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Cst. Karen Anne Richardson

(Badge #46302) Dislikes Being Held Accountable for her Actions

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These links are provided to give you easy access to the original news story or other relevant information.

About two years ago a man contacted me to see if I could help him in his case against RCMP Constable Karen Anne Richardson. Cst Richardson arrested Rob on a charge of "*uttering threats*". That arrest stemmed from a telephone conversation Rob had with his ex-wife roughly 18 months prior to the night of his arrest.

Clearly, if Rob was such a threat to his ex-wife the RCMP would do something long before 18 months expired, right? Um... apparently not.

After reading his overview of his case I helped Rob set up a website where he could write about his experience. That website is **CreatingACriminal.com**.

Why this comes up this week is a rather amusing if slightly disconcerting story.

Constable Karen Anne Richardson doesn't like how she is portrayed in Rob's online book. She took such offense at his characterization of her and her actions in his case that she filed for an injunction to have the website taken down.

The court hearing for this injunction request took place on Friday, September 12, 2014.

Rob called me immediately following the court appearance to tell me the judge did not grant the injunction, as he found Rob's account of events credible, even if his grammar wasn't the greatest at times.

When I receive the full written decision I will delve more deeply into this case but until then I have only one thing to say to RCMP Constable Karen Anne Richardson.

If you don't want to be characterized as a police state thug then stop acting like one.

It's really that simple.

Yours in Liberty,

Christopher

In This Issue

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Court Decisions

Shooting Firearms in Rural Areas is Not "Inherently" Dangerous

R. v. Batty, 2014 ONCA 620 Heard: August 12, 2014

On appeal from the decision of the Summary Convictions Appeal Court dated December 17, 2013 by Justice Paul J. Henderson of the Superior Court of Justice, dismissing the appeal from the conviction entered on January 29, 2013 and the sentence imposed on March 26, 2013 by Justice Michael P. O'Dea of the Ontario Court of Justice, sitting without a jury.

ENDORSEMENT

[1] The appellant seeks leave to appeal from the decision of a summary conviction appeal judge upholding his conviction for careless use of a firearm. If leave is granted, he submits that the conviction should be set aside on the ground that the facts as found by the trial judge are incapable of reasonably supporting the inference that his use of the rifle was necessarily careless.

[2] The appellant resides in a rural area. The trial judge found that he led a wandering dog to another property across the road, and fired the gun to scare the dog. The trial judge made no findings as to the manner in which the rifle was fired, as he concluded that witnesses who heard the shot did not see the gun fired. He concluded that the location of the shot, beside the road and in close proximity to neighbouring inhabited properties, was inherently dangerous, particularly given that the purpose of the shot was to scare the dog.

[3] The summary conviction appeal judge upheld this conclusion, holding at para. 22:

He correctly applied the objective test to the circumstances of the case. Viewing the incident from the eyes of a reasonably prudent person, there is no doubt the discharge of the gun jeopardized the safety of anyone in the area. The fact that the incident occurred in a rural area does not of itself alleviate the appellant's responsibility to use due care and attention. That there were no witnesses to the discharge does not mean the trial judge cannot consider all of the circumstances. As he wrote, on the facts, the discharge was inherently dangerous. He can draw reasonable inferences from the circumstances and I find the inferences he drew were reasonable.

[4] The appellant testified that he was experienced in the use of firearms and that he routinely shot "weasels, rats and vermin" to keep them away from his chickens. He denied firing a gun at all on the occasion alleged by the prosecution, but this evidence was rejected.

[5] In our view, the trial judge and the summary conviction judge both erred in concluding that firing a shot in this rural environment, whatever the manner in which the shot was fired, necessarily amounted to a marked departure from the conduct of a reasonable person. The generality of the findings supporting the conclusion that the use of the rifle was careless may have broader significance relating to permissible farm practices, and we grant leave to appeal.

[6] Absent any finding as to the manner in which the rifle was used or the trajectory of the projectile, there may have been any number of ways in which the shot could have been fired which might have posed no risk to others, and the conviction cannot be sustained. This is not a situation like a shooting in a shopping mall, which would be inherently dangerous. While this court cannot "revisit factual findings or correct errors of mixed fact and law" (**R. v. R.R., 2008 ONCA 497** (CanLII), 2008 ONCA 497, 234 C.C.C. (3d) 463 at para. 24), an absence of findings capable of supporting guilt amounts to an error of law (**R. v. Seath, 1999 ABCA 347** (CanLII), 1999 ABCA 347, [2000] A.W.L.D. 93 at para 28 referring to **R. v. Schuldt, 1985 CanLII 20 (SCC)**, [1985] 2 S.C.R. 592, [1985] S.C.J. No. 76 at 599).

[7] There was some evidence upon which findings might have been made as to the manner of use of the rifle and whether it was safe. A new trial is therefore required.

