

## HIGH RIVER FORCED ENTRIES, UNWARRANTED SEARCHES & SEIZURES 137 MORE PAGES OF RCMP HANDWRITTEN NOTES RAISES 74 QUESTIONS

By Dennis R. Young - May 12, 2015

Since June 28, 2013, when the High River Gun Grab was first reported in the media, I have been investigating the rights violations that happened in High River during and following the flood of 2013. I have filed 42 *Access to Information Act* (ATIP) requests with the Federal Government (mostly with the RCMP and the Department of National Defence) and seven *Freedom of Information Act* (FOIP) requests with the Government of Alberta. Many of the responses to these ATIP and FOIP requests and my subsequent complaints for missing information sent to the respective Information Commissioners are available on the [National Firearms Association website under the "News" icon](#).

[My analysis of the original 143 pages of handwritten notes provided by the RCMP are included in my eighth letter to the RCMP Public Complaints Commission dated March 24, 2014.](#)

Today's commentary will provide an analysis of an additional 137 pages of handwritten notes provided in the [RCMP's 155-page response I received on a diskette on March 30, 2015](#). Despite the 155 pages of documents provided, I found that the RCMP response to this ATIP request was incomplete. [Consequently, I filed yet another complaint to the Information Commissioner in an attempt to get the missing records.](#)

NOTE: The absence of dates and actual page numbers in these notes makes it difficult to determine a time-line of events based solely on these notes. Comparing these notes with others received from the RCMP, the Department of National Defence, the Province of Alberta and the Town of High River leads me to believe most of these notes are in date sequence. I have included the PDF page numbers for easy reference.

PDF PAGE 22 - June 21, 2013 Quote: *"Military under ~~our~~ RCMP Command."*

**QUESTION:** Why were soldiers disobeying the department's standing orders for joint RCMP/Military operations? For more information on this point and others related to DND involvement in High River please see [my letter to Minister of National Defence, the Honourable Jason Kenney dated March 3, 2015](#).

PDF PAGE 23 - Quote " - house to house, clear house, & mark house - local RCMP members to assist with search." **QUESTION:** Why did S/Sgt. Ian Shardlow's tell hundreds of folks attending the High River Town Hall on September 5, 2013 that his local officers were not involved in the door-to-door searches?: *"What I'm suggesting to you though is that the High River members aren't the ones that made the hard decisions, whether they're born out to be correct or not. Rather than leave them in a position where they may have to police the community afterward, right, in an unhealthy environment, every member that comes back to work in High River didn't work from the 24<sup>th</sup> of July into a significant period into July. None of them made the hard decisions, none of them opened your doors, kicked your doors, smashed your doors, none of them searched your homes."* And, and just what were the 'hard decisions'?

PDF PAGE 35 - Quote: *"Loud hailer- come outside if safe"* **QUESTION:** So before the RCMP started kicking in doors they had loud hailers and were asking people to come outside. Why did the RCMP abandon this less invasive approach to searching for High River residents and resort to kicking in doors?

PDF PAGE 66 - June 22, 2013 (1:07 am) Quote: *"Complaint from public RCMP kicking in doors - if kick it should be marked so public knows - For Dayshift to Figure out".* **QUESTION:** It doesn't appear that kicking in doors was part of the original plan for door checks?

PDF PAGE 66 - June 22, 2013 (1:58 am) Quote: *"Degroot - some? escorted out"*

**QUESTION:** Cst. Karmen Degroot is a member of the High River Detachment (See PDF page 18 for list of local High River RCMP members). If Staff Sgt. Shardlow's claim that none of the local members were involved in the door-to-door searches (see above PDF page 23) what was this local member doing escorting residents out of town and were these escorts voluntary? (See the handwritten notes about 'found-in's being arrested in PDF page 86 and 95)

PDF PAGE 73 - Quote: *"Checkpoint 6 - Peace Officer Joanne? Kaminsky - cleared"*

**QUESTION:** Sheriff's were helping in High River right from the start. Justice Minister Jonathan Denis and his ADM Bill Sweeney are in complete control of the Sheriff's. What did the Alberta Sheriffs see and do in High River? Why didn't the RCMP Public Complaints Commission report comment on any of the Provincial Sheriff's activities in High River?

PDF PAGE 75 - Quote: *"Armoured vehicles on hwy need to be removed asap"*

**QUESTION:** Military vehicles were removed from roadblocks - National Defence didn't want to be seen "providing assistance to law enforcement" - which was contrary to Canadian Armed Forces written orders given by Defence Minister MacKay. Why then was it okay for the soldiers to help the RCMP seize and transport guns (a law enforcement activity)? Was it because these law enforcement activities were being done out of sight of the media and the people behind the barricades?

