

Airdrie, Alberta
September 30, 2014

The Honourable Jonathan Denis
Alberta Minister of Justice and Solicitor General
403 Legislature Building
10800 - 97 Avenue
Edmonton, AB
T5K 2B6

Dear Minister Denis:

Re: HIGH RIVER FORCED ENTRIES, SEARCHES AND SEIZURES

Congratulations on being reappointed as Minister of Justice and Solicitor General for our province. Our new Premier must have appreciated your efforts under the previous administration and must also have great faith in your abilities as he works to get Alberta back on the right track especially in regard to his commitment to better protect our rights to own and enjoy property.

I am writing you for your advice and assistance with regard to two issues. First, section 18 (5.1) of the Alberta Emergency Management Act states: *"Unless otherwise provided for in the order for a declaration of a state of emergency, where an order for a declaration of a state of emergency is made, and there is a conflict between this Act or a regulation made under this Act and any other Act or regulation, **other than the Alberta Bill of Rights or the Alberta Human Rights Act or a regulation made under either of those Acts**, during the time that the order is in effect, this Act and the regulations made under this Act shall prevail in Alberta or that part of Alberta in respect of which the order was made."*

Many people are wondering why section 18 didn't protect the residents of High River from the RCMP's kicking in the doors to many hundreds of their homes, the unwarranted search of thousands of their homes, and the unwarranted seizure of property from more than a hundred homes including a number of arrests and charges being laid (many of which have still not been made public).

Alberta Emergency Management Act
<http://www.qp.alberta.ca/documents/Acts/E06P8.pdf>

Alberta Bill of Rights
<http://www.qp.alberta.ca/documents/Acts/A14.pdf>

Secondly, I have reached an impasse and am respectfully asking for your assistance with one element of my investigation of the RCMP's forced entries and unwarranted searches and seizures of High River homes during the flood of 2013.

On September 5, 2013, while I was in High River attending a Town Hall meeting I was approached by a fellow retired RCMP officer who told me that the RCMP had applied for a general warrant for their searches of and seizures from High River homes and that their application for a warrant had been denied.

I filed an *Access to Information Act* request with the RCMP and they advised that they were unable to locate any record of this warrant application. I asked the Office of the Information Commissioner in Ottawa to investigate and they concluded that the RCMP had conducted a proper search for these records.

After this I was informed by a lawyer friend that police in Alberta can apply for warrants over the phone and I filed the following FOIP request with your office: *"For each of the days for the period from June 21st to July 13, 2013, please provide copies of all warrant applications whether made in person, in writing, by fax or by phone that make any mention of High River, Alberta. If the applications were made by phone please provide copies of the voice recordings or a transcript of the voice recordings of all warrant applications (including approved applications and denied applications) made at any of the Alberta Judicial Centres by the RCMP for all residences in High River, Alberta (i.e. a general warrant) and individual warrants for specific residences in High River, Alberta."*

I received the following response from your office: *"The FOIP Act does not apply to information in a court file as per section 4(1)(a) (Records to which this Act applies) of the Act. Should you require this documentation, copies may be obtained directly from the relevant Alberta court."*

I am at a loss to where I should now look for these records especially if the RCMP made the warrant application by phone. I have no idea where these warrant application records are held, who controls the records or the process for accessing them. Is there a central registry or database for all warrant applications the police make over the phone? My wife is sick with primary progressive multiple sclerosis and I am her primary caregiver so I don't have a lot of time to visit court houses in search of these records. I was hoping that your staff would be able to conduct a thorough search of the RCMP warrant applications for High River between June 21, 2013 and July 13, 2013 and advise me of the results.

Thanks for your time and consideration of this request. I look forward to hearing from you soon.

Yours sincerely,

[Original signed by]

Dennis R. Young
1330 Ravenswood Drive SE
AIRDRIE AB T4A 0P8
Phone: 587-360-1111
E-Mail: dennisryoung@telus.net

cc The Honourable Jim Prentice, Premier of Alberta