

[Transcript] The No Good, Terribly Kind, Wonderful Lives and Tragic Deaths of Barry and Honey Sherman / Chapter Eight: Thin Lines

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It occurred to me today that there's no better time than now to put pen to paper and begin to write a text that has been forming in my mind for some time.

During my third year of university, I took a course with a well-known Canadian author named Susan Swan.

I was a fine art student and would eventually graduate with a degree in creative writing.

Wanting to publish a book someday might be one of the few things that Barry Sherman and I had in common.

And while Barry's memoir, read here by actor Saul Rubineck, remains unfinished, I can't even imagine starting mine.

Memories are brief, and my thoughts will be forever lost unless I commit them to paper.

I thus set out to write this text.

During my time in Susan Swan's class, she was writing and researching her own book about a murder, and to help us better understand the importance of immersing yourself in a subject, Susan offered to take the class on a field trip to the coroner's office.

I jumped at the chance, and it was fascinating.

The coroner walked us through a bunch of different real-life scenarios, and together we had to decide how the person died.

What you need to know to make the call?

Was it a homicide, a suicide, or a natural death?

The answers were surprisingly hard to come up with.

In one example, we saw a picture of a woman hanging from a rope in her living room.

Our initial guess? Suicide, of course.

But through a series of questions and the process of elimination, we came to see it differently.

The coroner told us that his investigation eventually led to the arrest of her husband, who had killed her and tried to make it look like she took her own life.

This unique field trip was the first thing I thought about when I heard that the police had changed their opinion about how the Sherman's lives ended.

The first group of seasoned homicide detectives to arrive at 50 Old Colony Road found Barry and Honey Sherman hanging with belts around their necks.

They seemed to conclude that Barry killed his wife, then killed himself.

These detectives had expertise in making that call.

So, what went into changing their minds?

From the very little that I do know about forensics and pathology, the line between suicide and homicide can be very, very thin.

Welcome to the no good, terribly kind, wonderful lives and tragic deaths of Barry and Honey Sherman.

This is Chapter 8, Thin Lines.

Any homicide detective will tell you that you have to let the evidence lead the course of the

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investigation.

The evidence is what you follow.

Whenever I tell anybody that I'm working on this podcast, the first question I get asked is, do you have a theory about who did it?

The second question, how could police ever have thought that Barry died by suicide when he was found sitting down?

Let's start there because it's a good question and one that I put to former homicide detective Mark Mendelson.

But before we hear from him, I want to say that in this episode, we'll be discussing ways in which people take their own lives and ways people can be killed.

So, please take care while listening.

But back to that question I had for Mark Mendelson concerning the position they found Barry in.

It's absolutely happened that I've seen it. I've had people who, I was brought in because it was deemed to be a homicide by the initial investigators.

You know, a man who used a ligature, not a belt, but a different like a rope, and actually hanged himself off a radiator in his home.

So it can be done. It's not unheard of.

Have I ever come across a situation where there are two people dead and a murder suicide was done with the same mechanism of death? I can't say that I have.

Do you ever remember going to a scene and thinking you saw, let's say, a homicide and it ended up being a suicide or the other way around?

It certainly happened to me. I can think of a number of occasions where somebody died by way of a weapon and the assumption was that they died by their own hand.

But the scene didn't make any sense in terms of where the gun was found in relation to the body.

No history of mental illness, no discussion with anybody, no financial issues, no marital issues, no criminal activity issues, nothing seemed to fit.

So you've got to go through your whole forensic toolbox to try and prove or disprove.

I can think of more situations where we have found people who have died and I think any homicide detective would look at that particular scene and that victim and be absolutely 100 percent sure that that person was murdered.

And yet you get into the autopsy and despite, you know, very specialized examinations and, you know, forensic examinations, toxicology, biology, everything in the forensic department's toolbox.

You have no anatomical cause of death and you know that person was murdered just by the nature of where they were found, but you have no cause of death.

You have no anatomical cause of death. Therefore, you don't murder. And that's a really frustrating situation.

We know that when police first found the Shermans, their theory was murder suicide.

While they didn't officially state it, police sources were whispering it to lawyers and some reporters.

And according to the initial search warrants, they were only looking into Honey's murder.

Thank you for your attendance today. My name is Brian Greenspan.

On Saturday, December 16th, 2017, the day after the shocking discovery of the murders of Barry and Honey Sherman,

I was retained to advise the Sherman family as to the manner in which they might contribute to the

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investigation of their parents' double homicide.