[8] Given these conclusions, it is not necessary to consider the appeal from sentence. Accordingly, the appeal is allowed, the conviction for careless use of a firearm is set aside, and a new trial is ordered.

"Robert J. Sharpe J.A.", "Janet Simmons J.A.", "G. Pardu J.A."

Privacy Rights

Apple Watch: An NSA Tracking Device for the Upper Middle Class

Dr. Gary North has a great sense of humour. He also has a great sense of sarcasm. What's best about Dr. North, however, is his outright despising of the Surveillance State.

He recently penned a short piece on the Apple Watch:

> Every year, Apple comes up with a new tracking device. This year, it came up with two: the new, improved iPhone 6 and Apple Watch.
>
> Think of the product line as NSA Watch.
>
> What will the NSA watch? Everyone who wears an Apple Watch.
>
> This technology is revolutionary. Anyway, that's what the media think. That's also what the NSA thinks.
>
> Americans can't wait.
>
> We have all seen those law-and-order shows where criminals are required to wear tracking devices strapped permanently to their legs. Now, the devices are far more stylish. They also offer neat, free apps.

Even the Huffington Post took aim at the surveillance device:

> There's a scary feature on the Apple Watch that no one seems to be talking about.
>
> In its elaborate press conference on Tuesday, complete with an announcement from U2 and a slew of celebrity guests, Apple unveiled its first line of wearable technology. The Apple Watch, which has plenty of apps that can monitor your fitness and even act as a credit card, has one feature that could pose some serious privacy concerns.
>
> One of the watch's features allows users to display a live preview of what your iPhone is shooting in real-time. Although the preview could be useful when snapping a posed photo with a friend, it could easily serve as a surveillance device if the subject is unaware of the iPhone filming them.

Oddly, Fox News chose to completely ignore the invasive technology, opting to trash high-end watchmakers for not being cool enough instead.

> The arrival of Apple Watch early next year will send shockwaves through the watchmaking industry, experts predict, forcing some big-name manufacturers to rethink their strategies.
>
> Companies that build watches costing $500 or less, such as Fossil, Movado, Suunto, and Casio, are now under real pressure, according to Benjamin Clymer, executive editor of wristwatch magazine Hodinkee.

So the left-wing Huffington Post trashes spy technology but right-wing Fox News ignores it?

Did the world turn upside down while I slept last night???

Privacy Violations

Your Right to Privacy Denied by a Contract You Never Entered Into

Do you, as the recipient of a package shipped by another party, have any right to privacy and protection from unreasonable search and seizure?

The British Columbia Court of Appeal says unequivocally NO!

R. v. Godbout, 2014 BCCA 319

> *An accused was found guilty of two counts of possession of controlled substances for the purpose of trafficking pursuant to the Controlled Drugs and Substances Act when government authorities were able to intercept a package mailed to him through DHL. On appeal, the accused argued his s. 8 Charter rights were breached as he had a reasonable expectation of privacy in the package, the search of the package was unreasonable, and the evidence would not have been admissible under s. 24(2) of the Charter.*
>
> *Held: Appeal dismissed. The sender of the package entered into a contract with DHL providing DHL and government authorities the right to inspect the package at any time. The accused, like the sender, did not have a reasonable expectation of privacy in the contents of the package.*

Note that it is the SENDER of the package who entered into a contract with DHL, NOT the recipient, yet it is the recipient who is stripped of their Right to Privacy by a contract they never entered into and had no knowledge of.

> *[27] DHL accepted the package for delivery pursuant to that specific term. I agree with the Crown's submission that that clause negated any objectively reasonable expectation of privacy that either Mr. Calkins or the appellant could assert. The recipient could not have a greater expectation of privacy than the sender. The fact that the appellant may not have known of the terms of shipment does not make his subjective expectation objectively reasonable.*
>
> *[28] In the circumstances of this case there is no support for the appellant's assertion of a reasonable expectation of privacy in the package and its contents during the period between the delivery of the box to DHL and the controlled delivery to the appellant. The police did not breach his constitutionally protected privacy rights by taking custody, from the shipping company, of an opened package that contained 535 grams of cocaine shipped by a third party under a contract that expressly authorized both the carrier and the governmental authorities to open the package, because the appellant had in the circumstances no such rights.*
>
> *[29] The privacy interest asserted by the appellant is not objectively reasonable. As there was no reasonable expectation of privacy, it is not necessary to answer the second question of whether any search or seizure was unreasonable.*
>
> *[30] Similarly, as there was no breach of the appellant's s. 8 Charter rights, it is unnecessary to address the s. 24(2) ground of appeal.*

Forget about the drugs contained in this shipment. That doesn't matter in the broader scope of privacy rights. If you have "*no reasonable expectation of privacy*" when someone ships something to you a package it doesn't matter what the contents are.

