The narrow ledges on the stand also made it difficult balancing your case file, papers and slide rule.

In one case of drinking and driving, a defense lawyer started berating Charlebois on the stand that his defense expert was much better qualified than she was because he had published 100's of papers on the effect of alcohol on rats, and why hadn't she done similar experiments? Rather than explaining that the alcohol metabolism and intoxicated behavior is very different between humans and rats and that you cannot extrapolate results from rat studies directly onto human, she just looked sternly at the defense lawyer and said the reason she didn't conduct these studies was "because sir, rats don't drive" and effectively stopped this line of questioning.

As the case may be lost if the expert did not show up, Charlebois and many other forensic scientists from the CFS would drive to court in all sorts of risky weather conditions. One time, on driving to Lindsay through dense fog on Highway 115-35, she smashed into the side of a school bus that suddenly appeared in front of her. The car behind also crashed into her car. She was taken to hospital but fortunately neither she nor anyone else was seriously injured.⁶

Charlebois met Bob Borkenstein in the 1960's. She always called him "Professor" and he enjoyed practicing his French with her.

Charlebois was an extremely dedicated and tireless forensic scientist and her numerous court appearances in the defence of the Breathalyzer made it become generally accepted by the courts throughout Ontario and assisted in the establishment of the breathalyzer law.

⁶ Globe and Mail, November 1, 1974