The speed in which the police seemed to conclude that Honey and Barry died by murder suicide was pretty unusual.

And for the Sherman family, it was devastating.

The family had been understandably outraged by the unfounded police statement on Friday evening, which they believed from the outset had jeopardized and indeed compromised the integrity of the investigation.

If you look back in Canadian law history, you'll see Brian Greenspan's name attached to a lot of high-profile cases.

And many of his clients are famously wealthy. If he's in your corner, you have the advantage.

My mandate at the outset included assembling a distinguished group of homicide and forensic investigators

with the commitment which we first expressed to the Toronto Police Service

and standing there holding court in front of dozens of reporters, photographers and cameras.

Brian Greenspan introduced his team of investigators.

We had a lot who organized our efforts.

Enjoyed a celebrated career with the Toronto Police Service, which spanned over two decades.

Ray Zarb was a member of the Toronto Police Services for 33 years.

Dennis Bolligan served with the Toronto Police Service for 35 years.

Alan Bentren, a member of the Toronto Police Service for over 30 years.

David Chason, a former chief pathologist of Ontario.

The Sherman children were accusing the Toronto Police via their lawyer of tunnel vision.

That the police were so set on the idea that their dad killed their mom and then killed himself that the investigation had gone awry.

Their experiences during the course of the investigation have led the family to reluctantly conclude that they must publicly share their concerns.

And moving forward after more than 10 months of silence and frustration.

To illustrate just how badly things had gone,

Brian Greenspan went over what his team had discovered during the course of their investigation.

Toronto Police Service failed to follow best practices and did not vacuum the area.

In their failure to conduct a thorough examination of the points of entry into the home.

If this best practice had been followed, they would have located a point of entry to the home which would have seriously undermined their misleading and irresponsible conclusion that there had been no forced entry.

One of the first steps in a murder investigation is to collect all fingerprints and potential DNA from the scene.

And to compare those fingerprints and bodily fluids with those from everyone known to have been present

at the scene at a time approximate to the crime.

We know that today, more than 10 months after the murders, this preliminary and simple task has not yet been completed.

Aside from failing to complete the standard protocol of fingerprint elimination, the police also missed at least 25 palm or fingerprint impressions

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that were discovered by our private team at the scene.

Nine months before this press conference, the Toronto Police had shifted gears and began investigating the Sherman deaths as a double murder.

The problem for the Sherman kids was that nothing had happened since.

The family conducted their own private autopsy,

which David Chason, Ontario's former chief forensic pathologist, performed five days after the bodies were found.

But standing alongside him was the pathologist who had conducted the police autopsy, Dr. Michael Pickup,

and he had brought along evidence with him to share the crime scene photos.

Toronto Star reporter Kevin Donovan, who's followed this case relentlessly, notes these details in his book about the Shermans,

and he writes that Dr. Pickup told Dr. Chason that he wanted to be helpful.

At the conclusion of Dr. Chason's post-mortem examinations of Barry and Honey Sherman, it became clear that they were both murdered.

According to Kevin's articles in the Toronto Star, Dr. Chason honed in on a couple of key points that he said were misinterpreted during the first autopsy.

He made note of blood vessel damage under the skin of their wrists,

that he said proved the Shermans had been tied up, even though no bindings were ever found on the scene.

It's been reported that their hands were behind their backs, but only loosely held there by their coats,

which had been pushed down from their shoulders.

Dr. Chason also doubted that the Shermans were killed by the belts that were found around their necks.

Again, according to the Toronto Star, he noted thin lines on the skin under the belts, indicating that the Shermans were strangled with something else, something thinner, and that the belts were only used there to hold up their bodies.

These findings to Dr. Chason tipped the scales in favour of a double homicide theory.

We offered access to those conclusions, but it was not until January 24th, 2018

that the lead investigator from the Toronto Police Service met with Dr. Chason.

It is our understanding that this discussion impacted and contributed to the belated public announcement

by the Toronto Police Service on January 26th, 2018 that Barry and Honey Shermans were the victims of a targeted double homicide.

Have you ever experienced that before?

A very wealthy, powerful family hires its own investigative team.

Not when I was in homicide, but I certainly have been retained in that capacity since I retired and opened up the private investigation side of my life.

Former homicide detective Mark Mendelson again.