Should you read books the government deems unacceptable you would be in precisely the same position as young Mr. Godbout.

If we can be stripped of our Right to Privacy by contracts we did not sign, did not enter into and did not even know existed then our Right to Privacy simply doesn't exist.

This is a dangerous precedent to set and I would hope this case is appealed to the Supreme Court.

If this precedent is allowed to stand, and even if it is ultimately challenged and overruled, I have only one thing to say to anyone shipping anything anywhere:

Do Not Use DHL Express. They do NOT respect your right to privacy.

Civil Asset Forfeiture

Asset Forfeiture, Especially of One's Home, Should Not Be Automatic - Court Decision

Alberta (Minister of Justice and Attorney General) v Kouch, 2014 ABCA 215 (Download PDF)

[3] The hearing judge identified the two central issues as (1) whether the house was used as an instrument of illegal activity; and (2) whether she should refuse to order forfeiture. The first issue was resolved by reference to the appellant's guilty plea. The second required her to consider the latitude afforded her by the Act in deciding whether to order forfeiture or to grant relief therefrom. It also required her to consider the appellant's arguments for granting relief from forfeiture.

[4] Referring to this Court's decision in Alberta (Minister of Justice) v Sykes, 2011 ABCA 191 at para 17, 505 AR 380, the hearing judge observed that the decision to order forfeiture (or, conversely, to grant relief from forfeiture) is discretionary. She noted that, in Sykes, which concerned a vehicle that was used in a drug transaction, four factors were identified as relevant to the exercise of that discretion:

(1) The value of the property relative to that of the drugs (in Sykes, the value of the vehicle was "vastly greater" than that of the drugs);

(2) Whether the property had been acquired from profits earned by selling drugs (in Sykes, it had not);

(3) The likelihood that the respondent would continue to use the property for criminal activity (in Sykes, the evidence was that he would not do so); and

(4) The role the property played in the commission of the underlying criminal offence (in Sykes, it was "incidental" to the offence, since the court in that case had accepted the respondent's evidence that he normally sold drugs "on foot", and had only used the vehicle on one occasion while driving to work).

[5] The hearing judge held [..] the appellant had not met the burden of justifying relief and ordered forfeiture of the residence to the Minister, after a three-month grace period.

[12] Section 51 of the Act specifically provides that the Rules and the "laws of evidence" apply to proceedings under the Act, except as otherwise provided in the Act or its Regulations. We appreciate that section 52 relaxes the rules of evidence to the Minister's benefit by permitting evidence based on information and belief. That does not, however, mean that the remaining procedural or evidentiary requirements carry less force. Far from it. Forfeiture to the state of a citizen's rights in her property, particularly when it is her dwelling place, calls for scrupulous adherence to all applicable procedural and legal requirements: Alberta (Justice and Attorney General) v Echert, 2013 ABQB 314 at paras 34-40, 563 AR 74; Alberta (Justice and Attorney General) v Cardinal, 2013 ABQB 407 at para 72, 565 AR 271.

[13] This does not mean that dwelling places are beyond the reach of the Minister's powers under the Act. Had the crop value and profitability been established on admissible evidence that conformed to the requirements of the Rules of Court, the hearing judge's decision to issue a property disposal order would have been, on the applicable standard of review, owed deference. The appellant appeared before the hearing judge with unclean hands, having not only converted or allowed the conversion of her basement for the production of marijuana, but also having given false testimony about how that conversion came about.

[14] Questions relating to admissibility of evidence are, however, reviewed on the standard of correctness: R v Fletcher, 2013 ABCA 74 at para 7, 542 AR 367. In our respectful view, it was an error to admit this evidence and consequently to rely upon it to determine the value of the drugs relative to the property. As it comprised the entirety of the evidence before the hearing judge on that issue, and as her conclusion on that issue was one of only two factors which she identified as weighing in favour of forfeiture, the decision refusing relief from forfeiture cannot stand.

IV. Conclusion

[15] The appeal is allowed, and the property disposal order is vacated.

Firearm Politics

What Do Canadians Know About Needing Guns Anyway?

by David Martin, Huffington Post

With the recent gun mishap involving a nine-year-old girl accidentally killing a gun instructor in Arizona with an Uzi, some Canadians are becoming a bit too sanctimonious about the matter of gun control.

I'm sure you've heard the comments: "Those Americans are crazy", "That would never happen in Canada" and "What's an Uzi?" But I think those comments are getting out of hand and I'm not just saying that because I often visit the U. S. and don't want to incite any Americans I might encounter who happen to be packing heat.

Like the U.S. Supreme Court, I, too, have jettisoned the silly view that the right to bear arms was somehow connected to the necessity of a well regulated militia. As far as I'm concerned, if five out of nine Supreme Court justices say there's an individual right to possess and carry firearms then who am I to say differently? Especially if those five now see fit to carry concealed weapons under their judicial robes.

