

Airdrie, Alberta
September 12, 2014

MY FILE: 076

Ms. Suzanne Legault
The Information Commissioner of Canada
Place de Ville, Tower B
112 Kent Street, 7th Floor
Ottawa, Ontario
K1A 1H3

Dear Ms. Legault:

Re: MISSING RECORDS COMPLAINT RCMP FILE: A-2014-00051/JL

Please find attached a copy of my original *Access to Information Act* request and a copy of the RCMP's cover letter I received dated August 7, 2014 received on September 13, 2014. Below is a URL with the 351-page response that I received on a diskette.

<https://nfa.ca/sites/default/files/Public%20Safety%20ATIP%20Minister%27s%20High%20River%20Briefing%20Notes%2C%20etc%20-%20Aug%207%2C%202014.pdf>

I wish to complain about the missing records. I specifically requested the following: *Reference is being made to the RCMP's involvement in the emergency response to the flood in High River, Alberta in June and July of 2013 with particular attention to the Force's unwarranted searches of thousands of High River homes and seizures of firearms, ammunition, magazines, accessories, other weapons, etc, etc. For the period from June 20, 2013 to present, please provide copies of all High River reports, briefing notes, and Question Period notes prepared for the Minister (including drafts) and copies of High River correspondence read by the Minister.*

The department's response just includes copies of letters and e-mails sent to the Minister and a copies of the Minister's standard reply to this external correspondence. Where are the copies of all the internal correspondence to the Minister? The RCMP were keeping the public and the media in the dark about what they were doing in High River during their door-kicking, gun grabbing spree, were they also keeping the Minister in the dark?

It is impossible given the amount of media coverage of what has happened in High River, Alberta and the fact that 270 RCMP personnel participated in and witnessed hundreds of forced entries, the unwarranted searches of thousands of homes and seizures without warrant of hundreds of firearms, ammunition, magazines, other weapons, drugs, stolen property, etc, etc, between June 20, 2013 to July 13, 2013, for the Minister's political staff and bureaucrats in Public Safety Canada never to have prepared reports, briefing notes, QP notes or whatever they called their advice to the Minister to avoid ATIP requests such as mine.

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Even the Alberta Property Rights Advocate reported to the Alberta Legislature (see link below):
"As previously noted, Deputy Commissioner McGowan advised that the RCMP Members involved in this situation did not take operational direction from elected officials or public service employees. Instead, they relied on the authority of section 19 of the Emergency Management Act. But if such actions were taken by the RCMP Members under section 19 without Ministerial approval or direction, as normally would be required by the Act, their interpretation of that section is misguided."

Would the Minister's staff, the Commissioner of the RCMP or the Minister of Justice not have pointed out this lack of legislative authority to undertake the High River forced entries, and unwarranted searches and seizures to the Minister?

ALBERTA PROPERTY RIGHTS ADVOCATE 2013 ANNUAL REPORT - JUNE 2, 2014
Forced Entry of Homes in the Town of High River (Pages 17-21)
http://justice.alberta.ca/programs_services/about_us/prao/assets/AnnualReport2013.pdf

On PDF pages 249 and 250 of the department's 351-page ATIP response is a letter from the Minister of Public Safety dated November 28, 2013. In this letter, the Minister states: *"I have been informed by the RCMP that in the course of searching for residents in distress, insecurely stored firearms were removed for safekeeping."*

Everyone in Canada learned that this statement was not true on September 5, 2013 when MLA Danielle Smith held a town hall in High River (see video record below) attended by hundreds of High River residents who gave personal accounts (many reported in the media) of their properly secured firearms being seized by the RCMP after their doors had been kicked in. Some doors were kicked in and legally secured firearms were even seized after the Department of National Defence declared on June 24th that there was no further risk to life and limb and no further need for evacuations. Where is the report to the Minister from the RCMP with this inaccurate information that he cites in this letter? Previous ATIP responses from the RCMP also show that the RCMP kept seizing firearms right up to July 10th. Did they take this action without informing the Minister? Was the Minister not told these facts before he wrote this letter on November 28th?

VIDEO RECORD OF DANIELLE SMITH'S FORCED ENTRY AND SEIZURE OF PROPERTY
TOWN HALL MEETING - HIGH RIVER, ALBERTA - SEPTEMBER 5, 2013
<http://www.youtube.com/watch?v=Wacw5rU40Fs>
<https://www.youtube.com/watch?v=OD7RLmO2MHc>
https://www.youtube.com/watch?v=e_BVpugBpfQ
<https://www.youtube.com/watch?v=wUyLfFLExno>
<http://www.youtube.com/watch?v=x5XZYP5-1Ro>
<http://www.youtube.com/watch?v=nZPzP1TOF9A>
<http://www.youtube.com/watch?v=43MT1iX9XEU>

While the truth may not be pretty, it is absolutely critical that the whole truth be told about what actually happened in High River. On August 7, 2014 the National Firearms Association released poll results showing that fifty-three percent of decided residents in High River who responded to the poll would refuse orders to evacuate their homes in the event of another flood. See links to the NFA's release and subsequent media coverage are provided below.

CANADA'S NATIONAL FIREARMS ASSOCIATION NEWS RELEASE POLL OF HIGH RIVER RESIDENTS SHOWS A DISMAL LACK OF TRUST IN RCMP

A large percentage of the residents of High River, Alberta would refuse another evacuation order.

<https://nfa.ca/news/poll-high-river-residents-shows-dismal-lack-trust-rcmp>

SUN NEWS VIDEO - HIGH RIVER FALLOUT - AUGUST 12, 2014 20:12

Brian Lilley's Interview with Lorne Gunter A new poll shows that the majority of High River residents would refuse to leave their homes in the next emergency because of the RCMP's illegal gun grab.

<http://www.sunnewsnetwork.ca/video/featured/prime-time/867432237001/high-river-fallout/3727434608001>

CALGARY SUN: RCMP GUN GRAB HAS SERIOUS...REPERCUSSIONS! (Print Edition headline)

BY LORNE GUNTER, QMI AGENCY - SUNDAY, AUGUST 10, 2014 05:00 AM MDT - 57 comments

<http://www.calgarysun.com/2014/08/08/gunter-poll-shows-fallout-from-high-river-gun-grab-continues>

It is vital that the public's trust in the RCMP be restored **before** other towns, cities or provinces in Canada declare a state of emergency, otherwise people will put themselves and their families at unnecessary risk, with injuries and deaths being the likely result. A thorough public airing of whole truth and nothing but the truth is the only way to restore this trust.

Please ask the department to conduct a more thorough search for all the records I requested.

Yours sincerely,

[Original signed by]

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cc Right Honourable Stephen Harper, Prime Minister of Canada
Honourable Peter Mackay, Minister of Justice
Chairman Ian McPhail, Commission for Public Complaints Against the RCMP