But having said that, I think it's important to note that if I was sitting in homicide,

and it was my case or I was the unit commander,

and I found out that anybody had hired a private investigator to sort of reinvent the wheel of my

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investigation,

one thing's for sure, I would be not sharing any information with that private investigator.

The information goes one way.

It goes to the police because they have carriage of the investigation.

It is not appropriate by any stretch of the imagination,

especially when you're thinking about court two years down the road

to start sharing intimate details and evidence with a private investigator

or a lawyer, or a lawyer for the family, for that matter.

Because once somebody else has that information, you've got no control over where it goes.

However, according to Kevin Donovan's reporting,

the police did share evidence with the Greenspan investigation, those crime scene photos.

And although it's not unprecedented for police to share evidence with a private investigation team, it is rare.

But Greenspan says his shadow investigation was what made the Toronto police shift their theory.

We've asked both Greenspan and the police to comment, but neither have responded.

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Have you seen the movie E.T.?

Yep.

Extra-terrestrial, so just add the letter L, so it's pronounced E.T.L.

E.T.L.

Perfect.

E.T.L.

Drawer is a cognitive neuroscience researcher, an expert on the human brain, and how cognitive biases affect our decisions.

Okay, so there's a number of points to make.

Point number one, we know that people are not rational.

This is not new.

What I've brought into the table is showing that even scientists, even experts, supposedly objective and impartial, they too have biases.

People who do science are also susceptible to biases that people in everyday life have.

Whether it's her experience, her training, her motivation, her ideology,

her working environment, organizational culture, loyalty,

the whole bunch of different factors that relate to the expert, to the person,

doing their autopsy, making the forensic decision, nothing about the case, it's something about them personally.

So in the case of the first set of experts, their unconscious bias

might have led them to quickly assume this was a murder suicide,

maybe because the crime took place in a home,

maybe because nothing was reportedly stolen,

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and maybe because there was no sign of forced entry.
But according to E.T.L., the second team would have also brought their own set of biases.
It's hard to ignore the fact that the second team was hired by the Sherman family because they were furious over reports that Barry had killed Honey and then himself.
We have looked at experts where we hired over a hundred experts and told half of them,
hello, I'm from the prosecution, can you look at this case?
And we told the other half, hello, I'm from the public defender, can you look at this case?
We have the exact same information and they conducted forensic analysis that has been published in the literature as being objective, and we found a huge impact, we call it the allegiance effect.
When they believe they're working for the prosecution, the conclusion aligns most of the prosecution perspective.
When they believe they're working for the defense, then the conclusion aligns with the defense.
So this is an organizational factor.
In other words, experts are not infallible.
You assume it's obvious to them the difference between a homicide and a suicide, but it's not.
I mean, I learned that in creative writing class.
Some cases are more difficult to determine the ambiguous cases.
The ambiguous cases, the forensic perspective can always say, undetermined.
I cannot determine the manner of death.
So if they're not sure that the suicide or homicide, they don't have to decide.
So when they decide, they should reserve it when they're very, very confident in their conclusion.
Since the original pathologist determined that the cause of death was ligature neck compression, but could not conclusively determine the manner of death, you could argue that that's exactly what he was doing, preserving his judgment.
Even lawyers, even judges have misconceptions about forensic science.
Forensic science is very good, but it's not perfect.
And the cognitive and the human factors that influence a human element is huge.
In most forensic domain, the human expert is the instrument of analysis.
It's a human brain.
It's a human-making judgment.
You know, managing bias, that's a huge thing in forensic science.
We talk about it in almost every training that we go to, every conference that I attend, it comes up.
Doug Young is a forensic scientist.
One of the things that I think investigators sometimes get caught up with is tunnel vision.
So they go in and they decide, okay, this looks like something, and then they stick with that.
And that's something we constantly have to fight, myself included.