I think it makes perfect sense to allow folks to carry loaded guns around with them wherever they might be even if it's in a bar, a restaurant or a church. You just don't know when some nut with a gun is going to start firing and you don't want to be caught unarmed when it happens.

Canadians can seem awfully smug about this matter especially when we say that we generally don't allow folks to walk around with loaded weapons which we then claim explains the much lower murder rate in our country. Balderdash, I say.

As far as I'm concerned, that lower murder rate is just pure, dumb luck and once it becomes common knowledge that most Canadians are unarmed, you can bet your last dollar that criminals with guns are going to take advantage of that situation.

Now that I know how things work in the U. S., I'm happy to patronize public establishments frequented by customers and staffed by workers who have loaded weaponry on them. Wouldn't you feel safer sitting down to a nice steak dinner knowing that all the servers and probably half the customers have got your back?

I think Canadians have just been extremely lucky so far to have made it through years of fine dining with only the occasional death from inadvertent choking or food poisoning.

In fact, I wholeheartedly support any measures that expand and clarify the right to bear arms. Until the entire citizenry is armed 24/7, I don't see how anyone can feel safe. I don't think this necessarily entails giving everyone an Uzi but surely it's not a big deal to ensure that everyone has at least a handgun or even a stylish little purse-size Derringer.

So don't listen to those holier-than-thou Canadians who deride America's national obsession with firearms. Let's face it; when six months out of our year is winter and we're bogged down with parkas, scarves and mitts, there aren't going to be a lot of shootings anyway so what do we know about needing guns?

Who are we to say the U. S. has got it wrong? If you've got a gun, strap it on and, if you don't, shame on you. Maybe it's even time for a new version of the Second Amendment saying that it's not only one's right to bear arms but also one's responsibility and if you choose not to do so you could be the criminal. I'm not saying it would then be open season on such folks. I leave that decision up to our southern neighbours and the U. S. Supreme Court.

Court Decisions

Barbra Schlifer Commemorative Clinic v. Canada, 2014 ONSC 5140

Barbra Schlifer Commemorative Clinic loves Canada's gun registry. They misguidedly believe it will somehow save the lives of women despite its data being so corrupted (i.e. incorrect) that it cannot be used in a court of law.

At the behest of Windy Wendy Cukier the Barbra Schlifer Commemorative Clinic went to court to try saving Canada's gun registry from its much-deserved garbage bin by making the claim that disposing of the gun registry discriminated against women.

> [1] In April 2012, Parliament passed Bill C-19, An Act to Amend the Criminal Code and the Firearms Act, S.C. 2012, c. 6 (the "Act"). The effect of this legislation was, inter alia, to keep intact the existing licensing requirements and various prohibitions on the use of firearms, but to repeal the long-gun registry system that had since 1995 required, on threat of criminal sanctions, the registration of non-restricted firearms.
>
> [2] The Applicant challenges the constitutionality of the Act. It submits that by eliminating the requirement of registration for non-restricted firearms, the Act is contrary to section 7 (fundamental justice) and section 15 (equality rights) of the Canadian Charter of Rights and Freedoms, part I of the Constitutional Act, 1982, being Schedule B to the Canada Act 1982 (UK), 1982, c. 11 (the "Charter").
>
> [3] The Respondents, Her Majesty The Queen In Right of Canada as represented by the Attorney General of Canada, the Commissioner of Firearms, and the Registrar of Firearms (the "Crown"), oppose the Application. The Respondent, the Chief Firearms Officer ("CFO"), makes limited submissions with respect to his role in regulating firearms, but otherwise takes no position on the constitutional challenge.
>
> [4] In my view, the Supreme Court of Canada's observation in R v Malmo-Levine, [2003] 3 SCR 57 about the power of the federal legislature to define the substantive content of criminal law is apt. As the Court put it, at para 140, "Parliament may, as a matter of constitutional law, determine what is not criminal as well as what is" [emphasis in the original]. Just as Parliament could decide that "[firearms] control falls within the criminal law power", Reference re Firearms Act (Canada), 2000 SCC 31 (CanLII), [2000] 1 SCR 783, at para 45, Parliament can decide that the registration scheme for non-restricted firearms falls outside of the criminal law and should be eliminated.

It's a stupid argument and one they rightfully lost. Not only did they lose, they now get to pay the court costs of the government. Now that is poetic justice if I ever heard it! :)

> [138] The Application is dismissed.
>
> [139] Counsel may make brief written submissions as to costs.
>
> [140] I would ask that counsel for the Crown provide me with their submissions within two weeks of the date that these reasons are released. If counsel for the Chief Firearms Officer wishes to make submissions, he should likewise provide those within two weeks. I would ask that counsel for the Applicant provide me with their submissions within three weeks of the date of these reasons.

