

No. 195321  
Surrey Registry

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA

IN THE MATTER OF A SEALING ORDER GRANTED AUGUST 18, 2012 BY JUDICIAL  
JUSTICE H.W. GORDON IN POLICE FILE NUMBER 2012-6027 PURSUANT TO  
SECTION 487.3 OF THE *CRIMINAL CODE* OF CANADA

between

R.

Respondent

and

BRITISH COLUMBIA CIVIL LIBERTIES ASSOCIATION

Applicant

and

POSTMEDIA NETWORK INC. D.B.A. THE VANCOUVER SUN,  
POSTMEDIA NETWORK INC. D.B.A. THE NATIONAL POST and  
THE CANADIAN BROADCASTING ASSOCIATION

Applicants

AFFIDAVIT OF AMARJIT (DAVID) CHAUHAN

I, Amarjit (David) Chauhan, of Surrey, British Columbia, SWEAR THAT:

1. I am a sergeant with the Royal Canadian Mounted Police ("RCMP") assigned to the E Division Major Crime Unit. I have personal knowledge of the facts and matters deposed to except where stated to be based on information and belief and where so stated I verily believe such information to be true.
2. On August 18, 2012, Judicial Justice H.W. Gordon issued a search warrant (the "Warrant") under s. 487 of the *Criminal Code* to enter premises and to search for certain things in the context of Surrey RCMP Police File number 2012-6027.
3. On the same date, Judicial Justice H.W. Gordon made an order (the "Sealing Order") pursuant to section 487.3 of the *Criminal Code* that all records relating to the

Warrant, including the materials in support of the application (the "Sealed Materials") be sealed and kept in a secure place within the Surrey Court Registry located at 14340 57<sup>th</sup> Avenue, Surrey, British Columbia, until further ordered by this Court.

4. On August 18, 2012, the Warrant was executed.

5. Attached to my Affidavit and marked as **Exhibit "A"** is a true copy of the Sealed Materials, from which certain information has been vetted. The RCMP does not oppose the granting of an order varying the Sealing Order so as to allow public access to the Sealed Materials, in vetted form, as they appear at Exhibit "A" to my affidavit.

6. In the paragraphs of my affidavit that follow, I have described the information vetted from Exhibit "A", as well the bases upon which I believe that information should be withheld from public disclosure.

7. **Warrant to Search:** the vetted information consists of a member of the public's private information, namely the residential address at which the Warrant was executed. This information should be vetted as it is private information.

8. **Pages 2-3 of the Information to Obtain ("ITO"):** the vetting on these pages, which consist of a Table of Contents, are consequent upon the vetting effected in the body of the Information to Obtain, as detailed below.

9. **Page 4, paragraph 3c.(a) of the ITO:** the vetted information consists of a member of the public's private information, namely the residential address at which the Warrant was executed. This information should be vetted as it is private information.

10. **Page 5-6, paragraph 9 of the ITO:** the vetted information consists of a member of the public's name. That individual provided information to police on the assurance of confidentiality. On September 14, 2012, Cpl. Greg Berezowski spoke to this person. Cpl. Berezowski informed me, and I believe, that this person said that public disclosure of his identity in the context of the ITO would cause him significant hardship. In particular, the person advised Cpl. Berezowski that such disclosure would "ruin his life" as it would negatively impact his family relationships and financial situation.

11. **Pages 6-7, paragraph 13 of the ITO:** the vetted information consists of the address referred to at paragraphs 7 and 9 of my affidavit as well as information with respect to an ongoing police investigation by the New Westminster Police Department. The basis upon which I believe the latter information should be withheld from public disclosure is set out in paragraph 35 of my affidavit.

12. **Pages 8-9, paragraph 19 of the ITO:** the vetted information consists of information provided by a confidential informant on condition of anonymity. That person is referred to as Informant A in the ITO, and in my affidavit. Through my training and experience as a member of the RCMP, I have learned that seemingly innocuous information, including details of the information provided, or when and where it was provided, may allow an informant to be identified. The vetted information in this paragraph contains details and information that, if disclosed, would implicitly allow Informant A to be identified. In particular, there is information otherwise available to some members of the public that, if compared to the vetted information in these paragraphs, would likely identify Informant A.

13. **Page 9, paragraph 20 of the ITO:** the vetted information consists of the name and other identifying information of a member of the public who provided information to police. In her dealings with the police, this person has made clear her desire to protect her privacy and confidentiality. On September 14, 2012, Cst. Danielle Pollock spoke to this person. Cst. Pollock informed me, and I believe, that this person said that public disclosure of her identity in the context of the ITO would cause her significant hardship. In particular, this person said that such disclosure would have a significant negative impact on her personal life and relationships, and take an emotional toll on her.

14. **Page 9, paragraph 21 of the ITO:** the first vetted sentence in this paragraph sets out information in relation to the ongoing police investigation referred to at paragraphs 11 and 35 of my affidavit. The second vetted sentence consists of information that, if disclosed, would identify the person referred to in paragraph 13 of my affidavit.

15. **Pages 9-10, paragraph 22 of the ITO:** the vetted information consists of the name of the person referred to in paragraph 10 of my affidavit.

16. **Page 10, paragraph 25 of the ITO:** the vetted information consists of the name and other identifying information of a member of the public who provided information to police. In her dealings with the police, this person has made clear her desire to protect her privacy and confidentiality. On September 17, 2012, Cpl. Greg Berezowski spoke to this person. Cpl. Berezowski informed me, and I believe, that this person said that public disclosure of her identity in the context of the ITO would have a detrimental impact on her family relationships, including minor children, and charity work.

17. **Page 11, paragraph 26 of the ITO:** the vetted information consists of two members of the public's names. One of those individuals is the person referred to at paragraph 16 of my affidavit. The other person is a person identified by other witnesses as having posed in bondage, domination and sado-masochism ("BDSM") themed photographs with Corporal James Brown of the RCMP ("Cpl. Brown"). The RCMP has made efforts to contact this person. However, we have as yet been unable to contact her. I believe that public disclosure of her identity in the context of the ITO may cause her hardship.

18. **Page 11, paragraph 27b. of the ITO:** the vetted information contains details and information that, if disclosed, would implicitly allow Informant A to be identified, for the reasons set out in paragraph 12 of my affidavit.

19. **Page 13, paragraph 33 of the ITO:** the vetted information consists of the name of the person referred to in paragraph 13 of my affidavit.

20. **Pages 13-18, paragraphs 34-40 of the ITO:** the vetted information consists of dates and times upon which Informant A provided information to the police, as well as details of the information provided to the police by Informant A. Disclosure of this information would implicitly identify Informant A, for the reasons set out in paragraph 12

of my affidavit. Further, the vetted information contains identifying information with respect to the person referred to at paragraph 13 of my affidavit.

21. **Page 19, paragraph 42 of the ITO:** the vetted information consists of identifying information in relation to Informant A, including dates and number of instances upon which he/she has provided information to police, and information with respect to his/her criminal history. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

22. **Pages 19-20, footnote 3 and paragraphs 43-44 of the ITO:** the vetted information consists primarily of the name and other identifying information of the person referred to in paragraph 13 of my affidavit. Information which would implicitly identify Informant A is also vetted, for the reasons set out in paragraph 12 of my affidavit.

23. **Page 20-21, paragraph 45b., c. & d. of the ITO:** the vetted information consists of sensitive personal information provided to police by Cpl. James Brown. The information in question does not pertain to Cpl. Brown's actions or behaviour while on duty, or his responsibilities as a member of the RCMP. The information relates to Cpl. Brown's personal life and I believe that public disclosure of this sensitive personal information would cause Cpl. Brown hardship should it be publically known.

24. **Page 21, paragraph 45e. & g. of the ITO:** the vetted information references certain details of the information provided to the police by Informant A. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

25. **Page 21, paragraph 45h.(a)-(b) of the ITO:** the vetted information references certain details of the information provided to the police by Informant A. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

26. **Page 22, paragraph 46 of the ITO:** the vetted information consists of the name of the person referred to in paragraph 13 of my affidavit.

27. **Page 23, footnote 5 of the ITO:** the vetted information references information provided to the police by Informant A. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

28. **Page 24-25, paragraphs 54-55 of the ITO:** the vetted information references information provided to the police by Informant A. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

29. **Page 25, footnote 9 of the ITO:** the vetted information consists of the name of the person referred to in paragraph 10 of my affidavit.

30. **Page 25, footnote 10 of the ITO:** the first redaction consists of the name of the person referred to in paragraph 10 of my affidavit. The second redaction references information provided to the police by Informant A. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

31. **Pages 25, footnote 11 of the ITO:** the vetted information consists of the name of the person referred to in paragraph 16 of my affidavit.

32. **Pages 25-26, paragraph 56b., d., g. & footnote 12 of the ITO:** the vetted information consists of the names and other identifying information of the persons referred to at paragraphs 10, 16 and 17 of my affidavit.

33. **Page 26, paragraph 56k. of the ITO:** the vetted information consists of the name and other identifying information of the person alleged to have been the photographer for torture themed photographs which were wrongly identified in the public domain as involving Cpl. Brown. There is insufficient information at this time to confirm whether this person was in fact the photographer in question. In the circumstances, I believe that

public disclosure of this person's name in the context of the ITO may cause him hardship.

34. **Page 28, paragraphs 60-61 of the ITO:** the vetted information consists of the name of the person referred to in paragraph 10 of my affidavit.

35. **Pages 29-32, paragraphs 63-67 of the ITO:** The vetted information in these paragraphs consists of details of an ongoing criminal investigation being carried out by the New Westminster Police Department (the "NWPD"). On September 5, 2012 I met with Detective Constable Mike Holley and Detective Constable Greg Smith of the NWPD. I also received an email from Detective Constable Holley on September 6, 2012. Through this meeting and email, the NWPD told me, and I believe, that disclosure of any of the details of this investigation would compromise the nature and extent of this ongoing investigation, reveal the identity of a confidential source of law enforcement information and harm the effectiveness of investigative techniques and procedures. Beyond these concerns, specific concerns arise as the investigation in question arises from a complaint of criminal wrongdoing made against a police officer by a member of the public. Where a complaint of criminal wrongdoing has been made against a police officer, the investigation must be treated with the utmost importance and integrity. In order to achieve this, safeguards are implemented to ensure that information with respect to the ongoing investigation is not improperly accessed or tampered with by individuals having access to police databases or other police information. In this case, the NWPD PRIME file has been "privatized", meaning that only a handful of individuals have access to it and access to information with respect to this investigation is limited, even within the NWPD. The NWPD advised me, and I believe, that public disclosure of the vetted information in these paragraphs would frustrate the safeguards currently in place and thereby compromise the integrity of the investigation.

36. **Pages 35-36, paragraph 71d. of the ITO:** at subparagraphs 71d.(j)-(l) a member of the public's name is vetted. Public disclosure of this person's identity may cause him hardship considering the information set out in those subparagraphs. At subparagraphs

71d.(p)-(q) and footnote 14 the vetted information consists of sensitive personal information provided to police involving Cpl. Brown. The information in question does not pertain to Cpl. Brown's actions or behaviour while on duty, or his responsibilities as a member of the RCMP. I believe that disclosure of this sensitive personal information would cause Cpl. Brown hardship should it be publically known. At subparagraph 71d.(t), the name of the member of the public referred to in paragraph 37 of my affidavit is vetted.

37. **Pages 36-37, paragraphs 73-74 of the ITO:** the vetted information consists in part of the name and other identifying information of a member of the public who provided information to police. On September 18, 2012, Cst. Danielle Pollock spoke to this person. Cst. Pollock informed me, and I believe, that this person wants her identity to remain confidential. In particular this person said that public disclosure of her identity of the context of the ITO would adversely affect her personal life and possibly her professional relationships. Further information vetted in these paragraphs consists of sensitive personal information provided to police by this person. The information relates to her personal life, as well as Cpl. Brown's personal life and I believe that disclosure of this sensitive personal information may cause one or both of them hardship should it be publically known. While the information suggests professional misconduct on Cpl. Brown's part, the allegations are under investigation and have not yet been substantiated.

38. **Pages 38-39, paragraphs 75-76 of the ITO:** the vetted information consists of the name and other identifying information of the persons referred to at paragraphs 16 and 17 of my affidavit.

39. **Pages 39-41, paragraphs 77-78 & footnote 15 of the ITO:** the vetted information primarily consists of the name and other identifying information of the person referred to at paragraph 10 of my affidavit. At paragraph 77j, the name of another member of the public is vetted. That individual provided information to police. The RCMP has made efforts to contact this person in anticipation of the release of a vetted



copy of the Sealed Materials in order to determine whether she has any concerns as to the disclosure of her identity in the context of the ITO. On September 19, 2012, I spoke to this person by telephone. She told me, and I believe, that she wants her identity to remain confidential and that disclosure of her identity will cause her hardship. In particular, this person said that public disclosure of her identity in the context of the ITO would have a negative impact on her family, including a teenager and small child, and could negatively impact on her reputation as a person who does business in her community.

40. **Pages 41-42, paragraphs 79-80 & footnote 16 of the ITO:** the vetted information consists of the name and other identifying information of the persons referred to at paragraphs 10 and 39 of my affidavit.

41. **Pages 42-43, paragraph 80 & footnote 17 of the ITO:** the vetted information consists of the name and other identifying information of the person referred to at paragraph 13 of my affidavit.

42. **Page 46, paragraphs 83-84 of the ITO:** the vetted information consists of the name of the person referred to at paragraph 10 of my affidavit. It also includes a personal email address.

43. **Pages 47-49, paragraph 85 of the ITO:** At subparagraph 85b.(a) and 85i. the vetted information references information provided to the police by Informant A. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A. Also at subparagraph 85b.(a) and subparagraph 85c.(a), the name of the person referred to at paragraph 13 of my affidavit is vetted.

44. **Page 51, paragraph 88 of the ITO:** the vetted information references information provided to the police by Informant A. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

45. **Pages 53-54, paragraph 92 of the ITO:** the vetted information consists of the name and other identifying information of the persons referred to at paragraphs 10 and 39 of my affidavit.

46. **Pages 54-55, paragraphs 93-95 of the ITO:** the vetted information consists of an IP address and a residential address. This information should be vetted for the reason set out at paragraph 7 of my affidavit.