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But you have to go in and you have to look at it objectively, look at it with both eyes, so to speak. So this case is very complex, obviously. And then you break that complex problem down into its individual components. The first thing, you know, we're going to do is document the scene as we found it. That can be done through photography, through video, notes and sketching, all of those things. Then you move into doing a walkthrough with the investigator and just getting a feel for the scene. That is the scene telling us the scene plays a huge part in it. While we don't have access to either autopsy report, we had a researcher gather all the reporting that there was about them, and she created a side-by-side fact sheet of both autopsies. We showed it to Doug Young. In looking at the autopsies, and again, I'm not going to know definitive answer, but just for me, if the hands were bound, for instance, right, he would have to hang her, then bind his hands, and get them behind his back. Okay, so you'd have to do that before he had the belt, right? How does that work? I mean, it's very complicated to be able to accomplish that. Is it impossible? No, it's not impossible. I have seen suicides where their hands are behind the back, but it's not common, not common. And, you know, I think, again, we have to take into account, we're not talking about someone who's at a younger age, how easy would that be for someone that's 75 to do? I'm 53, and I couldn't do it, right? It would be very uncomfortable. So I think a lot of factors go into what's going on with the scene, with the case, because when you just put it together, it makes more sense to me that it's a double homicide than it is a murder suicide. And I take a lot of that from the pathologist, the binding, the small ligature underneath the belts, but the information that I do have, I would more lean to a double murder. All the listeners listening to this should know there will never be an arrest. There is no doubt in my mind that Barry killed Honey and committed suicide. So, Carrie Winter definitely disagrees with Doug Young. Why would he snap? Why would he kill Honey in a rage? Why would he end up killing himself? And there lies the perfect storm that I know about. And there's only one person I've ever known who's got a temper like him, and that's me. When Barry would take off his glasses and he'd lose his fucking mind, and he'd lose his temper, he was scary.

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Anybody who knew Barry can say he was kind and generous and roly-poly and sweet-talking and soft-spoken, but anybody who knew Barry, catch him on a bad day, catch him when he was angry and he was downright scary. And that day when he came home from Appletex, something happened in that house. Something happened in that house and they were not targeted. Murders did not come into a colony and killed Barry by dragging them to a pool. They would have come and put two bullets in each one of them. And a story. This clearly is not the end of the story. But to play out Carey's theory, we wondered if there was any way that Barry had been pushed to the edge. What was happening in the days and the months before his death? Remember that by the end of 2016, Barry was under investigation by the federal lobbying commissioner for that liberal party fundraiser that he threw at his house. Then just a few months later, Barry fired an Appletex chemist for allegedly stealing millions of dollars worth of drug formulations and selling them to a rival drug company in Pakistan. Around the same time, there was that scandal with then-Appletex CEO Jeremy Desai, who allegedly had an affair with a rival drug company employee who reportedly passed on company secrets to Desai. That same year, Appletex lost a huge patent case to the tune of \$580 million. And there's one more event that we haven't talked about. In the last few weeks of his life, Barry launched a lawsuit against a convicted fraudster who allegedly duped him out of \$150,000, which seems like a trivial amount for a billionaire. And then there were, of course, the matters closer to home. Two weeks before his death, according to Donovan's reporting, Barry had been emailing his son, urgently trying to get Jonathan to pay back a \$50 million loan. We might have to pay the \$580 million judgment in January. We must need to take steps to improve liquidity, in case needed. Thus, request that you arrange first mortgages to enable paying \$50 to \$60 million to SureFam, if possible. Please do within weeks. And the long-standing lawsuit with his cousin, Carrie Winter. According to Carrie, his legal action made things even more stressful at home. He said Honey was furious. Not only was she mad at Carrie, but Carrie said she was also upset about what she perceived as gossip going around the Jewish community. Are they whispering that maybe he stole? Maybe he ripped off orphans? You know, I think that you'd have to be Jewish living in this city to understand the fallout of this scandal, this ongoing litigation. And on top of all of this, there's Honey's dream home.