The **entire decision is well worth reading**, but here is the section dealing directly with the claim of discrimination against women.

> [110] Even if the Act were found to create a distinction in its treatment of men and women, the Applicant would have to show it to be a discriminatory distinction in order to make out an equality rights case. This would entail an analysis of whether the Act perpetuates disadvantage or stereotyping of women: Withler, at paras 35-36.
>
> [111] As indicated, this assessment of the legislation must be "not formalistic, grounded in the actual situation of the group and the potential of the impugned law to worsen their situation": Ibid., at para 37.

It must, in other words, pursue "a contextualized understanding of a claimant's place within a legislative scheme…" Ibid., at para 65.

[112] In order to be contextualized, the impugned Act must not be disembodied from the larger legislative context of the Firearms Act of which it is part. Since the Act amends a pre-existing piece of legislation, the question of whether it is discriminatory must be answered by examining the remaining post-amendment legislative scheme.

[113] As already noted, the government has pursued a multi-faceted approach to the control of firearms and violence. Counsel for the Crown submits that the Minister of Public Safety and his Parliamentary Secretary have identified "(1) smart prevention; (2) effective policing; and (3) tough and effective laws, including sentencing laws that deter crime and tougher bail provisions for those who use weapons in the commission of a crime". See Hon. Vic Toews, House of Commons Debates, No. 37 (October 26, 2011), at p. 2534; Candace Hoeppner, MP, House of Commons Debates, No. 146 (October 27, 2011), at p. 2576.

[114] The post-amendment Firearms Act has numerous provisions that remain intact that are designed to ameliorate the circumstances of women who may be subject to intimate partner violence. These include licensing requirements for all firearms owners, spousal consent to all firearms license applications or renewals, spousal notification during the application process, mandatory safety training for firearms licensees, and continuous eligibility screening for firearms licensees. As the Parliamentary Secretary for the Minister has stated, these measures reflect the government's, and Parliament's, carefully considered policy choices for addressing the problem of domestic violence: Candace Hoeppner, MP, House of Commons Debates, No. 146 (October 27, 2011), at p. 2576.

[115] Each of these parts of the overall legislative package is specifically designed with a view to the risk factors that have been identified by Parliament. In its totality, it is a scheme that the Crown describes as "address[ing] the circumstances of women, while at the same time seeking to reduce other types of harm from firearms that primarily affect other groups." It neither stereotypes women nor increases any disadvantage or risks which they already suffer; rather, it seeks a balance between criminal law sanctions, regulatory restrictions, and facilitation of police work that is geared toward violence reduction.

[116] The context of crime and violence reduction is a complex one, involving intertwined considerations of resource allocation, economics, sociology, and criminology in order to be properly addressed. The Supreme Court of Canada observed in M v H, 1999 CanLII 686 (SCC), [1999] 2 SCR 3, at para 79, "[t]hese policy choices may be of the type that the legislature is in a better position than the court to make, as in the case of difficult policy judgments regarding the claims of competing groups or the evaluation of complex and conflicting social science research."

[117] There are any number of ways to approach the problem of firearms violence, "and no certainty as to which will be the most effective": Canada (Attorney General) v JTI-Macdonald Corp., 2007 SCC 30 (CanLII), [2007] 2 SCR 610, at para 43. For this reason, "[t]he primary responsibility for making the difficult choices involved in public governance falls to the elected legislature and those it appoints to carry out its policies": Alberta v Hutterian Brethren of Wilson Colony, 2009 SCC 37 (CanLII), [2009] 2 SCR 567, at para 37.

[118] Given the nature of the subject matter and the indeterminacy of the evidence, the Act, taken in its full legislative context, does not create or perpetuate existing disadvantage or prejudice experienced by Canadian women. The Act is an amendment to an overall legislative scheme which has and is expected to continue to reduce firearms injury and death; as such it works to the advantage of women in all settings, including in situations of domestic violence.

[119] Accordingly, the section 15(1) standard for gender discrimination has not been met.

Liberty

Did Prime Minster Harper Sell Canadian Sovereignty to China?

Ever since September 2012, when news of Prime Minister Stephen Harper and Hu Jintao of China witnessing the signing of the Canada-China Investment Agreement in Vladivostok Russia, Green Party Leader Elizabeth May has been **raising the alarm about the threat to our sovereignty**, implicit in any such agreement.

Tabled in the House of Commons on September 26, 2012, quietly and without any briefings or news release, the treaty was never subjected to study in any committee, other than one hour before the trade committee.

Ratification involves a vote of Cabinet, not Parliament.

The treaty has been in a legal position for ratification since November 2, 2012.