47. **Pages 55-56, paragraphs 96-98 of the ITO:** the vetted information consists partly of the name and other identifying information of a member of the public who provided information to police. In his dealings with the police, this person has made clear his desire to protect his privacy and confidentiality. On September 17, 2012, Cpl. Greg Berezowski spoke to this person. Cpl. Berezowski informed me, and I believe, that this person said that public disclosure of his identity in the context of the ITO would cause him significant hardship. In particular, this person said that such disclosure would have a significant negative impact on his personal life and family, as well as his business. IP addresses are also vetted.

48. **Page 57, paragraph 99 & footnote 21 of the ITO:** the vetted information consists of the name and other identifying information of the person referred to at paragraph 10 of my affidavit. IP addresses are also vetted.

49. **Pages 59-60, paragraphs 108-111 of the ITO:** the vetted information consists of personal information with respect to Cpl. Brown and his family, including minor children. The information relates to Cpl. Brown's family situation, and the impact of recent events on that family situation. I believe that public disclosure of this sensitive personal information would cause both Cpl. Brown and the persons referred to in these paragraphs, including minor children, hardship should it be publically known.

50. **Pages 62-65, paragraphs 115-121 of the ITO:** the vetted information consists of details of the ongoing investigation referred to at paragraph 35 of my affidavit and should be vetted for the reasons set out in that paragraph.

51. **Pages 65-66, paragraph 124 of the ITO:** the vetted information provides details with respect to information provided by Informant A, including a date upon which information was provided, and the identity of his/her contact person within the RCMP. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

52. **Page 69, paragraph 131 of the ITO:** the vetted information consists of a member of the public's residential address and should be vetted for the reason set out at paragraph 7 of my affidavit.

53. **Page 69, paragraph 132 of the ITO:** the vetted information consists of a member of the public's residential address as well as information with respect to the ongoing police investigation referred to at paragraph 35 of my affidavit. The information should be vetted for the reasons set out at paragraphs 7 and 35 of my affidavit.

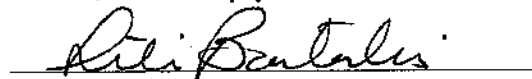
54. **Page 69-70, paragraph 133 of the ITO:** the vetted information consists of a residential address and IP address. It should be vetted for the reason set out in paragraph 7 of my affidavit.

55. **Page 70, paragraph 134 of the ITO:** the information vetted at subparagraph 134a. consists of a member of the public's residential address and IP address. The information vetted at subparagraph 134e. of the ITO consists of information in relation to the ongoing police investigation referred to at paragraph 35 of my affidavit.

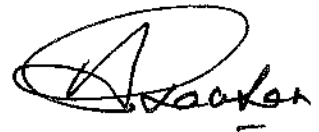
56. **Page 71, second paragraph 134 of the ITO:** the vetted information consists of a residential address. It should be vetted for the reason set out in paragraph 7 of my affidavit.

57. **Confidential Appendix "A" to the ITO:** the vetted information provides details with respect to Informant A's identity and background. For the reasons set out in paragraph 12 of my affidavit, disclosure of this information would implicitly identify Informant A.

SWORN BEFORE ME  
at Vancouver, British Columbia,  
on September 19<sup>th</sup>, 2012



A commissioner for taking  
affidavits in and for the  
Province of British Columbia



AMARJIT (DAVID) CHAUHAN

**Liliane Y. Bantourakis**


Barrister and Solicitor  
Department of Justice  
900 - 840 Howe Street  
Vancouver, BC V6Z 2S9

CERTIFIED TRUE COPY

Form 5

AUG 18 2012

Police File Number: 2012-6027  
Court Registry: Surrey

  
Clerk of the Court

**WARRANT TO SEARCH**

CANADA: Province of British Columbia  
Pursuant to section 487 of the *Criminal Code*

**TO:** The Peace Officers in the Province of British Columbia:

**WHEREAS** it appears on the oath of Constable Phia Huffman, a Peace Officer in Surrey, in the Province of British Columbia,

**THAT** there are reasonable grounds for believing that the following offences have been committed:

- Defamatory Libel, contrary to section 298(1) of the *Criminal Code*

**AND THAT** there are reasonable grounds for believing that the following items will afford evidence of the Offences:

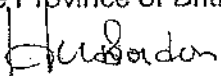
- A desktop computer of an unknown model;
- An Apple MACBOOK with a silver/aluminum finish;
- An Apple I-Phone; and
- An Apple I-Pad;
- Any other electronic device capable of publishing to the internet.


**AND THAT** there are reasonable grounds for believing that the said items or some part of them are in:

-  British Columbia. ("the premises")

**THIS IS THEREFORE**, to authorize and require you to enter the said premises between the hours of 1:45 pm on August 18, 2012 to 8:59 pm on August 18, 2012, and to search for the things and to bring them before me or some other justice; or submit a report, in writing in respect of anything seized.

**DATED** this 18<sup>th</sup> day of August, 2012, at Burnaby, in the Province of British Columbia.

  
H. W. Gordon  
Judicial Justice  
A Justice in and for the  
Province of British Columbia

This is Exhibit "A" referred to in the  
affidavit of Amarjit (David) Chaudhary  
sworn before me at Vancouver  
this 19<sup>th</sup> day of September, 2012  


Police File Number: 2012-6027  
Court Registry: Surrey

**SEALING ORDER**  
**CANADA: Province of British Columbia**  
**Pursuant to section 487.3 of the *Criminal Code***

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**UPON THE EX PARTE APPLICATION** in writing made this day by Constable Phia Huffman a peace officer of the the Royal Canadian Mounted Police, in the city of Surrey in the province of British Columbai, for an Order to prohibit access and disclosure of all court records filed in support of a Search Warrant issued on August 18, 2012.

**AND UPON** reading the Information to Obtain of Constable Phia Huffman, sworn and filed in support of the Search Warrant, pursuant to section 487 of the Criminal Code; and an Order to Seal the material in support of and resulting from that application pursuant to Section 487.3 of the Criminal Code;


**AND UPON** being satisfied that the ends of justice would be subverted by the access to, and disclosure of all records relating to the above-mentioned Search Warrant for reasons that would:

- Compromise the nature and extent of an ongoing investigation; and,
- Compromise the identity of a confidential informant.

all of which outweighs in importance the access to the information;

**THIS COURT ORDERS** that all records relating to the above-mentioned Search Warrant, including the materials in support of this Application be sealed and kept in a secure place within the Surrey Court Registry located at 14340 57th Avenue, Surrey, British Columbia, until further ordered by this Court.

**DATED** this 18<sup>th</sup> day of August, 2012, at Burnaby, in the Province of British Columbia.

  
H. W. Gordon  
Judicial Justice  
A Justice in and for the  
Province of British Columbia

Police File: 2012-6027  
Surrey Registry

Information to Obtain

CANADA

PROVINCE OF BRITISH COLUMBIA

) IN THE MATTER of an application  
) pursuant to Section 487(1) of the  
) **Criminal Code**  
) for a Search Warrant  
) And  
) IN THE MATTER of an application  
) Pursuant to Section 487.3 of the  
) **Criminal Code** for a Sealing Order

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## INTRODUCTION

1. I, Phia HUFFMAN, am a Peace Officer and have been a member of the Royal Canadian Mounted Police (RCMP) for the past six years. I am a Constable assigned to the E Division Serious Crime Unit and have been so assigned since February 2011.
2. I have personal knowledge of the matters and facts to which I depose in this Information to Obtain, save and except where stated to be based on information and belief. I believe the facts and matters within my personal knowledge, as well as the facts based on information and belief to be true.

### **Offences Committed and Order Sought**

3. This Information to Obtain is sworn in support of a Search Warrant pursuant to Section 487 of the Criminal Code. Based on the information detailed herein,
  - a. I have reasonable grounds to believe that the offence of Defamatory Libel contrary to section 298(1) of the Criminal Code was committed;
  - b. And that there are reasonable grounds for believing that the following will afford evidence of the offence listed above:
    - (a) A desktop computer of an unknown model;
    - (b) An Apple MACBOOK with a silver/aluminum finish;
    - (c) An Apple I-Phone; and
    - (d) An Apple I-Pad;
    - (e) Any other electronic device capable of publishing to the internet.
  - c. And that there are reasonable grounds for believing that the said things or some part of them are in:
    - (a) [REDACTED] British Columbia.
4. This Information is also sworn in support of a related Order to Seal the material in support of and resulting from this application, pursuant to Section 487.3 of the Criminal Code.

### **Notes with Respect to this Information to Obtain**

5. I have access to the following databases and have referred to them in this Information to Obtain
  - a. Police Records and Information Management Environment (PRIME): PRIME is a database used by police agencies in British Columbia to record, maintain, and sort investigative files. A search of PRIME can reveal investigative files which relate to individuals, vehicles or locations. From PRIME, I am able to read reports which were filed by investigators as part of their investigative file;
6. Information contained within footnotes are my own comments. I have added these comments in an effort to make some of the information clearer or to convey inferences I have made based on the information collected during this investigation.
7. All the locations referred to in this Information to Obtain are in the Province of British Columbia, unless otherwise indicated.

### **Attachment**

8. Attached to this Information to Obtain is Confidential Appendix "A", which contains confidential information which I believe may identify an informant in this investigation, Informant "A". I have however included the information in order to make full, fair, and frank disclosure of some aspects of this investigation. It is my belief that should this matter go to court, Appendix "A" will need to be vetted either in whole or in part prior to disclosure to defense.

### **Synopsis of Investigation**

9. On July 5, 2012 Corporal James BROWN became the subject of intense media scrutiny as a result of images released to the media depicting Corporal BROWN in a sexually explicit manner. The photographs depicting Corporal BROWN were obtained from his online profile located at a website of Fetlife.com. In addition to the photographs of Corporal BROWN the media was also provided with violent sexual images which depicted another man, [REDACTED] committing the staged

abduction and torture of a female. Within those photographs [REDACTED] is similar in appearance to Corporal BROWN.

10. The media released the photographs of both males, purporting all of the images to depict Corporal BROWN. This resulted in significant media coverage and subsequent public scrutiny of Corporal BROWN's suitability to be a member of the RCMP. The publication of these photographs further resulted in an RCMP Code of Conduct investigation against Corporal BROWN.
11. As a result of numerous allegations of both criminal and professional misconduct which began to surface against Corporal BROWN, this investigation was initiated to ascertain the validity of the allegations, as well as the manner in which the photographs of Corporal BROWN were released to the media, and the intention behind same. The investigation has determined that although allegations of professional misconduct appear to be supported against Corporal BROWN, there is no evidence to support the allegations of criminal misconduct which have been made.
12. Defamatory libel was published against Corporal BROWN, as well as Sergeant Farid SIDDIQUI, and retired police officers Inspector Fred BIDDLECOMB and Sergeant Daryl POLLOCK. The allegations were published in a comment posted on the Erotic Vancouver website by an individual who identified himself as Daniel FAWKES, in an e-mail sent by Daniel.de.fawkes@gmail.com to the editor of the Erotic Vancouver website, and in various Twitter messages posted by a Twitter account of @De\_Fawkes. The allegations published were of a nature likely to cause injury to the reputations of the parties mentioned above by subjecting them to contempt and ridicule from both their peers and the general public.
13. The IP address from which FAWKES comment was posted to the Erotic Vancouver Website was identified to be registered to Grant WAKEFIELD, of [REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED] At this time no link has been identified between Grant WAKEFIELD and Corporal BROWN.

### **Individuals/Terms Relevant to this Investigation**

#### **Bondage, Dominance, Sadism & Masochism (BDSM)**

14. BDSM is a term coined as a condensed acronym which refers to the sexual practices or preferences of an individual who participates in one or more of the four areas to which it relates, Bondage, Dominance (also referred to as Discipline), Sadism, and Masochism.

#### **Fetlife.com (Fetlife)**

15. Fetlife.com is an adult themed social networking site serving persons interested in BDSM, fetishism and kink. The website allows a member to create a personal profile on which they can outline their personal interests, upload photographs and video, as well as send and receive private messages. Non-members are unable to view website content, however membership to the site is free.

#### **Corporal James "Jim" BROWN (Corporal BROWN)**

16. Corporal BROWN is a regular member of the Coquitlam RCMP and became the subject of media scrutiny in early July 2012, after a number of BDSM themed photographs of Corporal BROWN, and screen shots<sup>1</sup> of internet messages exchanged between Corporal BROWN and a Fetlife user named "Mariah\_de\_Sin" were released to the media. Amongst the photographs obtained by the media were several controversial and sexually violent photographs which the media purported to depict Corporal BROWN, however this was later determined to be incorrect. The media also made a correlation between the nature of the violent pictures and the

<sup>1</sup> A screen shot is an image taken by a computer to record the visible items displayed on the monitor at the time the image is captured.

crimes of Robert PICKTON, the investigation of which Corporal BROWN had some minor involvement. Corporal BROWN has also been the target of several defamatory statements published by a person identifying him/herself as Daniel FAWKES. Corporal BROWN has further been the subject of several RCMP Code of Conduct investigations which relate to this investigation.

#### **Reive DOIG (DOIG)**

17. DOIG is the editor of the Erotic Vancouver magazine, and authored several articles in response to the media attention directed at Corporal BROWN. DOIG received a comment, and subsequent e-mail communication from a reader, Daniel FAWKES, who made allegations of both criminal and professional misconduct towards Corporal BROWN, Sergeant Farid SIDDIQUI of the Coquitlam RCMP, as well as retired police officers Inspector Fred BIDDLECOMB and Sergeant Daryl POLLOCK. FAWKES e-mail communication was turned over to Corporal BROWN's legal counsel by DOIG, and subsequently provided to investigators.

#### **Daniel FAWKES (FAWKES)**

18. FAWKES authored both the comment posted on the Erotic Vancouver website, as well as the e-mails written to DOIG containing the defamatory statements. FAWKES further utilized a Twitter account of @De\_Fawkes to post messages including similar defamatory statements. All queries of FAWKES suggest this name to be a pseudonym, and therefore the identity of this individual has not been determined.

#### **Informant "A"**

19. Informant "A" contacted the RCMP in March 2012 to provide information that in mid-January 2012 Corporal BROWN had met with a female for a sexual purpose while on duty in an unmarked police vehicle. Informant "A" further provided information indicating that Corporal BROWN was involved in BDSM lifestyle, and a member of various BDSM themed web sites. [REDACTED]  
[REDACTED]

[REDACTED]. This information resulted in the initiation of an *RCMP Code of Conduct* investigation against Corporal BROWN.