PDF PAGE 82 - Quote: *"DND has capacity to do simultaneous searches - H2O & land searches. STO - DND checking water areas? Yes but changes always - simultaneous search of 2 & 3"* **QUESTION:** What were the soldiers doing conducting searches of High River homes on their own without RCMP supervision? Why didn't the RCMP Public Complaints Commission report comment on this? Maybe the local reports of soldiers kicking in doors and seizing guns on their own are true?

PDF page 85 - QUOTE: "STO c/o EOC - Cpl Racette advising members to arrest all found ins - IC [Incident Commander] directed \_\_\_\_\_ blanked out \_\_\_\_\_"

**QUESTIONS:** Where are the records of all these arrests? Were these people taken into custody and charged? [Is this why the RCMP refuse to release my ATIP request for a list of all the persons charged in High River?](#) Why weren't these arrests addressed in the High River report by the RCMP Public Complaints Commission?

PDF PAGE 86 - Quote: *"Q from CP [Command Post] - Why the urgency for amphibious search? A - STO - one of the search dogs hit on a basement"* **QUESTIONS:** RCMP were using dogs to help with their searches of High River homes. What was the "hit on a basement"? Was it a drug hit? Was the unwarranted entry and search of 4,666 High River homes a law enforcement operation or a rescue mission or both?

PDF PAGE 86 - Quote: *"STO - DND can't do security. C/Supt. can do observations night visions"*

**QUESTIONS:** If the soldiers can't do security why is it they had no problem helping with RCMP seize and transport guns - contrary to orders from Minister of National Defence and Chief of Defence Staff? They were using night vision goggles - if that's not "security" then what is it?

PDF PAGE 86 - Quote: *"STO said locksmiths were good - reduced damage"*

**QUESTION:** So senior RCMP officers in charge of the High River operation knew about the damage they were causing by kicking in hundreds of doors ([\\$2.2 million in damages as of August 2014](#)), so did they also have reports of the results being achieved; namely, reports that not one person was rescued as a result of kicking in 754 doors (as reported by the RCMP in Parliament)?

PDF PAGE 90 - Quote: *"S/Sgt Sage arrived at CP - updated on DND role - no more security"* **QUESTIONS:** What did the 380 soldiers do in High River and what did they witness? Isn't it time to have their testimony made public?

PDF PAGE 93 - Quote: *"Waslinki Checkpoint (#3) Intell - group of people going to break checkpoints with numerous people - checkpoints getting that feedback all day - so far it's quiet but people getting frustrated. IC DEOC updated via phone call."* **QUESTIONS:** Once this level of frustration was evident, wasn't it time to do what police and emergency operations officials did in 30 other flooded communities - let the folks back into town to look after their own homes and pets? How much flood and mold damage was caused by keeping the

High River folks out of town for so long? How many homes were damaged beyond repair as a result of the extended evacuation order and at what cost and was it really necessary?

PDF PAGE 95 - "Q) *Can we force evacuation? - DND not to be doing security - We've done 1500 searches and hope to be done in a few days - We've had to order PPE for our agencies we wear liability for support - Have to prepare for mass attempts at re-entry*"

**QUESTION:** Who was in charge and why didn't they notice the flaws in their plan? Also see questions above in PDF Page 93.

PDF PAGE 96 - "Q) *What doing about found-ins that sneak in? Are they being arrested? Yes*"

**QUESTIONS:** Why weren't these arrests mentioned in the High River Gun Grab report by the Civilian Review and Complaints Commission for the RCMP? [Jane White told me she was arrested but not taken into custody - why?](#)

PDF PAGE 96/97 - Quote: *"IC [Incident Commander] said pet rescue not to be going unescorted. IC Pet rescue group - searching substantially - if animals found will be passed on. Thanks for what you've done but please stay within the parameters."*

**QUESTIONS:** Why were pet rescue crews working on their own without RCMP or DND support and what were the "parameters"? Did the RCMP Public Complaints Commission interview these witnesses to find out what they did and what they saw?

PDF PAGE 97 - Quote: *"S/Sgt Kaiser asked to pass on to Fuller - SAR [Search and Rescue] 25 joining tomorrow - Provincial Inspectors. Minister Griffiths continued to encourage people to evacuate."*

**QUESTIONS:** Did the RCMP Public Complaints Commission interview these Search and Rescue personnel and Provincial Inspectors who were involved in the searches?

PDF PAGE 115 - QUOTE: *"Briefing with IC [Incident Commander] IC - **NO** more escorts from now on into residences. becoming a biohazard issue."* **QUESTION:** Why was it biohazard an issue in High River but not in the 30 other flooded Alberta communities?