> "As the months passed, I became more hopeful that more thoughtful and concerned members of Mr. Harper's own Cabinet were constraining the ratification," stated Green Party Leader, Elizabeth May.
>
> "The brave actions of the Hupacaseth First Nation in challenging the treaty in court also appeared to be delaying ratification. That court action is still unresolved. My fear is that the events of this summer, specifically the Communications Security Establishment Canada (CSEC) charging that China had hacked into the National Research Council database, created new pressures to repair the damaged relationship with Beijing in advance of Prime Minister Harper's visit to China. Rewarding the Peoples' Republic of China for hacking into our national research database is a double betrayal of our national interests."

Elisabeth May went on to say,

> "Once ratified, the Canada-China Investment Agreement will bind Canada, including future governments, for a minimum of 31 years. Unlike NAFTA, with an exit clause of 6 months' notice, this agreement, also called a FIPA (Foreign Investor Protection Agreement) cannot be exited for the first 15 years. After 15 years, either country can exit on one year's notice, but any existing investments are further protected for another 15 years. Despite some claims by other politicians that the treaty could be voided by a future government, that is not the case."
>
> "The only way to exit the treaty would be through negotiations with China in which the government in Beijing agrees. Unilateral withdrawal would trigger a multi-billion dollar claim by the Peoples Republic of China against Canada, with damages open to collection in one hundred countries around the world."
>
> "Cabinet's signing of this deal behind closed doors, instead of giving Parliament a say, is not just undemocratic in itself," added Deputy Leader Bruce Hyer.
>
> "It is also a profound attack of Canada's sovereignty as a nation, and an erosion of the rights of all Canadians to make democratic decisions about our economy, environment, and energy. The Conservatives have now allowed for secret tribunals that will work to re-write our laws in order to protect Chinese interests."

Green Party Elizabeth May concluded by saying,

> "This agreement will permit state-owned enterprises (SOEs) of the Peoples Republic of China to bring claims for damages against Canada for decisions taken at municipal, provincial or federal levels if those SOEs believe the decisions will harm their profits."
>
> "The arbitration process has been shown in countless decisions globally to generally favour the larger economy in the dispute. No Canadian company has ever won a chapter 11 (investor state) case under NAFTA against the US. US corporations have won and wrangled multi-million settlements repeatedly from Canada. I am certain no Canadian company will ever benefit from this agreement. But Canada will lose — not once but over and over again. If ratified this cements our relationship to the Peoples Republic of China as a compliant resource colony. I call on every Conservative MP to block this sell out."

Police Misconduct

Quebec City Police Thugs Drive Over Cyclist Twice, then Pin Him to Ground until Dead

News reports out of Quebec City are disturbing, to say the very least. Cops hit a cyclist, then backed up and drove over him a second time, according to witnesses to the horrific event. Once they finished driving over the poor man they piled out of their police cruiser and onto the critically-injured man who (I'm shocked!) died.

His dastardly crime?

He cycled the wrong way down a one-way street.

Hardly reason to kill a man, but today's police seem to believe even the slightest infraction is cause for a heavy-handed and thuggish police response.

> Quebec police are investigating witness claims that Quebec City police pinned a cyclist to the ground and continued with their arrest, even as blood poured from his mouth after their cruiser ran him over.
>
> Guy Blouin, 48, died Wednesday in the hardscrabble Saint-Roch district of the provincial capital.
>
> Witnesses say a cruiser that attempted to pull over Blouin, going the wrong way down a one-way street just after 1 p.m., instead ran him over.
>
> "He went under the wheels," said Bibi, who would only give her first name. She said the cruiser then shifted into drive and ran Blouin over a second time.
>
> Witness Sylvie Dion described a "rough arrest" in which officers pinned Blouin to the ground by both of his arms.
>
> Bibi added: "I saw the blood coming out of his mouth, he shouted 'I'm hurt.'"
>
> The witnesses also said officers walked the man to an ambulance as he was doubled over in pain.
>
> Blouin died a few hours later.

The Surete du Quebec will now investigate Guy Blouin's death and will undoubtedly come to the "correct" conclusion... that it was Blouin's actions that caused his untimely demise, not the overboard acts of a couple of police state thugs.

Why do I say that?

Here is the official position of the Surete du Quebec on the issue:

> Sgt. Ann Mathieu of the SQ would not confirm the witness accounts, but said that investigators are considering them as possible hypotheses.

What is even more disturbing than the fact they drove over a man twice and then killed him is that they moved both their police cruiser and the crushed bicycle before investigators arrived on scene.

If your actions were correct, why destroy all evidence of that?

Sadly, I fear the answer to that question will never be answered.

What happened to those protesting the death of a cyclist at the hands of Quebec City Police? Why they were arrested, of course!

How dare you criticize our murdering Police State Thugs...