- [REDACTED]
20. [REDACTED] was identified as the female who allegedly met with Corporal BROWN while he was engaged on duty. [REDACTED] was spoken to twice by investigators from the Professional Standards Unit with respect to the *RCMP Code of Conduct* investigation, and was also interviewed on a third occasion in relation to this investigation. On all occasions [REDACTED] denied knowing, or having ever met Corporal BROWN. [REDACTED] was unable to shed light on how her name may have surfaced in connection with Corporal BROWN, surmising only that someone may have utilized information readily available on her Facebook profile to portray themselves as her. [REDACTED]  
[REDACTED]

#### **Grant WAKEFIELD (WAKEFIELD)**

21. WAKEFIELD is the registered subscriber of the IP address from which FAWKES posted his comment, as well as the IP address associated to two Fetlife accounts, "Danielle SNOW" and "Mariah\_De\_Sin" which had contact with Corporal BROWN's Fetlife profile of "Kilted-Knight". [REDACTED]  
[REDACTED]  
[REDACTED]

- [REDACTED]
22. [REDACTED] was identified to be the male depicted in several violent sexual photographs which had been released by the media and incorrectly linked to Corporal BROWN. [REDACTED] met with investigators from both the RCMP Professional Standards Unit and this investigation, during which he confirmed that he was the individual depicted in those photographs, and had participated in same

consensually in the form of a professional photo shoot. [REDACTED] further indicated the photographs published in the media had been posted on the female models Fetlife profile, and were open to be viewed by any members of Fetlife. [REDACTED] was unwilling to identify the female model who had participated in the shoot, indicating he was respecting her wishes by not divulging her name.

#### **Female Model (Name Unknown)**

23. The female model who participated in the photographs was unable to be identified however police efforts to locate her and confirm her safety resulted in contact from her legal counsel, Derrill THOMPSON. THOMPSON confirmed that his client was the person depicted in the violent photographs, and had participated in same consensually in the form of a professional photo shoot.

#### **Julia JENSEN (JENSEN)**

24. JENSEN was identified by the Coquitlam Major Crime Section as the author of an online blog which made numerous allegations of misconduct and abuse of power by Corporal BROWN. JENSEN was interviewed by investigators, and it was determined there was no information to support criminal misconduct on the part of Corporal BROWN, however information was located which suggested professional misconduct.

[REDACTED]

25. [REDACTED] was identified as the photographer who obtained the BDSM themed photographs of Corporal BROWN, as displayed in the media. [REDACTED] was spoken to by investigators and confirmed that she had obtained those photographs in the form of a professional photo shoot, and both models had participated voluntarily.



- [REDACTED]
26. [REDACTED] was identified as the female model who posed in several BDSM themed photographs with Corporal BROWN. Photographer [REDACTED] has confirmed that [REDACTED] participated in the photographs consensually, however investigators were unable to locate [REDACTED] in order to obtain a statement.

### **RCMP CODE OF CONDUCT INVESTIGATIONS: CORPORAL BROWN**

27. The information contained in this section of my Information to Obtain summarizes past, and ongoing RCMP Code of Conduct investigations involving Corporal BROWN. The reason I have summarized these investigations is that the blogs and emails that are the subject of the defamatory libel against Corporal BROWN, and which are detailed later in my Information to Obtain, contain references to these code of conduct investigation. Some of these references are accurate, some are partially accurate, and some are false:
- a. A December 2010 RCMP Code of Conduct investigation where sexually explicit photographs were found of Corporal BROWN located on a USB drive, located at Coquitlam RCMP Detachment;
  - b. A March 16, 2012 RCMP code of conduct investigation whereby an Informant reported second hand information of Corporal BROWN's BDSM lifestyle [REDACTED]  
[REDACTED];
  - c. A July 4, 2012 RCMP code of conduct investigation that was initiated against Corporal BROWN for participating in sexually explicit photographs, which were then handled in a manner which allowed them to publicly obtained and published, thereby bringing discredit to the RCMP;
  - d. A July 12, 2012 RCMP Code of Conduct investigation where further sexually explicit images of Corporal BROWN were located on a DVD that was at Coquitlam RCMP Detachment.

**Coquitlam RCMP File 2010-37338 – December 6, 2010**

28. I reviewed the report of Coquitlam RCMP Professional Standards investigator Sergeant Farid SIDDIQUI dated December 8, 2010, and the memorandum of Coquitlam RCMP Operations Officer Inspector GFELLNER, dated December 14, 2010. In reviewing those documents I learned the information documented in paragraphs numbered 29-32 of this Information to Obtain.
29. On December 6, 2010 a USB drive was located within the Coquitlam RCMP Detachment which was found to contain sexually explicit images. The USB drive was located by members of the Coquitlam RCMP General Duty Section near an internet terminal in a common area of the detachment. Review of the drive located images of a sexual nature depicting Corporal BROWN. The USB drive was turned into senior management, and a preliminary investigation was ordered to ascertain if *RCMP Code of Conduct* charges were applicable against Corporal BROWN.
30. The investigation was assigned to Sergeant Farid SIDDIQUI of the Coquitlam RCMP Professional Standards Unit. Review of the drive contents identified same to be a non-RCMP issued USB drive containing 38 images and 5 documents. 19 of the images which were generic in nature, however the remaining 19 images depicted Corporal BROWN and an unknown female in various BDSM themed photographs. The documents contained on the drive were determined to consist of RCMP materials relating to a memorandum of agreement between the RCMP and the Port Moody Police Department. This was later determined to be a document which Corporal BROWN was preparing as part of his assigned duties at that time, and therefore he was utilizing the USB drive to store both personal and work related content.
31. On December 8, 2010 E Division Professional Standards Inspector Vaz KASSAM was notified of the circumstances of the investigation, and the opinion of RCMP Legal Services was sought to determine if the circumstances of the event constituted a contravention of the RCMP Code of Conduct. Sergeant SIDDIQUI was ultimately

advised that given the circumstances presented, Corporal BROWN had not contravened the RCMP Code of Conduct, however it was recommended that Corporal BROWN be warned that in the future he should be mindful of bringing material of such a personal nature to his place of employment.

32. On December 14, 2012 Inspector GFELLNER met with Corporal BROWN for the purpose of both returning the USB drive to Corporal BROWN, as well as cautioning Corporal BROWN against bringing any further material of such a nature to his place of work. During this meeting Corporal BROWN appeared surprised that he had left the drive in the workplace. Corporal BROWN explained that the images had been obtained during a modeling shoot which he had received payment for several years prior, and had been taken outside his duties as a member. Inspector GFELLNER advised Corporal BROWN that the imagery was controversial, personal, and did not belong in the work place, to which Corporal BROWN agreed and indicated it would not occur again. As a result of this meeting the matter was concluded without further action.

#### **Coquitlam RCMP File 2012-8063 – March 16th, 2012**

33. I reviewed the report of Sergeant SIDDIQUI dated May 25, 2012, an e-mail authored by Sergeant Tim FORESTELL of the RCMP Commercial Crime Section, as well as the transcribed statement of [REDACTED] as obtained on May 12, 2012, and the transcribed statement of Corporal BROWN as obtained on May 24, 2012. In reviewing those documents I learned the information documented in paragraphs numbered 34-46 of this Information to Obtain.

34. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The individual wished to remain anonymous in the matter, and therefore will be referred to in this document

as Informant "A". Informant "A" provided [REDACTED] with the following information:

- a. [REDACTED]
- b. [REDACTED]  
[REDACTED]
- c. [REDACTED]  
[REDACTED]
- d. [REDACTED]  
[REDACTED]
- e. [REDACTED]  
[REDACTED]
- f. [REDACTED]  
[REDACTED]
- g. [REDACTED]
- h. [REDACTED]
- i. [REDACTED]  
[REDACTED]
- j. [REDACTED]  
[REDACTED]
- k. [REDACTED]  
[REDACTED]
- l. Informant "A" wished their identity to be kept confidential;
- m. [REDACTED]  
[REDACTED]  
[REDACTED]

35. On [REDACTED] Informant "A" forwarded [REDACTED] a written narrative dated [REDACTED], 2012, which contained a detailed account of the information

received, and [REDACTED]; In reviewing that narrative I learned the following information

a. [REDACTED]

b. [REDACTED]

c. [REDACTED]

d. [REDACTED]

e. [REDACTED]

f. [REDACTED]

g. [REDACTED]

h. [REDACTED]

i. [REDACTED]

j. [REDACTED]

k. [REDACTED]

l. [REDACTED]

m.

[REDACTED]

n.

[REDACTED]

o.

[REDACTED]

p.

[REDACTED]

q.

[REDACTED]

r.

[REDACTED]

36

[REDACTED]

a.

[REDACTED]

b. [REDACTED]

c. [REDACTED]

d. [REDACTED]

e.

37. Informant "A" indicated their motivation in providing the afore noted information was to ensure the RCMP was aware of the information to facilitate an investigation into whether or not this person was in fact a member of the RCMP, and if so, to allow the RCMP to address the alleged activities in a discreet manner.

38. On [REDACTED] 2012 Informant "A" provided an additional written narrative addressed to [REDACTED], which consisted of detailed descriptors and information with respect to [REDACTED]

[REDACTED]

a. [REDACTED]

[REDACTED]<sup>2</sup>

39. The specific details and descriptors Informant "A" provided with respect to [REDACTED]

[REDACTED] are as follows: [REDACTED]

(a) [REDACTED]

(b) [REDACTED]

(c) [REDACTED]

(d) [REDACTED]

2 [REDACTED]

(e)

[REDACTED]

(f)

[REDACTED]

(g)

[REDACTED]

(h)

[REDACTED]

(i)

[REDACTED]

(j)

[REDACTED]

[REDACTED]

(k)

[REDACTED]

(l)

[REDACTED]

b.

[REDACTED]

40. Informant "A" also expressed the following comments regarding the manner in which investigators planned to pursue this information;

a.

[REDACTED];

b.

[REDACTED];

c.

[REDACTED]

d.

[REDACTED]

e.

[REDACTED]

f.

[REDACTED]



41. The information received from Informant "A" was forwarded to senior management of the Coquitlam RCMP, and resulted in the initiation of an *RCMP Code of Conduct* against Corporal BROWN, with the investigation assigned to Sergeant SIDDIQUI.

42. In an effort to confirm the credibility of Informant "A" I have spoken with the RCMP Informant handling section as well as a handler who both dealt directly with Informant "A", and had also spoken with the previous handler of Informant "A". In speaking with those parties I have learned the following:

- a. Informant "A" had acted as a confidential informant [REDACTED]. Informant "A" provided information to the police voluntarily, with the understanding that his/her identity would remain confidential;
- b. Informant "A" received a monetary sum when h/she acted as an informant in [REDACTED];
- c. In [REDACTED] Informant "A" provided information with respect to a drug investigation [REDACTED];
- d. The information provided by Informant "A" was found reliable, and corroborated by queries of police databases, and information from undercover police officers;
- e. Informant "A" was motivated to provide the information in [REDACTED] due to his/her aversion to criminal activity, and did not received monetary payment for this information; and
- f. Informant "A" has a criminal record for [REDACTED].

43. On April 4, 2012 [REDACTED] was spoken to by Sergeant Craig MCMILLAN of the E Division Professional Standards Unit [REDACTED]. The conversation was not recorded, however [REDACTED] denied having a [REDACTED] account, or having ever met a police officer by the name of James BROWN.<sup>3</sup>

44. On April 12, 2012 Sergeant SIDDIQUI contacted [REDACTED] via telephone, and spoke with her regarding the allegations made with respect to her having met Corporal BROWN. The conversation was recorded, and [REDACTED] provided the following information:

- a. She does not have a dating profile on any internet dating website, including [REDACTED];
- b. She has never been to the Coquitlam area outside of passing through the jurisdiction [REDACTED];
- c. She has never heard of "Jim BROWN" nor has she met anyone bearing his description at any time;
- d. [REDACTED]
- e. She is disturbed by the investigation, and can only surmise that someone has utilized information gleaned from her Facebook profile to portray themselves as her; and
- f. She would like to be kept updated regarding the investigation for her own peace of mind.

45. On May 24, 2012 Sergeant SIDDIQUI obtain a recorded statement from Corporal Jim BROWN regarding the allegations which had resulted in the *RCMP Code of Conduct* investigation. Corporal BROWN provided the following information:

- a. He did not recall ever meeting a female in the Coquitlam area as described in the allegations;
- b. [REDACTED]  
however was not aware of any negative experiences from any of those parties;
- c. [REDACTED] from contact on either Fetlife.com or Twitter.com;

- d. [REDACTED]  
[REDACTED], neither occasion which met the description of the current allegations;
- e. He has never had a [REDACTED] account, but does utilize the user name of "Kilted-Knight" on various BDSM websites including Fetlife.com and Alt.com;
- f. He has never utilized an RCMP computer to access his personal websites, nor has he communicated with any of the persons he has met via his work e-mail account;
- g. He did have [REDACTED] however believed he had likely posted this information on his Facebook account;
- h. The description provided in the allegations clearly depicts him, however some of the information is incorrect in that;
- (a) [REDACTED]
- (b) [REDACTED]
- i. He is the person depicted in the screen shots obtained from the Fetlife profile of "Kilted-Knight". The photographs had been obtained during a professional photo shoot several years prior. He had been approached to participate in the photo shoot by the female model depicted in the photographs with him;
- j. He had posted the photographs from that shoot to his Fetlife profile, and same were only able to be viewed by persons whom he "invited" to access his profile;
- k. In March 2012, while on Fetlife he was contacted by a person named Mariah O'CONNER, whom he found to ask particularly inquisitive questions regarding whether or not he was a police officer, and if he would meet her;
- l. He inquired with other members of the Fetlife "community", and was advised that O'CONNER was a known member, and therefore he provided her with access to his online profile; and

- m. Shortly after their communication O'CONNER's profile disappeared;
  - n. The questions and behavior of O'CONNER caused him to believe the profile was a fictitious account being utilized by a reporter or undercover police officer; and
  - o. He believes the person who made the current allegations against him has "an axe to grind with him", however he does not know who that person may be.
46. On May 25, 2012, subsequent to the interviews of both [REDACTED] and Corporal BROWN, Sergeant SIDDIQUI prepared a report documenting the findings of the *RCMP Code of Conduct* investigation and forwarded same to Superintendent Claude WILCOTT. Review of the findings determined, based upon an assessment of the balance of probabilities that the allegations in this instance were unsubstantiated and the investigation was therefore concluded.