PDF PAGE 116 - QUOTE: *"Call to CP [Command Post] by Okotoks member. Citizens angered by comments made by MLA Smith. talking breaching checkpoints (\*IC will update EOC) IC [Incident Commander] sent SITREP [Situation Report] email to Sereda, Pott, Harrison, Woolsey, Smart, Morton, deChamplain"*

**QUESTIONS:** Why did these senior RCMP officers not see the anger by the residents at the roadblocks as an opportunity reconsider what they were doing in High River? Did they check with their counterparts in the 30 other flooded communities to see how they were handling evacuations and their evacuees? Did they ask if other police forces were kicking in doors to residences and seizing guns? Why did it go so wrong in High River and only in High River?

PDF PAGE 117 - QUOTE: *"Town Councillors bring supplies. Decision not to allow Town Councillors into HR [High River] James Thackeray will want to have a meeting. MCU [Major Crime Unit] - Watt blank - concerns there may be issues with disgruntled citizens. Put a plan in place in case we get a group of people trying to breach"* **QUESTIONS:** Why weren't the Town Councillors able to help? Why did residents get so upset in High River and not in the 30 other flooded Alberta communities?

PDF PAGE 120 - QUOTE: **"Re-Entry** - Smart [RCMP Incident Commander (IC), Superintendent Frank Smart] Before we agree to any plan it needs to be reviewed and approved by IC" **QUESTIONS:** Why then did the RCMP Public Complaints Commission's report on High River say that the High River Emergency Operations Centre was making all these decisions? See FINDING NO. 2: Pursuant to the Emergency Management Act, the Emergency Operations Centre prepared and authorized the implementation of four emergency plans requiring rescue and recovery, security, search and **re-entry** of residences. [emphasis added]. How many more decisions did the RCMP make for the local EOC who has the authority under the Alberta Emergency Management Act?

PDF PAGE 120 - QUOTE: "Jewelry found outside jewelry store. Det. collected jewelry @ detachment"

**QUESTION:** Was this a break in or vandalism? Why is this the first time this incident is being reported anywhere?

PDF PAGE 120/121 - QUOTE: "S/Sgt. Morton taking over command of High River Detachment. MCU [Major Crime Unit] wants - dispatch member to search residence only missing person outstanding - Det. tasked - checks negative" **QUESTIONS:** According to the RCMP Public Complaints Commission report S/Sgt Morton took over the detachment on June 24, 2013, so why were the RCMP still searching High River homes and seizing guns right up to July 13, 2013?

PDF PAGE 122 - QUOTE: "Task #24 - Clarify message out to membership about arresting found-ins - STO Marsollier [Sgt. Rob Marsollier, STO Commander] spoke to Racette" **QUESTIONS:** What was cleared up? Did they keep arresting found-ins or did they stop arresting found-ins? How many 'found-ins' were arrested? Were the arrested found-ins incarcerated and charged, 'escorted out of town' or left in their homes?

PDF PAGE 122 - QUOTE: "Task #24 - Mustang Helicopters. Are they being used or can they be re-deployed. Dayshift to assess = S/Sgt. Sage" **QUESTION:** What were these private helicopters being used for when Canadian Forces and RCMP helicopters were available?

PDF PAGE 125 - QUOTE: "Task #2 - DND cannot breach doors = Fuller" [STO Commander S/Sgt Scott Fuller] **QUESTION:** So were soldiers kicking in doors in High River and this order was given to make them stop?

PDF PAGE 128 - QUOTE: "F - mbrs - 9 mbrs search every house - house # empty/occupied - entry required to ensure life - Doc who is occ/residence/missing/NOK - ribbon every house visible, no one to remove tape - don't go thru deep water - secure homes - on loud hailer identify Police, present themselves at door - entry clarification to be had with Smart" [Superintendent Frank Smart, RCMP Incident Commander] **QUESTION:** Are these the initial orders to RCMP members? Did all RCMP officers follow these orders? Was there any disciplinary action taken against RCMP officers who did not follow these orders? Why were so many High River homes left unsecured after having their doors kicked in?

PDF PAGE 130 - QUOTE: "Smart F - Under Emergency Management Authority to enter residence - locating pets in residence to be addressed - minimal damage as possible (ie. window vs door) - matter being addressed by another agency" **QUESTIONS:** Who made this determination that the RCMP had the legal authority to enter residences? If the legality was so clear, [why were RCMP Asst. Commissioner Marianne Ryan and Alberta Justice Asst. Deputy Minister Bill Sweeney still discussing "legal authorities" for the forced entries weeks after this?](#) [Why does the RCMP refuse to provide the Crown Counsel legal opinion](#) that was provided to RCMP Asst. Commissioner Marianne Ryan on June 25, 2013?

PDF PAGE 131 - QUOTE: "Smith F - Some houses appear as all left doesn't appear to require entry and no water threat - if ? doesn't require to enter them double ? ribbons for later entry - F \* Clarify entry with Smart in morning if not required entry" **QUESTIONS:** Who made the decision to enter every High River home - even the ones that weren't flooded? Why was High River the only community out of the 30 flooded communities where this decision was made?