Government Accountability

Nova Scotia's Premature Action on Fracking

By Kenneth P Green, Senior Director, Natural Resource Studies at The Fraser Institute, via Troy Media

Nova Scotia's government recently announced it would table legislation to establish a moratorium on the practice of hydraulic fracturing (or "fracking") for the production of natural gas in the province. The ban, which follows a lengthy report on the safety of hydraulic fracturing, is indefinite, but not permanent. (One is reminded of the saying that there is nothing more permanent than a temporary tax.).

Nova Scotia's Energy Minister Andrew Younger suggests Nova Scotia's gas resources (and investor interest) are limited, concluding there's little downside to the ban. Others disagree with the minister's estimate of potential frackable fuels in Nova Scotia. The U.S. Energy Information Administration estimates that Nova Scotia has "In place" reserves of shale gas amounting to some 17 trillion cubic feet, with 3.4 trillion currently defined as recoverable. That's not going to blow Alberta or B.C.'s reserves out of the water, but it's nothing to sneeze at either.

What's more interesting, about the ban, is how little support it has even from two highly precautionary groups that have reviewed the safety of hydraulic fracturing in Canada. Most proximal to the ban would be the report by the **Nova Scotia Independent Panel on Hydraulic Fracturing** which observes (p. 308, emphasis mine):

> *Consistent with the analyses of the report of the Chief Medical Officer of New Brunswick (Cleary, 2012), a review by Public Health England (Kibble et al., 2014), a report by the European Parliament (2011) and the Report of the Council of Canadian Academies (2014), we noted that a number of the potential long-term and cumulative public health impacts of hydraulic fracturing and its associated activities and technologies are simply unknown at the present time. However, there is currently no evidence of catastrophic threats to public health in the short-to-medium term that would necessitate the banning of hydraulic fracturing outright.*

The report by the **Canadian Council of Academies** referenced in the Nova Scotia report also took a comprehensive look at the risks of fracking, and although the report was not supposed to include actual policy recommendations, this paragraph from its conclusions certainly suggests "proceed with caution" rather than "do not proceed (p 219):"

> *There can be advantages in the "go slow" approaches taken in the eastern provinces of Canada and in Europe (e.g. Germany) allowing additional data collection and integration of multidisciplinary expertise. There are similar advantages in identifying areas that are too environmentally vulnerable to develop. Given the magnitude of the research needs, strong collaborations involving industry, government, and academia will be necessary. However achieving public trust in the results will require a high degree of independency of the researchers, transparency, and effective communications.*

More crucially, the Council points out, adaptive learning, which requires progress, is better than a prescriptive moratorium:

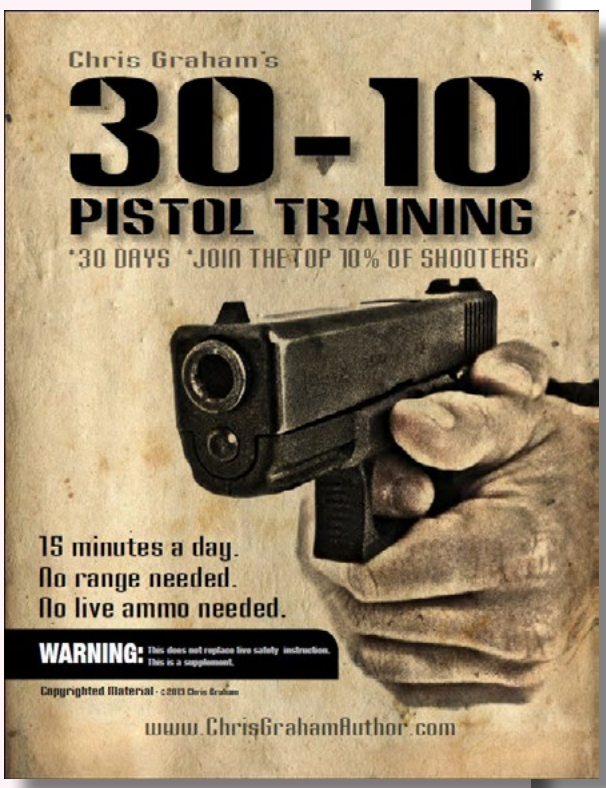
> *It is evident that more science is needed on which to base regulations, and that such regulations will only be effective if they are informed by timely monitoring and enforced rigorously. Given the current knowledge gaps, a science-based, adaptive, and outcomes-based regulatory approach is more likely to be effective than a prescriptive approach, and is more likely to result in an increase in public trust. The principles of such an approach are well-known and can be found in many existing management systems.*

It's hard to see how one engages in strong collaborations between industry, government, and academia when one has banned an activity. Further, it's hard to see how one engages in a "science-based, adaptive and outcomes-based regulatory approach" when one starts from a position of "No."