**Richmond RCMP File 2012-19406 – July 4, 2012**

47. I reviewed the report of Sergeant SIDDIQUI dated July 12, 2012, the reports of Richmond RCMP Professional Standards Unit investigator Sergeant Katherine HANSEN, dated July 12 and 17, 2012 as well as the transcripts of statements obtained from Corporal BROWN on July 12 and 14, 2012. In reviewing those documents I learned the information documented in paragraphs numbered 48-61 of this Information to Obtain.
48. On June 27, 2012 Superintendent Ray BERNOTIES of the RCMP Media Section informed Coquitlam RCMP Superintendent WILCOTT that there was ongoing media interest into the status of Corporal BROWN's *RCMP Code of Conduct*
49. On Jun 28, 2012 Superintendent BERNOTIES notified Superintendent WILCOTT that the CBC was not going to publish a story with respect to Corporal BROWN.

50. On July 4<sup>th</sup>, 2012 Superintendant BERNOTIES notified Superintendant WILCOTT that some indication had been received that the media was in possession of BDSM photographs depicting Corporal BROWN, as well as photographs depicting Corporal BROWN partying at the PICKTON farm, along with Robert PICKTON.<sup>4</sup>

51. As a result of the information received from Superintendant BERNOTIES another *RCMP Code of Conduct* investigation was ordered by Superintendant WILCOTT. The purpose of this investigation was to determine whether or not Corporal BROWN knowingly participated in the obtainment of sexually explicit photographs which he knew, or ought to have known may be published in a publicly accessible venue, thereby bringing discredit to the RCMP. The conduct of the investigation was assigned to Sergeant Katherine HANSEN of the Richmond RCMP Professional Standards Unit.

52. On July 5, 2012 The Vancouver Sun, and CBC released reports relating to numerous BDSM and violent torture photographs which were reported to depict RCMP member Corporal James BROWN. Numerous media agencies publicized the sexual images of Corporal BROWN<sup>5</sup>, as well as photographs which depicted a male similar in appearance to Corporal BROWN participating in the violent bondage and torture of an unknown female. The media purported these notably violent photographs to also depict Corporal BROWN, and various news agencies further suggested that the images were reminiscent in nature to the murders committed by Robert PICKTON. The media went on to report that Corporal BROWN had played a role, albeit a minor role, in the initial investigation into Robert PICKTON. Also

<sup>4</sup> To date there have not been any photographs located which link Corporal BROWN to either Dave PICKTON, Robert PICKTON, or the PICKTON farm.

<sup>5</sup> The BDSM images which did in fact depict Corporal BROWN are images from the same professional photo shoot which Corporal BROWN had participated in October 2010. The images from that professional shoot consisted of the same images located on the USB drive which generated the 2010 investigation into Corporal BROWN, and were also the same images which Corporal BROWN uploaded to his Fetlife profile. [REDACTED]

released in the media was what appeared to be screen shots of online messages between "Kilted-Knight" [Corporal BROWN], and a user named "Mariah De Sin",<sup>6</sup>

53. On the heels of the breaking media stories lawyer Cameron WARD, representing the families of the missing women in regard to the PICKTON inquiry, published a written statement on his website of [www.cameronward.com](http://www.cameronward.com). I reviewed the content of this article, from which I learned the following:

- a. WARD referred to Corporal BROWN as not only a sexual deviant, but also an RCMP officer who produced an informant in relation to the PICKTON investigation;
- b. WARD questioned how Corporal BROWN met the informant, suggesting that Corporal BROWN may have been one of the sexual sadists who frequented "Piggy's Palace";<sup>7</sup>
- c. WARD further suggested that Corporal BROWN's role in the PICKTON investigation, along with new information that Corporal BROWN is a sexual sadist formed sufficient grounds to re-open the PICKTON inquiry for the purpose of questioning Corporal BROWN.<sup>8</sup>

54. Also on July 5, 2012, Superintendent WILCOTT was contacted by [REDACTED] who advised that on [REDACTED] 2012 Informant "A" had provided the following additional information:

<sup>6</sup> As documented later in this Information to Obtain the user name of "Mariah De Sin" is later identified by Corporal BROWN to be the Fetlife user name of an individual who identified herself to Corporal BROWN as Mariah O'CONNER. As previously described in Corporal Brown's statement of May 24, 2012 O'CONNER is the same individual who contacted Corporal BROWN in March/April 2012 on Fetlife.com, and asked him what he felt to be suspiciously inquisitive questions regarding whether or not he was a police officer. It is also noted that Corporal BROWN provided O'CONNER with access to his Fetlife profile, which included access to the BDSM themed photographs.

<sup>7</sup> "Piggy's Palace" was an illegal drinking establishment operated by Robert and Dave PICKTON.

<sup>8</sup> Although the Missing Women's Inquiry has not been reopened by Commissioner Wally OPAL, a commission has been assigned to review all material pertaining to the photographs of Corporal BROWN to ascertain if there is any connection to Robert PICKTON, or the PICKTON farm which would be relevant to the inquiry. No such relevant information has been located.

a. [REDACTED]

[REDACTED]<sup>9</sup>

55. [REDACTED] along with the violent photographs published by the media were reviewed by Sergeant SIDDIQUI, who is familiar with Corporal BROWN, as well as Corporal BROWN's tattoos, and upon review of those photographs Sergeant SIDDIQUI was able to definitively determine that they did not in fact depict Corporal BROWN, but rather someone similar in appearance<sup>10</sup>.

#### **Statement of Corporal BROWN – July 11, 2012**

56. On July 11, 2012 Sergeant HANSEN obtained an audio recorded statement from Corporal BROWN in relation to the Code of Conduct investigation initiated on July 4, 2012. Corporal BROWN provided the following information:

- a. The BDSM photographs displayed in the media which did depict himself were obtained during a professional photo shoot in Port Coquitlam in approximately 2008-2009<sup>11</sup>;
- b. He had been approached by a friend of his within the Fetlife community, [REDACTED], who asked him to participate in the photo shoot to assist her with her modeling portfolio;
- c. He had agreed to participate under the agreement that any photographs posted publicly would obscure his face in such a manner that he could not be identified;
- d. The shoot had been conducted by a local photographer [REDACTED] and also present had been an unknown lighting technician;

<sup>9</sup> This image was later confirmed to be one of the images depicting [REDACTED].

<sup>10</sup> As documented further in this Information to Obtain Corporal BROWN provided a statement confirming that the torture themed photographs did not depict him, but rather another individual within the Fetlife community. The person depicted was ultimately identified as [REDACTED] who confirmed with investigators that he was the individual who participated in a series of professional obtained images which encompassed both [REDACTED] and the violent photographs published by the media.

<sup>11</sup> From the records of photographer, [REDACTED], this was later determined to have occurred in October 2010.

- e. He had paid for approximately 40-50 of the photographs and in 2009 or 2010 he uploaded 6-7 of those photographs to his Fetlife profile;
- f. Only members of Fetlife whom he invited to his profile could access the photographs, as the settings of his photographs were private;
- g. He no longer has contact information for [REDACTED], and believes she has moved to [REDACTED];
- h. The photographs published by the media were not only the BDSM photographs from his Fetlife profile, but also photographs which he had uploaded to his Facebook profile, as well as personal messages which had taken place between himself and Fetlife user "Mariah\_de\_Sin" whom he knew to be Mariah O'CONNER;
- i. He had provided O'CONNER with access to both his Fetlife profile and his Facebook account, and therefore he believes O'CONNER is the individual who provided the images to the media; and
- j. At the conclusion of his previous *RCMP Code of Conduct* investigation sometime around May 2012 he had shut down his profile on Fetlife;
- k. Shortly after the torture photographs were publicized by the media he received a phone call from the male who had actually participated in the violent photographs. That male provided Corporal BROWN with his name, and also advised that the photographer of those particular images was [REDACTED]<sup>12</sup>.
- l. With respect to several loose allegations which had surfaced suggesting he was friends with David PICKTON, and had partied on the PICKTON farm, he denied same, and further stated that his involvement in the PICKTON investigation had been minimal;
- m. He was aware that Cameron WARD had questioned a Vancouver Police Detective during the Missing Women's Inquiry regarding his association to Corporal BROWN, and whether or not the detective was aware that Corporal BROWN went by the nickname of "Kilted-Knight". He had located these

<sup>12</sup> As documented further in this Information to Obtain, the male depicted in the photographs was later identified to investigators by Corporal BROWN as [REDACTED].



details in a published transcript of the missing women's inquiry from April 2012<sup>13</sup>.

### **Additional Code of Conduct Allegation – July 12, 2012**

57. On July 12, 2012 Staff Sergeant Stan SZELAGIEWICZ of the Coquitlam RCMP contacted Corporal BROWN's supervisor, Sergeant Kathy DICKSON to request she locate and return a DVD which had been provided to Corporal BROWN containing documents and information relating to the PICKTON investigation. Staff Sergeant SZELAGIEWICZ wished to ensure that the disc was secured, due to the sensitive information contained on same. Subsequent to the request Sergeant DICKSON contacted Corporal BROWN to inquire where she may locate the requested DVD and Corporal BROWN directed Sergeant DICKSON to his desk. During this conversation Corporal BROWN also requested that Sergeant DICKSON retrieve his briefcase for him as he required a flashlight contained within. In the course of searching Corporal BROWN's desk for the DVD in question, Sergeant DICKSON located two unlabeled DVDs within Corporal BROWN's unlocked briefcase. Sergeant DICKSON reviewed the contents of the discs to determine if either item was the DVD sought, however upon viewing same located images of a sexual nature depicting Corporal BROWN. Also located within the briefcase was Corporal BROWN's flashlight, baton, handcuffs, condoms, and various other items.

58. Sergeant DICKSON subsequently met with Corporal BROWN and returned the briefcase containing the two discs, however as a result of the discs and content being located within the RCMP Detachment contrary to a lawful order given to

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<sup>13</sup> Review of the Missing Women's Inquiry transcripts confirmed that on May 11, 2012 Cameron WARD questioned retired VPD Detective Mark CHERNOFF regarding whether or not he knew Corporal Jim BROWN, and if he was aware that Corporal BROWN utilized a nickname of "Kilted Knight". On May 15, 2012 WARD also questioned retired Inspector Earl MOULTON regarding if he knew Corporal BROWN, and if Corporal BROWN was known to attend Robert PICKTON's illegal drinking establishment "Piggy's Palace". CHERNOFF was unable to confirm the information presented by WARD, while MOULTON testified to Corporal BROWN's involvement in producing a witness to the investigation, however had no knowledge of Corporal BROWN attending "Piggy's Palace".

Corporal BROWN by Inspector GFELLNER on December 14, 2010, an additional *RCMP Code of Conduct* allegation was initiated.

59. On July 14, 2012 as a result of this additional Code of Conduct allegation a second statement was obtained from Corporal BROWN by Sergeant HANSEN. During that second statement Corporal BROWN denied having ever been ordered not to bring material of that nature into the work place, but rather indicated he was warned by Inspector GFELLNER to be mindful of bringing such material into a work environment.

60. Subsequent to the statement Corporal BROWN provided Sergeant HANSEN with the name of the male model who had posed in the torture themed photographs published by the media, being [REDACTED].

**Statement of [REDACTED] – July 17, 2012**

61. On July 17, 2012 Sergeant HANSEN met with [REDACTED] to discuss the content of the images which had been shown in the media. [REDACTED] refused to have the interview recorded, however provided the following information:

- a. He is the person depicted in the torture themed photographs which have been displayed by the media and purported to depict Corporal BROWN;
- b. He was approached by the female model depicted in the photographs to participate in a "horror scene" type photo shoot, with same taking place in late March or early April (2012);
- c. Subsequent to the photo shoot the photographs were posted to the female models Fetlife profile;
- d. If someone viewed the photographs in their entirety it was very clear that Corporal BROWN was not the individual in the photographs;
- e. He believes that 6-7 photographs which appeared similar to Corporal BROWN had been selected from the overall collection of images;

- f. The female models profile had not been private therefore any member of Fetlife would have been able to view the images;
- g. He was unwilling to provide the name of the female model who was now "in hiding" as her employers were not aware of her BDSM lifestyle, and exposure of same could result in the loss of her employment; and
- h. With respect to the similarities of the photographs to the murders committed by Robert PICKTON, there was no planning or intention to create images similar to the crimes committed by PICKTON, and the media "hype" around such a theory was a "red herring".

### **Additional Allegations**

62. During the *RCMP Code of Conduct Investigations* involving Corporal BROWN, additional allegations consisting of both criminal and professional misconduct were identified involving Corporal BROWN. These allegations have been detailed in paragraphs numbered 63-67 of this Information to Obtain.

### **New Westminster Police File** [REDACTED]

63. [REDACTED]

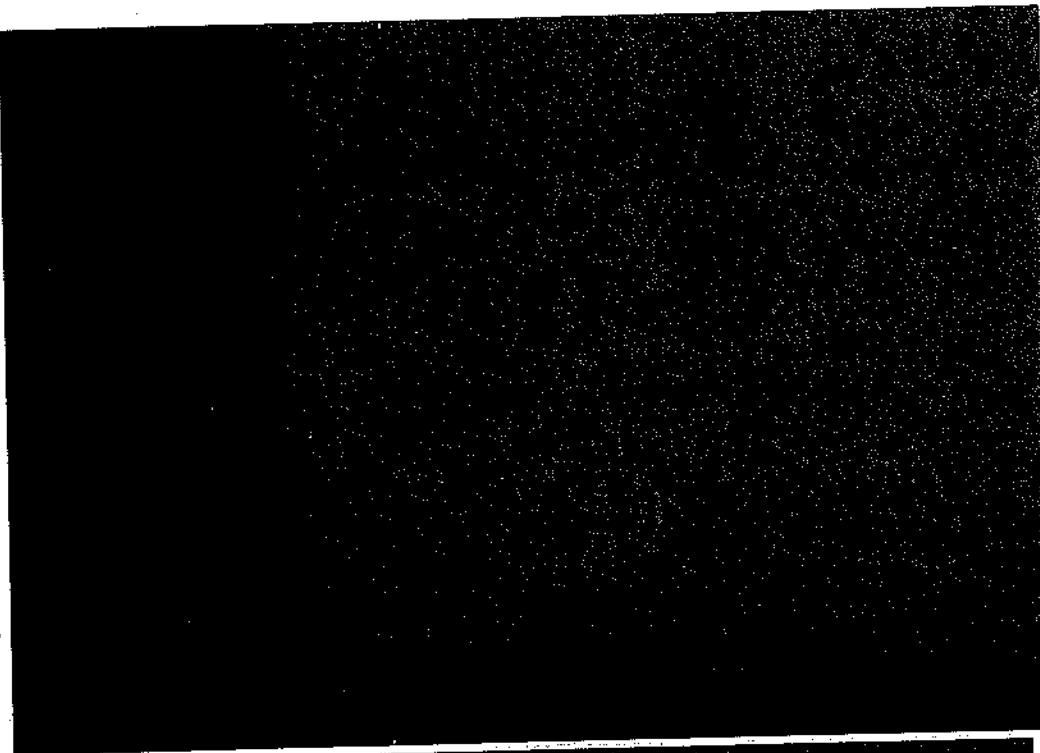
64. [REDACTED]

a.

b.

c.

d.