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Plans were underway to construct a 16,000 square foot mansion.
From police interviews, we know that Barry was very much against the idea.
All of this had to be stressful, for sure.
But it's not like Barry wasn't used to this kind of thing.
He seemed to relish fights, went after people long after his own lawyers told him to stop.
So were the last months of his life really more difficult than any other period of time?
My misfortune was his good luck. I lost my parents.
He scooped up Uncle Lou's business and he ran with it.
And I said, but Barry's interesting. He's in the front of a locomotive train.
The train's going faster and faster and faster.
And he's this maniac on the front of the train and has the trains going faster and faster down the track.
Left and right by the side of the railroad tracks are bags of money.
And he's grabbing each bag and he's throwing the bags in the back.
And he keeps going faster and faster and faster, but he's in this frantic state.
And that was Barry. All the bags of money he grabbed.
He never had a chance to smell the roses. He never enjoyed his money.
The money never brought him happiness.
He was a man who was lonely, pathetic, antisocial, didn't know love, didn't have friends, just made money,
ran his companies. That's all he lived and died for.
By the time this podcast is out, the Shermans will have been gone for more than five years.
And there are rumors of deep rifts within the family.
Jonathan told the Toronto star that his sister thinks he had something to do with the crime.
Something he denies.
Both Kaelin and Alexander's marriages have broken up since the deaths of their parents.
Kaelin's only lasted a few months.
And things between Aunt Mary and the Sherman kids got so bad that she wasn't even invited to Kaelin's wedding.
In 2019, the Sherman family's investigative team, headed by Brian Greenspan, quietly disbanded with no public comment about their work.
More recently, Jonathan Sherman reportedly hired yet another former Toronto homicide detective to keep digging.
And according to media reports, it's not a move supported by all of his siblings.
And there's been a lot of upheaval at Apatex as well.
CEO Jeremy Desai eventually resigned.
He was replaced by longtime Apatex employee and Barry's right-hand man, Jack K.
But Jack, who worked beside Barry for 35 years and considered him a dear friend,
was unceremoniously marched out of Apatex by Barry's son Jonathan in December of 2018,
a few days before the first anniversary of Barry and Honey's deaths.
And then in September 2022, Barry's children sold his beloved company to an American pharmaceutical firm for an undisclosed amount of money.
Despite Barry's long-held desire to keep Apatex Canadian.

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To mark the five-year anniversary of their deaths, two of the Sherman children made rare public comments.

Both Jonathan and his sister Alexandra issued separate statements.

Alexandra spoke of the need to have this resolved to bring some kind of closure.

Jonathan said much the same thing, but added a monetary incentive.

He upped the reward for finding his parents' killers to \$35 million.

For more than two years, the house on Old Colony Road stayed empty.

I was told by someone who knew the family that when the house finally came down, everything was still inside.

We also spoke off the record to one of the people who worked on the demolition.

We asked him what was inside of the house when they tore it down.

Everything, he confirmed.

Clothes, cutlery, plants, everything.

This is a couple that I feel quite sure that I made in the 70s.

What about Leo Sewell's sculptures?

Well, they look like they're within a foot of one another and he's appropriately a little taller than she is.

I don't know, they look so sphinx-like.

Philadelphia artist Leo Sewell picked through garbage to create his sculpture of a man and a woman,

sitting side by side, legs outstretched, the one that was displayed in the Sherman home.

Perhaps that sculpture has also now been returned to a junk pile,

maybe for other people to pick over and repurpose, giving the parts new meaning.

Well, there's a sign over there that says trash is truth.

When you pick trash, there's nobody editing it except you

and it's just so much fun to resurrect these things and put them back in people's lives.

In a way, I guess that's what we tried to do.

Make meaning out of a bunch of different elements of a baffling crime.

But where did we land?

Without a doubt, Honey Sherman was murdered that day.

There is no one disputing that fact.

As for Barry's death?

It is clear that numerous questions can be asked for which we have no answers and may never have answers.

Did time have a beginning?

How could the universe have had a beginning without there being something present to cause the beginning?

Is the universe finite?

Are there other universes?

As we said in the beginning, we didn't set out to solve the case of who killed the Shermans.

If it was a stranger, a hitman, someone close to Barry or even Barry himself.

But what we can say is that every theory involves money.

Kerry told me that Barry's money was cursed and maybe in the end, he was right.

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In summary, I hold the following to be self-evident truths.

One, there is no God.

Two, there is a universe and we do exist.

Three, we and all other species are here as a result of evolution.

Four, mass and energy behave in space and time according to laws of physics that have been largely but not yet entirely elucidated.

Five, free will is an illusion.

Six, life has no meaning or purpose.

The no good, terribly kind, wonderful lives and tragic deaths of Barry and Honey Sherman was written and produced by me, Kathleen Goltar, Michelle Shepherd and Lisa Gabriel.

It was executive produced by Charlie Webster along with Lisa Gabriel and myself.

Andrea Varsani is our associate producer. Our technician is Laura Antonelli, sound design and mixing by Reza Daya.

The role of Barry Sherman is played by Saul Rubenek.

Stuart Cox is the executive producer for Antica.

Our team from CBC Podcast includes Roshni Nair who is our digital producer, Evan Agard is our video producer, Tanya Springer is our senior manager and Jeff Turner is our senior producer.

Chris Oak is the executive producer and Arif Narani is the director of CBC Podcasts.

Leslie Merklinger is the executive director of CBC Podcasts.

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