No reasonable person would dismiss the risks of hydraulic fracturing for gas and oil out of hand. The processes certainly have the potential to cause a variety of environmental ills if done improperly. However, no rational person would fail to understand that Canada's economic wellbeing is tied to the production of fossil fuels, particularly clean-burning natural gas. Instituting a moratorium may please some political constituencies in Nova Scotia but we should not be fooled into thinking it will make Nova Scotians any safer. Only that much poorer.

Firearm Training

How to Out-Think, Out-Shoot and Prevail on the Street, in Combat or Self-Defense



If your "pucker factor" doubled over this email's subject line, don't worry... you're not alone.

The debate over "how big should your bullet be" has been raging since Cain was deciding on whether to use a small rock or a big rock to kill Able. :-)

So, what's the answer?

Former Force Recon Marine and creator of the "30-10" at-home pistol course, Chris Graham, shares a story in 30-10 from a US Navy SEAL friend of his, named "Monkey".

http://readthis.rightsandfreedoms.org/marine-pistol-training

Monkey was teaching a class of Federal Law Enforcement Agents and said that statistics prove out that the majority of people who are shot with a handgun (of ANY caliber) survive...

... but 100% of the ones "HE" shot with a 9mm are dead!

Now if you just read that the "9mm is the best caliber", that's NOT what he's saying, so let me translate...

Stats show that the majoirty of people shot with a 9mm lived... but those that faced Monkey with a "9", are dead.

This just illustrates the fact that the question of which caliber is best is usually the wrong question.

Your ability to put thug-stopping rounds into your attacker has a MUCH bigger impact than the caliber of ammo you're using.

Unfortunately, most gun owners aren't able to shoot as accurately "in combat" as they are down at the range.

Chris' 30-10 at-home pistol training course was developed for Marine anti-terrorists... but it's also ideal for anyone if you're protecting yourself and loved ones with a gun.

Check it out here => http://readthis.rightsandfreedoms.org/marine-pistol-training

Chris isn't your average instructor. He provides advanced weapons and tactics training to personnel from USG (US Government) agencies prior to deployment to high-threat zones.

More than that, he's one of a relatively small group of guys who actually goes downrange and provides sustainment training to them while they're in high threat zones.

* If you're an instructor - Chris is one of the guys who you want to be picking stuff up from to use in your own classes.

* If you're a shooter - Chris is an instructor who is teaching based on first hand experience downrange against determined attackers. His teaching isn't stuff that worked 5, 10, or 15 years ago...it's stuff that he or his students have more than likely used in the last few months, weeks, or even days in real life encounters.

I want to encourage you to check out this course now by going here...

http://readthis.rightsandfreedoms.org/marine-pistol-training

I don't know about you, but I'm ALWAYS looking for more and more advanced pistol training programs and Chris' is a great find!

I promise it will help you stop a threat whether it's a 9, .38, .357, .40, .45, .22, etc. coming out the end of your barrel.

Firearm Legal Defense

Police Can and Will Charge You Even When You Haven't Broken Any Firearm Law

Police are now laying charges in situations that most hunters believe is safe storage.

Mr. Hunter took several guns with him hunting. He kept them in his pickup bed. The guns were cased, covered, but not trigger-locked and not in locked hard cases. Ammunition was carried in the bed and in an unlocked box. The pickup bed was covered with a locked cap, bolted down and an additional wire and lock held the cap door closed in addition to a lock. Mr. Hunter slept in a hotel. During the night thieves broke the cap door off at the hinges. The lock held fast and two guns were stolen.

The police arrested the thieves, impounded Mr. Hunter's truck without a warrant and seized his remaining guns and ammunition. Mr. Hunter faces criminal charges of unsafe storage of guns and ammunition and unsafe transportation for leaving his guns unattended. The police say he should have had trigger locks or locked hard cases and the ammunition should have been in a locked box.

This may sound ridiculous to you. Mr. Hunter has a good defense and should be found not guilty. The police say "let the judge decide".

Mr. Hunter's guns are seized until trial. He must hire a lawyer and travel from home to the court where the theft took place. The trial will be nine months after his truck was broken into. This is not fair but it is true. This happened in September 1998. Names are changed, the essential facts are true.

Protect yourself from this type of police harassment. If you leave your gun in your vehicle, trigger lock it, action lock it or take the bolt out and lock the bolt up. Keep your ammunition in a locked box. This is beyond what the law requires but do this to avoid becoming a test case for the police to see how far they can push the law.

Every year over 3,500 Ontario residents are convicted of unsafe storage. Many are innocent but they do not fight a wrongfully laid charge. Most charges can be fought.

Do not plead guilty. Do not surrender your rights without a fight. **Do not make statements to the police** after arrest. **Call a lawyer, get advice.** Better yet, put an extra trigger lock on your gun and a lock on your ammo box. That is a lot cheaper than a lawyer.