(a)

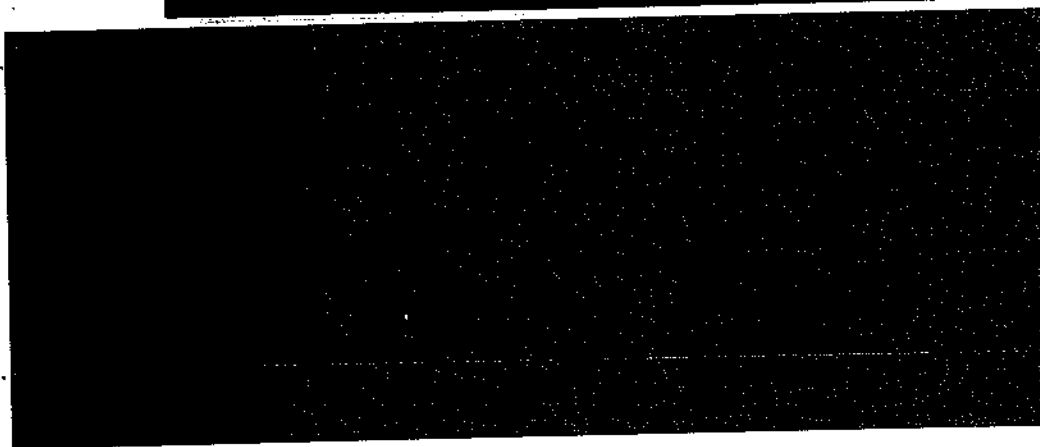
(b)



e.

f.

g.



h.

i.

j.

k.

l.

m.

n.

o.

p.

q.

65.

[REDACTED]

66.

[REDACTED]

a.

[REDACTED]

b.

[REDACTED]

c.

[REDACTED]

d.

[REDACTED]

e.

[REDACTED]

67.

[REDACTED]

## **Project E-Norther Investigation**

69. Given the overall complexities of the events surrounding the media attention directed at Corporal BROWN's alternative lifestyle in tandem with the mounting allegations of professional, and potential criminal wrong doing on Corporal BROWN's part, RCMP senior management determined that an investigative team operating under the Major Case Management model would be initiated to look into the matter. The investigation into the circumstances of these events would be conducted separate and distinct from the ongoing investigation being conducted by the Professional Standards Unit, with information relevant to their investigation relayed openly. The objective of the investigation would be primarily to ascertain if any criminal offences had been committed by the parties involved, including but not limited to Corporal BROWN, as well as to make efforts to ascertain the manner in which these events occurred. As such, on July 23, 2012 Project ENORTHER was initiated.

### **Online Blog "Haifischgewent"**

70. I reviewed a report prepared by Superintendent WILCOTT dated July 16, 2012, which documented the discovery of an online blog "Haifischgewent" in which additional allegations were made against Corporal BROWN. In reviewing that report I learned that on July 13, 2012 the RCMP media located an online blog which made numerous allegations against Corporal BROWN, consisting of misuse of RCMP police data bases, unauthorized dissemination of sensitive information, and intimidation/threats against the author of the blog to have them incarcerated for non-criminal acts. Subsequent to the location of this online blog Superintendent WILCOTT directed the Coquitlam RCMP Serious Crime Unit to investigate the matter for the purpose of identifying and the author of the blog.

71. Corporal RETTENBACHER was assigned to liaise with Coquitlam Major Crime regarding the identification the author of the "Haifischgewent" blog, and to subsequently follow-up with the identified author to ascertain if there was any information to suggest any criminal or professional misconduct on the part of

Corporal BROWN. I reviewed reports prepared by Corporal RETTENBACHER dated July 24, 25, and 26<sup>th</sup>, 2012, from which I learned the following information:

- a. On July 24, 2012 Corporal RETTENBACHER met with Coquitlam RCMP Major Crime Investigators regarding their investigation into the identification of the author of online blog "Haifischgewent";
- b. Corporal RETTENBACHER was informed that through review of the blog content and subsequent PRIME queries, the author was tentatively identified as Julia "Jamie" JENSEN;
- c. On July 25, 2012 Corporal RETTENBACHER reviewed the content of the blog, specifically an entry dated July 10, 2012 and found it to contain statements which suggested that Corporal BROWN may have misused police data bases, and inappropriately released police information to JENSEN.
- d. On July 26, 2012 Corporal RETTENBACHER and Constable TAYLOR interviewed JENSEN who provided the following information:
  - (a) JENSEN is a transgendered person, who is currently in the process of becoming a male, and prefers to be referred to as "he";
  - (b) During the time JENSEN associated with Corporal BROWN he had not yet initiated the sex change process and was therefore female;
  - (c) JENSEN confirmed he is the author of the "Haifischgewent" blog, and further advised that he first met Corporal BROWN in a chat room on Alt.com approximately four (4) years prior;
  - (d) On one occasion while JENSEN was chatting with Corporal BROWN online Corporal BROWN advised he would drop by the adult store where JENSEN was working;
  - (e) While Corporal BROWN was in attendance at the store a male customer entered and attempted to pass a counterfeit \$5.00 bill;
  - (f) JENSEN refused to accept the bill, and the male departed the store;
  - (g) Corporal BROWN left the store after the male, and did not return;



- (h) In speaking with Corporal BROWN on a later date JENSEN learned that Corporal BROWN had arrested the male when he had attempted to pass the \$5.00 bill at a nearby convenience store;
- (i) Corporal BROWN provided JENSEN with information about the male, stating that the male had been involved in a police file where he had held an individual in a basement for three days;
- (j) On another occasion Corporal BROWN also provided information to JENSEN regarding a male by the name of [REDACTED] who had been sending JENSEN harassing explicit text messages;
- (k) Corporal BROWN told JENSEN that [REDACTED] had tried to ask out a 13 year old, while dating a 14 year old;
- (l) JENSEN had informed Corporal BROWN of the text messages received from [REDACTED], but does not know why Corporal BROWN provided him with information regarding [REDACTED];
- (m) JENSEN had also told Corporal BROWN about his history with Edmonton Police, including that Edmonton Police had treated him poorly;
- (n) Corporal BROWN has made indications to JENSEN which suggested he had reviewed JENSEN's past police history;
- (o) Corporal BROWN also assisted JENSEN in a pardon application by obtaining JENSEN's fingerprints at the Coquitlam RCMP Detachment;
- (p) [REDACTED]
- (q) His last contact with Corporal BROWN had been [REDACTED]  
[REDACTED]
- (r) This attention had been unwanted by JENSEN, and he was still upset with BROWN for doing so.

- (s) JENSEN had also heard that there was a false story about Corporal BROWN picking up a female while in a "squad car";
- (t) JENSEN could not recall the details of this story but believed she may have heard it from a friend, [REDACTED];
- (u) JENSEN has seen the photographs off Corporal BROWN as shown in the media previously, on Corporal BROWN's Alt.com profile "Killed-Knight";
- (v) JENSEN had seen the photographs of Corporal BROWN biting cellophane off a female, however had never seen the photographs involving the knife.

72. The information provided by JENSEN was forwarded to Professional Standards for additional follow-up. It is noted that JENSEN's comments with respect to the arrest of the male who passed the counterfeit bill are accurate, and corroborated by the police investigation relating to that matter.

[REDACTED]

73. On August 13, 2012 Constable Danielle POLLOCK and Constable Rommel GOROSPE attended the residence of [REDACTED] for the purpose of obtaining a statement regarding the information obtained from JENSEN. I reviewed Constable POLLOCK's report regarding this statement, from which I learned the following:

- a. [REDACTED]'s partner, [REDACTED], first met Corporal BROWN on Fetlife in 2010;
- b. [REDACTED] met with Corporal BROWN for lunch and learned he was a police officer;
- c. Corporal BROWN continued communications with [REDACTED] and [REDACTED] via his RCMP e-mail, Fetlife and Facebook;
- d. [REDACTED] and [REDACTED] have met with Corporal BROWN [REDACTED];

- e. In early 2012, later determined to be [REDACTED], a meeting was arranged with Corporal BROWN for him to attend [REDACTED];
- f. Corporal BROWN attended [REDACTED] at approximately 1300 hours in an unmarked police vehicle, wearing his RCMP uniform;
- g. [REDACTED];
- h. [REDACTED] had lunch at the café in [REDACTED] and [REDACTED]'s apartment building;
- i. Corporal BROWN acknowledged that the vehicle he was driving was a police vehicle, stating that it was new to the Coquitlam RCMP Detachment. Corporal BROWN proceeded back to work at approximately 1500 hours;
- j. [REDACTED];
- k. [REDACTED];
- l. Subsequent to the recorded interview [REDACTED] reviewed her e-mail communication with Corporal BROWN and provided copies of five e-mail communication between herself and Corporal BROWN. In reviewing those e-mails [REDACTED] located an e-mail dated [REDACTED], 2012 in which Corporal BROWN [REDACTED]. As such [REDACTED] advised that she believed Corporal BROWN's visit took place on [REDACTED], 2012.

74. The information provided by [REDACTED] suggests professional misconduct on the part of Corporal BROWN and has therefore been forwarded to Sergeant HANSEN of Professional Standards for review. The investigation to determine the veracity of the information provided by [REDACTED] is ongoing.

### Follow-up Regarding the BDSM photographs

██████████

75. Corporal Greg BEREZOWSKI conducted follow-up with the photographer who obtained the BDSM photographs of Corporal BROWN, ██████████. I reviewed a report prepared by Corporal BEREZOWSKI dated July 26, 2012, from which I learned the following information:

- a. On July 26, 2012 Corporal BEREZOWSKI contacted photographer ██████████ via telephone for the purpose of arranging to meet with ██████████;
- b. ██████████ refused to meet with police in person, however confirmed she was the photographer who obtained the BDSM themed images depicting Corporal BROWN and ██████████;
- c. On October 22, 2010 ██████████ had provided Corporal BROWN a quote for a two hour photo shoot, to include two locations, the first being her own studio, and the second being the ██████████;
- d. ██████████ stated that she was in possession of a signed contract for the photo shoot, and believes same took place in October 2010;
- e. ██████████ further advised that Corporal BROWN made all arrangements for the shoot, and insisted on being the "creative director", supplying the model, saran wrap, and props for the shoot;
- f. ██████████ believed the model to be ██████████;
- g. ██████████ brought her own make-up artist, and ██████████ brought a lighting technician whom she did not wish to identify;
- h. Subsequent to the photo shoot ██████████ received an additional \$50.00 from BROWN to supply a second CD of the images obtained during the shoot which ██████████ believed to be for ██████████. ██████████ met Corporal BROWN outside the Coquitlam RCMP Detachment to provide him with that additional CD; and
- i. ██████████ does not have copies of the photographs, however the contract which Corporal BROWN included 50 images.

[REDACTED]

76. Corporal BEREZOWSKI was requested to locate and interview the female model depicted in the BDSM photographs with Corporal BROWN. I reviewed the reports of Corporal BEREZOWSKI dated July 26, 2012, and August 13, 2012 from which I learned the following information:

- a. On July 26, 2012 Corporal BEREZOWSKI conducted internet queries of [REDACTED], however was unable to locate any identifying results; and
- b. On August 13, 2012 Corporal BEREZOWSKI received direction from Team Commander Sergeant CHAUHAN that given that both [REDACTED] and Corporal BROWN confirmed the consensual participation of the parties involved in the BDSM shoot, and there was no information to suggest any criminal activity with respect to same, further efforts would not be made to identify and locate [REDACTED] at this time.

[REDACTED]

77. Constable Anna TAYLOR conducted follow-up with [REDACTED] who is the male model who participated in the violent photographs which were incorrectly identified to depict Corporal BROWN. I reviewed the report of Constable TAYLOR dated July 28, 2012 from which I learned the following information:

- a. On July 28, 2012 Constable TAYLOR and Corporal BEREZOWSKI met with [REDACTED];
- b. [REDACTED] declined to be audio or video recorded, however was willing to speak with investigators;
- c. [REDACTED] advised that he does not know Corporal BROWN personally, but knew Corporal BROWN as the "Kilted-Knight" online;
- d. The sexual photographs depicting [REDACTED] as published in the media, were obtained during a photo shoot which occurred on May 6, 2012;
- e. The photographer who obtained the images took approximately one month from the date of the photo shoot to complete the post-production work, after which [REDACTED] received an archive of the photographs via e-mail;

- f. [REDACTED] was unwilling to identify the female model depicted with him, however did state [REDACTED]  
[REDACTED]
- g. [REDACTED] agreed to provide the female with investigators contact information should she be willing to meet with them;
- h. [REDACTED] believed that whoever supplied the media with his photographs specifically selected photographs which were similar in appearance to Corporal BROWN;
- i. [REDACTED] has a Fetlife profile with a user name of [REDACTED];
- j. [REDACTED] also advised that a female by the name of [REDACTED] has known Corporal BROWN for a long time, and although he does not believe [REDACTED] would have been the person to release the photographs, [REDACTED] has previously "outed" someone in the BDSM community.