PDF PAGE 131 - QUOTE: "Smith F - 50 unsecured firearms" **QUESTION:** Why are these 50 firearms not showing on any of the RCMP spreadsheets?

PDF PAGE 132 - QUOTE: "F S/Sgt \_\_\_\_\_ Smart - Military function sensitive and discussion being had" **QUESTION:** Why was the military function sensitive and what were the results of these discussions? [Why were soldiers defying their own orders from Defence Minister MacKay and the Chief of Defence Staff by aiding law enforcement activities in High River?](#)

PDF PAGE 133 - QUOTE: "F - 11 search teams with military present, along with Fortis and ATCO - Wait for ATCO to clear house prior to entry - consult missing person list - enter house using least amount of force - Mark each house with ribbon home or not - Don't remove ribbon" **QUESTIONS:** How was it possible that the RCMP kicked in 'more than 754' doors when this clear order was in effect? Why were there more than 1,900 damage claims when this 'least amount of force' order was in effect resulting in more than [\\$2.2 million dollars in damages claims being paid out by August of 2014](#)? Why do High River residents report having their unlocked doors kicked in? Why do previous RCMP notes reveal that RCMP officers were kicking in doors inside High River homes and doors to outdoor sheds?

PDF PAGE 134 - QUOTE: "illegal situation advise & det. will take over" **QUESTION:** [Why won't the RCMP release a list of these 'illegal situations' and the charges laid as a result?](#)

PDF PAGE 135 - QUOTE: "F - Search Teams clarification - [RCMP] Members homes have been taped with members business card # - record house and report to command - F Smart - Enter or communicate with every house regardless of any list or info" **QUESTION:** Why then did High River residents that some RCMP officers' homes did not have their doors kicked in? Once again, why was it necessary to kick in 'more than 754 doors' and enter 4,666 homes in High River but not do so in any of the 30 other flooded Alberta communities?

PDF PAGE 141 - QUOTE: "F - Businesses to be recorded for later entry if unable to enter" **QUESTIONS:** Why did businesses get this special treatment while homes had their doors kicked in? One RCMP explanation given for entering every High River home was that survivors could be hiding inside the homes, so why couldn't people also be hiding inside a business?

PDF PAGE 154 - QUOTE: "Sgt Topham - Det ops requesting six members - 6 members enroute to assist log Det. with firearms"

PDF PAGE 155 - QUOTE: "Newton F - Dive team 8 rescues yesterday - F - Totals to date - 4,666 residences/bldgs entered - 745 forced entry - 326 located ppl." **QUESTION:** Why are there still no handwritten notes documenting the 28 or 38 persons rescued by the RCMP in High River? [See point VI in this link.](#)

## **CONCLUSION: JUDICIAL INQUIRY NEEDED**

[On Tuesday, May 12th Canada's National Firearms Association released the results of their third telephone poll conducted in High River since the flood of 2013.](#) Three hundred and eighty-eight High River residents responded to this most recent poll conducted during the evening of May 6, 2015. The survey question asked was: *The RCMP Complaints Commission's report on the 2013 Alberta floods in High River, said the Town of High River Emergency Operations Centre ordered the RCMP to enter all homes in High River using whatever force necessary. The report found the entry of 4,666 High River homes by the RCMP was "appropriate". Do you think Premier of Alberta, Rachel Notley, should call a judicial inquiry for High River residents to examine all outstanding issues and claims surrounding the so-called, High River gun grab?* 48.7% responded Yes, 40.4% responded No, 10.8% were undecided. When the pollster removed the 42 undecided residents, 54.6% respondents supported a judicial inquiry.

A judicial inquiry is needed to find out why the RCMP and the Provincial Ministers who authorized this unprecedented invasion of privacy in High River and why anyone thought that the Alberta Emergency Management Act should take priority over the Charter of Rights and Freedoms, the Canadian Bill of Rights and the Alberta Bill of Rights.

A judicial inquiry is needed to fully restore the trust of the residents of High River and to reassure all Canadians that their rights and their homes will be protected in any future emergency. Lack of a full scale judicial examination of the events in High River also casts a negative shadow on the many thousands of dedicated

RCMP members who serve and protect us and maintain our rights every day in thousands of communities all across Canada.

If you feel the need to do something about it, please consider signing my petition to Alberta Premier Rachel Notley asking her to call a judicial inquiry into the High River forced entries, unwarranted searches and seizures.

In addition to the 74 questions above, please see my most recent commentaries available on the [Canada Free Press website](#) documenting many more deficiencies in the High River Gun Grab report released in February by the Civilian Review and Complaints Commission for the RCMP.