

Airdrie, Alberta
March 3, 2015

The Honourable Jason Kenney
Minister of National Defence
House of Commons
Ottawa, ON
K1A 0A6

Dear Minister Kenney:

Re: RCMP Complaints Commission High River Report Did Not Address CAF issues

Firstly, let me congratulate you on your appointment to your new portfolio. Your Ministerial record is very impressive and we expect great things for Canada, National Defence and the Canadian Armed Forces as you manage and master the challenges ahead.

Reference is being made to my previous correspondence to Minister Nicholson dated May 19, 2014, the Minister's response dated October 1, 2014 and my reply to him dated January 5, 2015.

Copies are attached for your easy reference and are also available in this link:

<https://nfa.ca/news/defence-minister-nicholson-firearms-seizures-high-river-jan-5-2015>

I wish to draw your attention to two main points that relate to new evidence available to me since Minister Nicholson I last wrote on January 5, 2015.

1. Minister Nicholson's letter stated: ***"I am confident that the Commission will look into many of the questions you raise in your letter and that have been expressed by other members of the public and I look forward to the results of the investigation."***

As everyone now knows, the RCMP Complaints Commission's High River Report did not address any of the questions I raised in either of my two letters (see link to their full report at the bottom of page three). This was not a surprise because the Commission's terms of reference and legislative authority did not permit them to delve into the actions of the 380 soldiers deployed in High River from June 20, 2013 to June 27, 2013. The Commission's mandate did not allow them even take statements from your soldiers about what they saw when the RCMP were kicking in hundreds of doors, entering and searching thousands of High River homes and seizing private property from those homes. My initial response to the Commission's report is also provided on page three.

The information your soldiers could provide to investigators would help reveal the full extent of what actually occurred in High River during those important first days following the flood. The evidence they alone are able to provide, would help put everything in context. We have what the RCMP said they did and why they did it but not why they didn't tell the truth right from the start. We have a few dozen accounts from some of the residents of High River reporting what the RCMP did to their homes and inside their homes. However, many more witnesses have refused to be interviewed by the Commission's investigators because they were afraid of repercussions from the RCMP. A major piece of missing evidence is from the 380 soldiers who helped the RCMP with their unwarranted entry into 4,666 homes, kicking in the doors to "more than 754 homes, and the unwarranted searches and seizures from more than a hundred High River homes.

For two weeks after soldiers returned home from High River, many were telling their friends the horror stories of what they had seen the RCMP do in High River. They were afraid to come forward with their stories publicly out of fear that they would be punished in some way by their commanders. Then all the soldiers that were talking to their friends stopped talking. We heard that there was a gag-order telling soldiers to stop talking about what they did or witnessed in High River. That is no way to get the bottom of this mess and no way to rebuild the trust of thousands of residents of High River who are vowing never to leave their homes again in the care of the RCMP when another emergency is declared.

I urge you to lift this gag-order so that the 380 Canadian Armed Forces personnel can tell everyone what they saw and did in High River.

2. In my January 5th letter to Minister Nicholson, I pointed out an excerpt from DND Access to Information Act responses stating: **"a. Comd. All CF assets will remain under CF command at all times."**

Your own Memorandum of Understanding (MOU) with the RCMP states: **"4.2 CAF personnel tasked to assist the RCMP will, at all times, remain under the operational control of the GAF, and remain within the military chain of command. The GAF will also retain operational control of CAF equipment and resources provided pursuant to this MOU."**

Since writing that letter I have received 480 pages of documents from the Town of High River in response to my Freedom of Information request. Excerpts from 362 pages of handwritten notes taken by Scribes in the High River Emergency Operation Centre (EOC) seem to indicate the soldiers in High River were under "command of the RCMP".

PDF Page 274(Scribe page 186) - June 21, 2013

- "8:42 am Update to RCMP Frank Smart - mustering for search of residences - coord S&R with ATCO & FORTIS"
- "RCMP - no equip to get into some areas - waiting for military to arrive from Edmonton - **military will work under command of RCMP"**

PDF Page 305(Scribe page 217) - June 21, 2013

- "Army - 383 troops ETA 1900"
- **"Military working for RCMP - under their command"**

PDF Page 259(Scribe page 171) - June 21, 2013

- "RS left EOC @ 4:35 - LZ new director"
- "RM going through **chain of command of military thru the RCMP command centre** and we will talk to RCMP"

Here is a link to my transcription of some of the High River Scribes' handwritten notes:

<http://www.pdf.investintech.com/preview/2f0d0052-b93b-11e4-b807-002590d31986/index.html>

I would be happy to provide you with a copy of the actual 480-page FOIP response.

I also wish to inform you that I will soon be initiating with court action under Section 41 of the *Access to Information Act* with respect to documents withheld by your department in response to several of my ATIP requests regarding High River.

I wish you all the best with your new department. I look forward to receiving your response to this letter and the answer to my questions in to both my letters to Minister Nicholson.

Please call or e-mail if you need more information or have any questions.

Yours sincerely,

[Original signed by]

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cc Right Honourable Stephen Harper, Prime Minister of Canada
Honourable Steven Blaney, Minister of Public Safety
Honourable Peter Mackay, Minister of Justice
Ian McPhail, Chair, Civilian Review and Complaints Commission for the RCMP

Civilian Review and Complaints Commission for the RCMP - Chair-Initiated Complaint and Public Interest Investigation into the RCMP's Response to the 2013 Flood in High River, Alberta
<https://www.cccc-cctep.gc.ca/en/chair-initiated-complaint-and-public-interest-investigation-rcmps-response-2013-flood-high-river>

**RCMP COMPLAINTS COMMISSION'S HIGH RIVER REPORT
A LESSON FOR POLICE & COMMUNITIES - HOW NOT TO ACT IN AN EMERGENCY**
By Dennis R. Young February 22, 2015
<http://canadafreepress.com/index.php/article/69956#disqus>