#### **Unknown Female Model**

78. I reviewed the reports of Sergeant Dave CHAUHAN dated July 30, 31 and August 1, 2012, documenting his efforts to speak with the female model depicted in the photographs with [REDACTED]. In reviewing those reports I learned the following information:

- a. On July 30, 2012 efforts to contact the female model posing in the torture themed photographs with [REDACTED] resulted in Constable Anna TAYLOR being contacted by lawyer Derrill THOMPSON;
- b. THOMPSON advised that he represented the female model depicted in the photographs in question, however that female was unwilling to meet with police, and did not wish to be identified;
- c. On July 31, 2012 Sergeant CHAUHAN contacted THOMPSON and submitted a list of questions via e-mail for which police were seeking answers from the female model;
- d. On August 1, 2012 THOMPSON responded via e-mail, advising of the following:

- (a) His client is the female depicted in the photographs in question, identifiable by a tattoo on her right ankle as consistent with the female model;
- (b) His client has never met or spoken with Corporal BROWN;
- (c) The torture themed photographs had been obtained during a staged shoot, were consensual in nature, and his client had not suffered any injury as a result of same;
- (d) His client is not aware of who entered her account and downloaded photographs published in the media, and therefore cannot speak to the possible motivation of the person responsible;
- (e) His client was unwilling to answer questions relating to the privacy status of her Fetlife profile or the photographs contained therein.<sup>15</sup>

[REDACTED]

79. I reviewed the reports of Corporal BALABAN dated July 30 and August 2, 2012 with respect to the identification and follow-up with [REDACTED], from which I learned the following:

- a. [REDACTED]
- b. On August 2, 2012 Corporal BALABAN and Constable TAYLOR obtained an audio recorded statement from [REDACTED], who's name had been brought up by both Erotic Vancouver editor Reive DOIG and [REDACTED] [REDACTED] as an associate of Corporal BROWN's. [REDACTED] provided the following information:
  - (a) She has been a friend of Corporal BROWN's for several years;
  - (b) During the initial media attention regarding Corporal BROWN, she had spoken with media representatives and was shown numerous

<sup>15</sup> Given that both [REDACTED] and the female model confirmed their consensual participation in the photographs, in addition to the females unwillingness to be identified or speak directly with police, further follow-up was not conducted with respect to same.

scanned photo copies of photographs which appeared to be Corporal BROWN, as well as photographs involving a knife;

- (c) [REDACTED] stated that she has spoken with both parties depicted in the photographs involving the knife and both parties participated in the shoot willingly, however she did not wish to identify them;
- (d) With respect to the information provided to the media relating to Corporal BROWN [REDACTED] advised investigators to look into a male and female employed at the Coquitlam RCMP office, with the male having had past military experience;
- (e) [REDACTED] was unwilling to elaborate on why investigators should look into these individuals.<sup>16</sup>

#### **Follow-up Regarding [REDACTED]**

80. I reviewed the reports of Constable Danielle POLLOCK dated July 26, and 27, 2012 with respect to the interview of [REDACTED] from I learned that on July 26 and 27, 2012 Constable POLLOCK and Corporal BALABAN traveled to West Kelowna for the purpose of interviewing [REDACTED] [REDACTED] met with and provided an audio recorded statement to members during which she provided the following information:

- a. She has never met Corporal BROWN;
- b. She traveled to the Lower Mainland [REDACTED]  
[REDACTED];
- c. She believed the person who had provided her information was likely a "friend" on Facebook, as the details they had provided of her had been documented in her Facebook posts;
- d. She does not believe the individual to be a person who was close to her as there were inaccuracies within some of the information which Sergeant MCMILLAN has told her had been provided, as follows:

<sup>16</sup> Outside of [REDACTED]'s brief comment, no information has been received to identify any member of the Coquitlam RCMP as the source of either the photographs provided to the media, or the letter written by Daniel FAWKES as detailed further in this Information to Obtain.



- (a) [REDACTED];
- (b) [REDACTED];
- (c) [REDACTED];
- (d) [REDACTED];
- e. In March 2009 she had become friends with a male she met [REDACTED];
- f. [REDACTED] introduced her to the BDSM community as he was a member of Fetlife and an amateur photographer;
- g. [REDACTED] participated in two BDSM style photo shoots for [REDACTED], the first being in 2009 and the second in 2011;
- h. [REDACTED];
- i. [REDACTED];
- j. [REDACTED];
- [REDACTED] 17.
- k. She was shaken by her meeting with Sergeant MCMILLAN, and subsequent to the meeting had immediately contacted her parents for assistance as she did not feel Sergeant MCMILLAN had believed her. Her mother made inquiries regarding Sergeant MCMILLAN;
- l. She subsequently she sought out and contacted Sergeant SIDDIQUI; and
- m. She has advised her parents, [REDACTED] of the circumstances of Sergeant MCMILLAN contacting her.

### **Vancouver Erotic Magazine – Published Materials**

81. I have reviewed the report of Sergeant CHAUHAN dated July 25, 2012 with respect to information received from Corporal BROWN's legal counsel, from which I learned the following information:

- a. On July 25, 2012 Corporal BROWN forwarded information obtained by his legal representation to Sergeant Farid SIDDIQUI who then directed same to the attention of Sergeant CHAUHAN.
- b. The information consisted of e-mail communication between Reive DOIG, the editor of Erotic Vancouver Magazine, and a person who self-identified as "Daniel FAWKES".
- c. The e-mail communication stemmed from a comment which FAWKES posted in response to an online article authored by DOIG. The article related to the inaccuracy of the media in their identification of Corporal BROWN in some of the photographs published; and
- d. The allegations which FAWKES makes regarding Corporal BROWN's law firm, Harper Grey, are entirely false.

82. I reviewed the e-mail communication between DOIG and FAWKES, as well as the comment which FAWKES posted to the Vancouver Erotic Magazine website. The comment posted to the Vancouver Erotic Magazine was observed to be posted to website open and accessible to anyone.

83. On July 6, 2012 an article authored by DOIG was posted on the Erotic Vancouver website. The article was entitled "Spotlight on the media: Abduction scene photos are not of RCMP Corporal Brown", and suggested the media be held accountable for the misidentification of Corporal BROWN in several Abduction themed BDSM images. The article was followed by several comments posted by readers, including a comment posted on July 16, 2012 at 6:32 PM authored by "Daniel FAWKES". FAWKES comment was a page in length and made the following accusations:

- a. Fellow members had "outed" Corporal BROWN, and not because of some "kink" or just pictures. The pictures were only a minor aspect;

- b. Corporal BROWN also had in his possession numerous pictures which compromised senior officers involved in the PICKTON investigation. Possession of these compromising images has allowed Corporal BROWN to remain employed by the RCMP with his "activities" ignored for over a decade.;
  - (a) As detailed in this Information to Obtain, no such pictures have been located and therefore this information is believed to be false.
- c. Not just one memory stick was found, but three memory sticks and two CD's. Many of the images contained fake "snuff" taken by Corporal BROWN and considered art;
  - (a) This information is believed to be false, as although one USB drive located in December 2010, and two CD's located in Corporal BROWN's briefcase on July 12, 2012 were found to contain BDSM photographs none of those items, nor any of the other electronic storage material found in Corporal BROWN's work area was found to contain "snuff"<sup>18</sup> imagery.
- d. Corporal BROWN also misused RCMP computers to run people's names.
  - (a) This allegation is corroborated by the information provided by JENSEN.
- e. Corporal BROWN had multiple complaints of "non-consensual" activity with people he encountered while on duty.
  - (a) This comment appears to suggest that Corporal BROWN committed sexual offences against persons whom he dealt with while on duty. There are no files which document any such complaints, however it is noted that an RCMP code of conduct has recently been initiated relating to complaints of harassment by Corporal BROWN against female employees of the Coquitlam RCMP.
- f. The Harper Grey law firm was hired to silence the media and intimidate witnesses.

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<sup>18</sup> "Snuff" pornography refers to images that depict the murder of a person or persons.

- (a) Harper Grey was hired by Corporal BROWN, and has initiated civil litigation against media agencies which incorrectly identified [REDACTED] as Corporal BROWN. However there is no indication that Harper Grey has attempted to intimidate witnesses, and Harper Grey lawyer Daniel REID has stated that such allegations are false.

g. Corporal BROWN knew David PICKTON well in the 1990's.

- (a) There is no information to support this claim, and Corporal BROWN has stated that he does not know David PICKTON.

84. DOIG responded to FAWKES comment via e-mail on July 16, 2012, replying from his own e-mail account of [REDACTED]. DOIG's response suggested that anyone with information relating to the PICKTON investigation should contact the appropriate authorities, and/or forward the information to Cameron WARD or Jason GRATL.

85. On July 17, 2012 DOIG received a reply to his e-mail from an e-mail address of Daniel.de.fawkes@gmail.com. The message thanked DOIG for his well thought response, and further stated that Corporal BROWN had claimed to be a close friend of DOIG's, however this was clearly not the case. FAWKES goes on to state that he would provide DOIG with a small quantity of information on the matter at hand, however requests that DOIG is cautious with the information as it compromises "ongoing investigations". FAWKES then goes on to make the following allegations:

- a. That in February an outside agency had been brought in to investigate a highly sensitive internal matter, being the "Jim Brown file";

- (a) This information is known to be false. With the exception of the investigation of Richmond Professional Standards as initiated on July 4, 2012, and this investigation, initiated on July 23, 2012 no outside investigations were initiated with respect to Corporal BROWN.

- b. In January an 18 year old female attended "the detachment" and reported that she had met a person named "James" on the online dating site "Plenty of Fish", and had subsequently met with James in person at the Boston Pizza restaurant in Coquitlam. The female reported that during the meeting they had returned to James vehicle, and "things went to fast and to far without her consent". After they "finished up" James informed the female that he was a police officer, turning on his emergency equipment and displaying his issued weapon and handcuffs. James also talked about "daddy / daughter" fantasies;

(a)

[REDACTED]  
[REDACTED] Grant WAKEFIELD, however both Corporal BROWN and [REDACTED] have denied this incident ever took place. The notable exception is there is no information or police files to support that the female involved attended the detachment to report the allegations.

- c. The investigation of the females allegations was assigned to Sergeant Farid SIDDIQUI, who is a close friend of Corporal BROWN's;
- (a) Sergeant SIDDIQUI was assigned both the investigation into the 2010 USB drive, and the allegations relating to [REDACTED], however Sergeant SIDDIQUI has advised, as documented further in this Information to Obtain that he is not a friend of Corporal BROWN's. Furthermore, Sergeant SIDDIQUI investigated the allegations in both instances and provided a report of his findings to Superintendant WILCOTT for his review and determination as to whether the allegations were supported.
- d. Sergeant SIDDIQUI destroyed evidence of an alleged sexual assault under the direction of "BIDDLECOMB and Daryl POLLOCK", both of whom were involved in the PICKTON investigation;
- (a) Sergeant SIDDIQUI denies having destroyed any evidence, and is not aware of any alleged sexual assault involving Corporal

BROWN. Further Sergeant SIDDIQUI is not familiar with who BIDDLECOMB and Daryl POLLOCK are.<sup>19</sup>

- e. In February a new Corporal arrived at "the detachment" and located a USB Drive which had been left in a computer, and was found to contain "normal" BDSM images of Corporal BROWN. This Corporal showed the pictures to several other people and they laughed about the content of the photographs. Further review however located pictures of extreme violence, fake "snuff" pictures, and "pedophile" pictures. The pictures clearly included Corporal BROWN, including the maple leaf tattoo, kilt and boots. While the pictures were being viewed, Sergeant SIDDIQUI walked into the room and grabbed the drive, warning the members not to tell anyone;
  - (a) Although the account of the location of the USB drive is similar to the manner in which Corporal BROWN's USB drive was located December 2010, Sergeant SIDDIQUI was provided the drive from Inspector GFELLNER, and the drive was not found to contain "snuff" photographs, or "pedophile" photographs.
- f. One of the young females depicted in the photographs has since been located but is very concerned about coming forward;
  - (a) As stated, there were no pictures located involving young females, and no such victims have been located by police.
- g. The new Corporal contacted members of "E-Division", at which time an investigation was launched resulting in the location of a total of three memory sticks and two CD's. The contents of the CD's were reviewed, which prompted outside assets to be sought and brought in to initiate a new investigation;
  - (a) During a search conducted of Corporal BROWN's desk on July 12, 2012 three USB drives and numerous CD's and DVD's were located. Two of the CD's as contained in Corporal BROWN's briefcase were found to contain the same BDSM photographs of

<sup>19</sup> Inspector Fred BIDDLECOMB and Sergeant Daryl POLLOCK were widely publicized during their testimony at the Missing Women's Inquiry regarding their involvement in the PICKTON investigation. Both individuals are currently retired.

Corporal BROWN as had been located on the USB drive in December 2010. Review of all other items did not locate any images of a sexual nature.

- h. Since then the Commission Council, Cameron WARD and others have been provided with the information relating to the investigation, resulting in increasing questioning from WARD about BROWN during the Missing Womens Inquiry;

- (a) The Commission and Cameron WARD were made aware of the BDSM images when same were reported on by the media. In the transcripts of the Missing Women's Inquiry Cameron WARD is noted to have asked witnesses about Corporal BROWN, and on one occasion on April 12, 2012 did ask if a witness was aware that Corporal BROWN went by the nickname of "Kilted-Knight". As such it is possible that Cameron WARD had received information regarding Corporal BROWN's BDSM activities at an earlier date.

- i. On February 14, 2012 Corporal BROWN had surgery [REDACTED]

- (a) Corporal BROWN did have surgery [REDACTED] on February 14, 2012 as posted on his Facebook account.

- j. In February Corporal BROWN proceeded to upload pictures to his Fetlife profile depicting a male from Port Coquitlam, but claimed the pictures to depict himself. The pictures located on the memory devices in his workplace were however Corporal BROWN, and contained images of Corporal BROWN and two Evenhanded investigators at "Piggies Palace" engaged in sex acts, including a picture of Corporal BROWN and David PICKTON standing on either side of a female chained to a wall;

- (a) As previously stated, no such images have been located, and there is no information to link Corporal BROWN to Dave PICKTON.

k. Corporal BROWN is being investigated for numerous crimes, and the RCMP has released tax dollars to allow for Corporal BROWN to hire the Harper Grey law firm;

(a) The RCMP has not release tax dollars to pay for Corporal BROWN's legal counsel. Outside of the allegations made by Grant WAKEFIELD, at the time of FAWKES post there were no other criminal investigations taking place with respect to Corporal BROWN.

l. Harper Grey law firm was shown over 300 images of Corporal BROWN by the media, in which Corporal BROWN was involved in "non BDSM" violent acts, particularly with children;

(a) Harper Grey lawyer, Daniel REID, has confirmed that this allegation is false. Furthermore no such images have been located during the investigation.

m. The leak to the media has caused problems in the ongoing investigation of Corporal BROWN's activities, which is not about BDSM, but about justice for real victims;

(a) There is no information to suggest that Corporal BROWN has committed any criminal offences at this time.

n. Within two weeks a story will reach the media about the rape of a teenage girl by a member;

(a) There is no information to indicate any such incident has been reported, nor has any such story been reported in the media.

86. FAWKES indicated that he was providing the information to DOIG as it was his perspective that Corporal BROWN needed to be arrested, and the public made aware of what is really going on, not just the BDSM angle.

87. On July 18, 2012 DOIG sent two replies to FAWKES encouraging him to contact the lawyer of the Missing Women's Inquiry, and also indicating that he has broached the content of FAWKES e-mail with lawyer Jason GRATL. An automated response was



received by DOIG from G-mail indicating that delivery to

Daniel.de.fawkes@gmail.com had been unsuccessful as the account did not exist.

As such the account appears to have been terminated sometime between July 17<sup>th</sup> when FAWKES sent his e-mail to DOIG, and July 18<sup>th</sup> when DOIG sent his reply.

88. [REDACTED] suggested by FAWKES with respect to a young female meeting Corporal BROWN, as well as FAWKES additional information that the meeting took place specifically at a Boston Pizza restaurant in Coquitlam, inquiries were initiated to determine if video surveillance was available from the Boston Pizza locations within the Coquitlam area. I reviewed Corporal RETTENBACHERS report dated July 31, 2012 relating to those inquiries, and learned that contact was made with the managers at both Coquitlam Boston Pizza location's, however video surveillance from January 2012 was not available at either location.

89. As a result of the allegations made by FAWKES with respect to Sergeant SIDDIQUI's relationship with Corporal BROWN, as well allegations that Sergeant SIDDIQUI had destroyed evidence relating to a sexual assault committed by Corporal BROWN, and further taken steps to hide evidence that Corporal BROWN had child pornography contained on a USB drive, Sergeant CHAUHAN contacted Sergeant SIDDIQUI directly. I reviewed Sergeant CHAUHAN's reports with respect to his communication with Sergeant SIDDIQUI, dated July 25, and August 8, 2012, from which I learned the following information:

- a. Sergeant SIDDIQUI and Corporal BROWN are not friends;
- b. Sergeant SIDDIQUI is not aware of who "BIDDLECOMB and Daryl POLLOCK" are;
- c. Sergeant SIDDIQUI has no idea what FAWKES may have been referring to by the "alleged sexual assault" and or of any evidence related to such an assault which Sergeant SIDDIQUIE allegedly destroyed;

- d. Sergeant SIDDIQUI has never observed child pornography within the Coquitlam RCMP Detachment, let alone child pornography associated to Corporal BROWN either directly or indirectly; and
- e. Sergeant SIDDIQUI is not familiar with anyone named Daniel De FAWKES, nor is he able to surmise the person's true identity.

90. As a result of the allegations made by FAWKES with respect to the content of the memory devices located at Corporal BROWN's workplace, on August 3, 2012 I reviewed the exhibits capable of storing electronic data as located in Corporal BROWN's work areas. Those exhibits consisted of numerous CD's, DVD's, and a digital records as located by Sergeant DICKSON on July 12, 2012. I did not review the three USB drives which were also located in Corporal BROWN's work area, as those items were provided to Sergeant Doug COLLINS of the Vancouver Integrated Tech Crimes Unit for his review. In reviewing the CD's, DVD's and digital recorder located at Corporal BROWN's place of work, I did not locate any images of a sexual nature, nor did I locate any images related to David PICKTON, Robert PICKTON, or the PICKTON farm.

91. I reviewed the report of Sergeant Doug COLLINS dated August 7, 2012 documenting his review of the three USB drives located in Corporal BROWN's desk by Sergeant DICKSON on July 12, 2012. In reviewing that report I learned that Sergeant COLLINS did not locate any images of a sexual nature, nor any images related to David PICKTON, Robert PICKTON or the PICKTON farm.

92. As a result of the information received detailing FAWKES allegations, Corporal RETTENBACHER was tasked with obtaining a statement from the Erotic Vancouver editor Reive DOIG. I reviewed the report of Corporal RETTENBACHER dated August 2, 2012 with respect to that interview, from which I learned the following:

- a. DOIG was willing to speak with police, but unwilling to provide names of some of the persons involved;

- b. DOIG is the person in control of the website Eroticvancouver.com, the primary focus is to advertise kink events and gatherings in the Vancouver Metro area, as well as to post sex-positive and sex-negative articles;
- c. He first became aware of Corporal BROWN from the media coverage, and on July 5, 2012 posted an article in response to the news reports relating to Corporal BROWN. The following day he received a phone call from a well known person in the kink community who advised DOIG that the male depicted in the "knife sequence" of photographs shown in the media was not Corporal BROWN. The caller also provided DOIG with the name of the female depicted in the photographs. This confirmed a belief DOIG already had, as he recognized the male depicted in those photographs to be someone he knew;
- d. As previously detailed in my Information to Obtain the male and female in this photograph was [REDACTED] and another female who's identity is not known to police;
- e. After realizing the media was distributing false information with respect to Corporal BROWN he published a follow-up article on his website;
- f. His first contact with Daniel FAWKES was the result of a comment which FAWKES posted in response to one of those articles on the EroticVancouver website. As a result of that comment an e-mail exchange took place between himself and FAWKES and according to DOIG some of the information provided by FAWKES seemed to be misleading;
- g. He has also met with Ian MULGREW of the Vancouver Sun to inquire about the misinformation which was released. MULGREW initially told him that one unknown source had come forward with the photographs, however upon further questioning MULGREW admitted that there were two sources who had come forward.
- h. DOIG also contacted CBC and was advised that they had received material similar to that received by MULGREW, however they had chosen not to publish the story after speaking with the RCMP and being informed the matter had already been dealt with via an internal investigation. DOIG was also

advised by Andrea LAU of the CBC that CBC had concerns regarding the motivation of their source.

- i. DOIG was told that the source was female and CBC believed her to have made a prior complaint against Corporal BROWN which was not pursued, and therefore led to her contacting the media;
- j. The allegation may have involved some type of inappropriate conduct by Corporal BROWN in a vehicle with that female, possibly in the form of a sexual assault;
- k. DOIG was not aware of any further details regarding the identity of the source or any possible incident between the source and Corporal BROWN;
- l. DOIG said he was previously involved in a business partnership with [REDACTED]. DOIG said that [REDACTED] appeared in the media to confirm that it was not Corporal BROWN who was depicted in the "knife sequence" pictures, and added that it was his belief there is a one percent chance that [REDACTED] released the photographs in order to gain public exposure from mainstream media outlets;
- m. DOIG does not know Corporal BROWN, nor was he familiar with Corporal BROWN's online profile "Kilted-Knight";

93. I reviewed the reports of Corporal BALABAN dated August 1 and 3, 2012 with respect to follow-up regarding the IP address, from which I learned the following:

- a. On August 1, 2012 Corporal BALABAN was provided access to the IT logs associated to EroticVancouver by Reive DOIG and observed the IP address associated to the comment posted by FAWKES, to be [REDACTED];
- b. Corporal BALABAN and Constable GOROSPE conducted queries of the IP address obtained for FAWKES utilizing a website designed to locate and identify the origin of IP Addresses. The website utilized was [www.loxcell.com/celltower](http://www.loxcell.com/celltower), and the results of the query identified IP address [REDACTED] to be a Telus Communications Static IP address located within the New Westminster area;

- c. On August 3, 2012 Corporal BALABAN received an e-mail from DOIG confirming that the IP address associated to FAWKES comment was [REDACTED];

### **Identification of IP Subscriber**

94. On August 7, 2012 I submitted a written request to Telus Communications, requesting the subscriber information associated to IP Address: [REDACTED] pursuant to the Personal Information Protection and Electronic Documents Act (PIPEDA).
95. On August 9, 2012 I received the requested information from Telus representative Julie ROSZMANN via e-mail. ROSZMANN advised that the IP address of [REDACTED] was registered to Grant WAKEFIELD of [REDACTED] [REDACTED].

### **Fetlife Records**

96. On August 15, 2012 in an effort to identify the IP address associated to the Fetlife account of "Mariah\_de\_Sin", Corporal BALABAN and BEREZOWSKI contacted the [REDACTED]. I reviewed the report of Corporal BALABAN dated August 15, 2012 relating to his contact with [REDACTED] from which I learned the following information:
- a. [REDACTED], which operates as Fetlife.com;
  - b. [REDACTED] believed that there were a few Fetlife accounts created that were suspicious, as they had only viewed the profile of "Killed-Knight";
  - c. [REDACTED] inquired if Corporal BALABAN had a relevant IP address which would allow him to search for any accounts or records associated to that IP address;
  - d. Corporal BALABAN provided the IP address of [REDACTED] to [REDACTED] who conducted a query of his records for same;

- e. [REDACTED] located two accounts associated to that IP address being "Mariah\_de\_Sin" and "Danielle-Snow", both of which were accessing the accounts from the IP address of [REDACTED]<sup>20</sup>
- f. The account of "Danielle-Snow" was also observed to have been accessed from a second IP address of [REDACTED];
- g. [REDACTED] determined that "Danielle-Snow's" profile had viewed photographs which had been published in the media, contrary to the Fetlife user policy, while "Mariah\_de\_Sin's" account had been linked to private messages with "Kilted-Knight" which had been published in the media, also contrary to Fetlife's user policy;
- h. As a result Fetlife sent a letter of termination to the e-mail addresses associated to the accounts of both "Danielle-Snow" and "Mariah\_de\_Sin";
- i. Fetlife may be able to locate additional records relating to the activities of "Danielle-Snow" and "Mariah\_de\_Sin" however would prefer a formal written request from the RCMP prior to initiating such action.

97. On August 15, 2012 I prepared a written request pursuant to PIPEDA, directed at [REDACTED] Fetlife. I requested that Fetlife provide records pertaining to the creation date, activities and termination date of Fetlife user accounts associated to an IP address of [REDACTED] as well as an IP address of [REDACTED]. Corporal BALABAN subsequently forwarded the written request via e-mail to [REDACTED].

98. On August 16, 2012 Corporal BALABAN received a response from [REDACTED] via email. I have reviewed that e-mail, dated August 16, 2012, from which I learned that attempts by Fetlife to reconstruct the record logs determined that same were not functioning properly, and therefore the requested information was unable to be located in the manner originally believed, however Fetlife was able to obtain some limited log information from their advertising server. [REDACTED] provided two attached documents containing those logs.

<sup>20</sup> As documented previously, "Mariah\_de\_Sin" is the Fetlife user name of the person whom Corporal BROWN knew to be Mariah O'CONNER. O'CONNER is the individual who Corporal BROWN believed may have obtained the photographs from his Fetlife account, as well as his Facebook account.

99. The logs obtained from Fetlife were forwarded to Sergeant Doug COLLINS of the Vancouver Integrated Tech Crimes Unit for review. I have reviewed a report prepared by Sergeant COLLINS, dated August 17, 2012 relating to the review of the Fetlife logs, from which I have learned the following:

- a. Between June 26 to July 6, 2012 the IP address of [REDACTED], as registered to WAKEFIELD and associated to the Fetlife profiles of "Mariah\_de\_Sin" and "Danielle-Snow" conducted queries of Fetlife which included the following terms: Killed Knight, Jim BROWN, RCMP and [REDACTED]<sup>21</sup>;
- b. Between March 5 to April 25, 2012 the IP address of [REDACTED] as associated to the Fetlife profile of "Danielle-Snow" conducted numerous queries of Fetlife for the term Killed Knight.
- c. All queries conducted by the two IP addresses noted above were conducted utilizing the same internet browser, being Mozilla/5.0 (Macintosh; Intel Mac OS X 10\_7\_4) AppleWebKit/534.57.2 (KHTML). Sergeant COLLINS interpreted that information to indicate that an Apple computer was utilized to conduct the queries.

### **Corporal BROWN**

100. The following section of my Information to Obtain details a follow-up statement from Corporal BROWN, as obtained by Sergeant on August 17, 2012. The reason I have included these details is that it demonstrates how the published materials have injured the reputation of Corporal BROWN. I have reviewed the reports of Sergeant CHAUHAN dated August 17, 2012, from which I have learned the information which follows.

101. Corporal BROWN became a member of the Fetlife.COM community in 2007 and was known in the community by his internet nickname of Killed-Knight. During that time he uploaded hundreds of photos of general nature to his profile with the

<sup>21</sup> As stated previously in this Information to Obtain, [REDACTED]

exception of 5-7 BDSM photographs he uploaded portraying him in various poses with a female model.

102. In March of 2012, he received an online notification on his e-mail messaging system that a "Mariah\_de\_Sin" was interested in meeting with him. This person stated that she was new to Fetlife and had recently moved from Ireland to New Westminster and wanted to meet with him. She asked rather inquisitive questions such as whether he was a uniformed police officer and would he consider meeting with her. Corporal BROWN felt uneasy meeting with her before confirming her identity because he felt he might have been the subject of an RCMP undercover operation. Corporal BROWN checked the contacts under Mariah\_de\_sin's profile and noticed she had listed "Danielle-Snow" as a friend, and therefore he checked the profile of "Danielle-Snow" and observed she had some friends on her profile that he knew were "real" people. As such Corporal BROWN contacted "Danielle-Snow" who confirmed that she knew "Mariah\_de\_Sin" and they were friends;

103. As a result of the confirmation received from "Danielle-Snow" Cpl. BROWN invited "Mariah\_de\_Sin" to his Fetlife profile. After they began communicating he learned that her name was Mariah O'CONNER. Cpl. BROWN then invited Mariah O'CONNER to his Facebook account to view photographs in which he was depicted in his RCMP Red Serge. Cpl. BROWN's Facebook invitation was accepted by Mariah O'CONNER who's Facebook profile displayed her e-mail address as mariahoconner@hotmail.com. He noticed that within 24 hours of them being friends on Facebook, her account was deleted. Soon thereafter he also noticed that the profiles of "Mariah\_de\_Sin" and "Danielle-Snow" disappeared from Fetlife;

104. Corporal BROWN is aware that some of the BDSM photographs depicting him that were released to the media came from his Fetlife profile. He stated that the only way a person could have accessed his photographs on Fetlife is if they were invited to his profile. Corporal BROWN believed it to be that Mariah O'CONNER had initiated contact with him, he allowed her access to his profile and photos, allowed



her access to his facebook and then within days she disappeared from both Facebook and Fetlife.

105. During the interview Corporal BROWN was also asked if he knew anyone named "Grant", and was later asked if he knew anyone with a last name of WAKEFIELD. Corporal BROWN advised he did not know anyone by those names.

106. Corporal BROWN stated that he was aware that on July 16, 2012 at 1832 hours, a person identifying himself as Daniel FAWKES posted a commentary in response to an online magazine article written by the editor. Corporal BROWN was aware of the defamatory statements made in that comment.

107. Cpl. BROWN was also aware that from July 13 to 16, 2012 a person identifying himself as Daniel FAWKES using the twitter account of @De\_FAWKES posted 36 tweets which contained further defamatory statements relating to Corporal BROWN.

108. With respect to the impact which the release of the photographs, and the defamatory statement has had on Corporal BROWN, he advised that the whole ordeal has had a profound impact on him and his family. Corporal BROWN stated that he is [REDACTED] years old and [REDACTED]. He has over 23 years of service with the RCMP and was hoping to continue with another 5 years before retiring from the force. [REDACTED]

109. The entire episode which Corporal BROWN referred to as a "pack of lies" has caused him to be depressed, stressed, angry and vindictive and he wants to hold the person(s) responsible for this accountable. [REDACTED]

110. [REDACTED]

111. [REDACTED]

112. Cpl. BROWN feels this ordeal has devastated his reputation, and further feels he has been ridiculed in the writings of Daniel FAWKES. Corporal BROWN's feels that the defamatory statements made by FAWKES has led to further ridicule by others.

#### **Twitter Account - @De Fawkes**

113. As a result of the information provided by Corporal BROWN with respect to a Twitter account of @De\_FAWKES, I requested that Sergeant COLLINS locate and review the details of that account. I reviewed a report dated August 17, 2012 as prepared by Sergeant COLLINS, relating to his findings with respect to the Twitter account of @De\_Fawkes. In reviewing that report I learned the following information:

- a. The Twitter account of @De\_Fawkes is no longer available, however Sergeant COLLINS utilized Google cached data to view the data pertaining to that account;
- b. The main page of the account indicated the user name was @de\_Fawkes, with a full name of Daniel FAWKES, with a total of 13 followers. 36 "tweets"<sup>22</sup> were made by the account, however only 20 were able to be viewed in the

<sup>22</sup> Tweets are short messages under 140 characters in length which are posted by a user of Twitter.

cached web history. From July 13 to 16, 2012 the following tweets of note were made by @de\_Fawkes:

- (a) "New Disturbing News Regarding RCMP Cpl. Jim BROWN!". [The tweet contained a link to the "Haifischgeweint" blog as written by Jamie JENSEN. This tweet was reposted 3 times with hash tags of #CBC, #IPC, and #cdnpoli<sup>23</sup>. The tweet was also reposted an additional 9 times on the Twitter accounts of various media agencies, including CBC, CTV, CKNW, and the account of Vancouver Sun reported Ian Mulgrew];
- (b) "#RCMP Why has Cpl. Jim Brown been provided with Tax dollars to sue the media and Silence Victims. He hired Harper Grey Law!";
- (c) "#RCMP New Witness's are Coming Forward Everyday! This is complete Corruption by a so called Officer"!
- (d) "#MWCI Victims are now coming forward regarding Cpl. Jim Brown and his connections to the Pickton's. Pictures of other Senior Officers to!"
- (e) "#Anonymous Victims are now coming forward regarding Cpl. Jim Brown and his connections to the Pickton's. Pictures of other Senior Officers.
- (f) "# Canada This is complete Corruption by a so called RCMP Officer, He attended Piggies Palace! Spread the Word!" [#Canada was observed to be a hash tag];
- (g) "#Canada Victims are now coming forward regarding Cpl. Jim Brown and his connections to the Pickton's. Pictures of other Senior Officers. [#Canada was observed to be a hash tag];
- (h) "#Anonymous Why has Cpl. Jim BROWN been provided with Tax dollars to sue the Media and Silence Victims. He Hired Harper Grey Law!" [#Anonymous was observed to be a hash tag];

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<sup>23</sup> A hash tag contained in a tweet consists of a # symbol, followed by a word or group of words which act as a subject. Users of Twitter can search hash tags to view tweets associated with that subject.

- (i) "# Canada Why has Cpl. Jim Brown been provided Tax dollars to sue the Media and Silence Victims. He Hired Expensice Harper Grey Law!".

114. As previously documented in this Information to Obtain, no association has been located to support any claims that Corporal BROWN attended "Piggies Palace", or was friends with David or Robert PICKTON. Furthermore no "victims" have been identified with respect to Corporal BROWN, nor has the RCMP released tax dollars to pay for Corporal BROWN's legal counsel.

115. [REDACTED]

116. [REDACTED]

a. [REDACTED]

b. [REDACTED]

- [REDACTED]
- c. [REDACTED]
- d. [REDACTED]
- e. [REDACTED]
- f. [REDACTED]

117.

- [REDACTED]
- a. [REDACTED]
- b. [REDACTED]

c.

118.

119.

a.

b.

c.

d.

120.

[REDACTED]

121. [REDACTED]

[REDACTED]

**Request for Sealing Order**

122. Pursuant to Section 487.3 of the Criminal Code of Canada I am applying for a Sealing Order to prohibit access to and the disclosure of any record and or information related to this application for a Search Warrant.

123. Due to the nature and circumstances of this investigation, I believe that the ends of justice would be subverted by the premature disclosure or public access of any information relating to the Search Warrant because disclosure of the information would:

- a. Compromise the nature and extent of an ongoing investigation; and,
- b. Compromise the identity of a confidential informant.

124. As detailed previously in my Information to Obtain I have relied upon a confidential Informant deposed to as Informant A, who provided information regarding Corporal BROWN. In attempting to corroborate Informant A's information s/he provided to police in [REDACTED] it was determined that some of his/her

information was not correct; however Informant A wished to remain anonymous which was granted by [REDACTED]

125. In this, my Information to Obtain, I have deposed to information regarding the offence of Defamatory Libel. Charges in this matter have yet to be laid and while I have reasonable grounds to believe that evidence of the offence will be located in Grant WAKEFIELD's residence, at this time there is insufficient evidence as to who specifically published the defamatory libelous statements about Corporal BROWN.

126. Therefore I request that an Order be granted prohibiting access to this Information and materials related to this application be held at the Surrey Court Registry located at 14340 57<sup>th</sup> Avenue, Surrey until further ordered by this Court.

### **Conclusions/Search Warrant Justification**

127. Based on the information contained in my Information to Obtain I have reasonable grounds to believe that the offence of Defamatory Libel, contrary to section 298(1) of the Criminal Code has been committed. I believe that the matter published was material as fully detailed in the section of my Information to Obtain titled "Vancouver Erotic Magazine – Published Materials." In addition to that detailed in "Twitter Account of Daniel FAWKES". The published material included comments posted on the website "Erotic Vancouver" by a person identifying himself as Daniel FAWKES as well as emails to Reive DOIG from email address [Daniel.de.fawkes@gmail.com](mailto:Daniel.de.fawkes@gmail.com), and messages from the Twitter account of @De\_FAWKES, some of which were sent to the Twitter account of various media agencies.

128. As previously detailed in my Information to Obtain, with the public release of BDSM themed photographs some of which were Corporal BROWN and some of which were initially purported to be Corporal BROWN, as well as the defamatory statements made by Daniel FAWKES, Corporal BROWN feels his reputation has been devastated. As a result of the totality of the allegations against Corporal



BROWN, his in-laws are currently not permitting him to visit his daughters, and Corporal BROWN has concerns about whether he will be able to both drop-off and pick-up his daughters from school in the future.

129. With regard to the published comments on Erotic Vancouver as well as the email exchange with DOIG I believe it reasonable that comments such as:

- a. Memory sticks containing images fake "snuff" taken by Corporal BROWN;
- b. Corporal BROWN had multiple complaints of non-consensual activity with people he encountered while on duty;
- c. Corporal BROWN knew David PICKTON [the brother of convicted murder Robert PICKTON] well;
- d. In January an 18 year old female attended "the detachment" and reported that she had met a person named "James" on the online dating site "Plenty of Fish", and had subsequently met with James in person at the Boston Pizza restaurant in Coquitlam. The female reported that during the meeting they had returned to James vehicle, and "things went to fast and to far without her consent". After they "finished up" James informed the female that he was a police officer, turning on his emergency equipment and displaying his issued weapon and handcuffs. James also talked about "daddy / daughter" fantasies;
- e. Sergeant SIDDIQUI destroyed evidence of an alleged sexual assault under the direction of BIDDLECOMB and Daryl POLLOCK, both of whom were involved in the PICKTON investigation;
- f. In February a new Corporal arrived at "the detachment" and located a USB Drive which had been left in a computer, and was found to contain "normal" BDSM images of Corporal BROWN, at which time the Corporal showed the pictures to several other people. Further review however located pictures of extreme violence, fake "snuff" pictures, and "pedophile" pictures were located. The pictures clearly depicted Corporal BROWN, including the maple leaf tattoo, kilt and boots. While the pictures were being viewed, Sergeant SIDDIQUI walked into the room and grabbed the drive, warning the members not to tell anyone;

- g. The pictures located on the memory devices in his workplace were however Corporal BROWN, and contained images of Corporal BROWN and two Evenhanded investigators at "Piggies Palace" engaged in sex acts, including a picture of Corporal BROWN and David PICKTON standing on either side of a female chained to a wall;
- h. Harper Grey law firm was shown over 300 images of Corporal BROWN by the media, in which Corporal BROWN was involved in "non BDSM" violent acts, particularly with children; and,
- i. Within two weeks a story will reach the media about the rape of a teenage girl by a member;

are likely to cause injury the reputation of not only Corporal BROWN, but Sergeant SIDDIQUI, as well as retired police officers Inspector BIDDLECOMB, and Sergeant POLLOCK, by exposing them to both contempt and ridicule. The exposure consists of the comments posted on Erotic Vancouver and even though the email exchange was only to DOIG, this is still exposure that has now includes the persons which the material was defaming, specifically Sergeant SIDDIQUI and Corporal BROWN, and the police investigating this matter.

130. With regard to the messages sent from the Twitter account of @De\_Fawkes I believe it reasonable that comments such as:

- a. "#RCMP Why has Cpl. Jim Brown been provided with Tax dollars to sue the media and Silence Victims. He hired Harper Grey Law!";
- b. "#RCMP New Witness's are Coming Forward Everyday! This is complete Corruption by a so called Officer";
- c. "#MWCJ Victims are now coming forward regarding Cpl. Jim Brown and his connections to the Pickton's. Pictures of other Senior Officers to!";
- d. "#Anonymous Victims are now coming forward regarding Cpl. Jim Brown and his connections to the Pickton's. Pictures of other Senior Officers"; and
- e. "#Canada This is complete Corruption by a so called RCMP Officer, He attended Piggies Palace! Spread the Word!" [#Canada was observed to be a hash tag];

are likely to cause injury to the reputation of Corporal BROWN by exposing him to contempt and/or ridicule. These messages were published in an open forum accessible to the public, tagged with search terms which included RCMP.

131. I have reasonable grounds to believe that the following items to be searched for will be located at [REDACTED]:

- a. A desktop computer of an unknown model;
- b. An Apple MACBOOK with a silver/aluminum finish;
- c. An Apple I-Phone; and
- d. An Apple I-Pad.

132. I have reasonable grounds to believe the afore noted items will be located at the residence of [REDACTED] based upon the following information:

a. [REDACTED]

b. [REDACTED]

c. [REDACTED]

133. I have reasonable grounds to believe that these items are connected to the offence of Defamatory Libel contrary to Section 298 (1) of the Criminal Code, based upon the following information:

- a. The comments posted by a person identifying himself as Daniel FAWKES on the Erotic Vancouver website originated from a device utilizing the IP address of [REDACTED] as registered to Grant WAKEFIELD of [REDACTED]; and

- b. The Fetlife accounts "Danielle-Snow" and "Mariah\_de\_SIN" were both accessed from the IP address of [REDACTED] and queries of those accounts were conducted by an Apple computer device.

134. I am aware that in order to publish to a website on the internet a computer or other electronic device capable of accessing the internet is required. I have reasonable grounds to believe that the items listed above will assist investigators in furthering the investigation of Defamatory Libel in the following manner:

- a. Examination of the items will show if there are records of the comments published to the Erotic Vancouver website by a person identifying himself as Daniel FAWKES originated from IP address [REDACTED], and this IP address is registered to [REDACTED]
- b. Examination of the items will show if there are records of the e-mail communication between Daniel.de.fawkes@gmail.com and Reive DOIG;
- c. Examination of the items will show if there are records of the Twitter account, and tweets of @De\_Fawkes;
- d. Examination of other computer records contained on these items will assist in determining the identity of the individual(s) who utilized the computer devices during the dates and times when the defamatory comments were published. This information can be obtained by reviewing and locating records around the dates and times when the defamatory comments were posted to ascertain if the user logged into a personal e-mail account, online profile, online banking or conducted any other activity which would assist in identifying the user in and around a particular time; and

e. [REDACTED]

134. Based on the beliefs documented in the afore noted paragraphs, I am seeking authorization to enter the premises of [REDACTED] during daylight hours, for the purpose of searching for the following items:

- a. A desktop computer of an unknown model;
- b. An Apple MACBOOK with a silver/aluminum finish;
- c. An Apple I-Phone; and
- d. An Apple I-Pad; and
- e. Any other electronic device capable of publishing to the internet.

SWORN BEFORE ME at the City of  
Burnaby in the Province of  
British Columbia, this 18<sup>th</sup> day  
of August, 2012.

 J. Morris  
Justice of the Peace

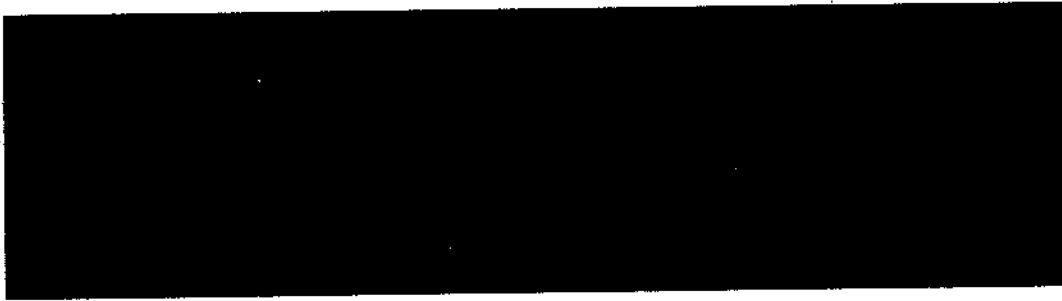
A Commissioner for taking  
Information to Obtain in the Provincial  
Court of British Columbia

 3524 12-8-12  
Constable Phia HUFFMAN

## CONFIDENTIAL APPENDIX "A"

1. This document expands on information documented within the *Information to Obtain* with respect to Informant "A". The details of this appendix have been provided to ensure full, fair, and frank disclosure, however should this matter go to court, some or all of these details may require vetting prior to disclosure to defense.

2.



3.



4.

