BURNABY RCMP NARRATIVE TEXT HARDCOPY

GO# 1202 2019-10877

Narrative: OCCURRENCE REPORT - 12

Sourcing photocopy of FOX's BCDL

Author: 251792 HAWKINS, TYLER

Related date: Thursday, 2019-Jul-11 at: 09:42

Related event: GO 1202201910877

V2

Cst

Hawkins/Cst. Brown had seized FOX's BCDL during the arrest on April 4, 2019. Cst. Hawkins advised that FOX's BCDL was placed in his effects which were transferred to the custody of the Sheriffs who transported FOX to court on April 5, 2019. V2

Cst. Hawkins advised that it had been emailed to Cst. Hawkins on April 3, 2019, by ICE Officer Shields who was advising that FOX would be transported to the Peace Arch Border Crossing the following day. V2

"When we received FOX's BCDL from the US authorities at the time when we took custody of him at the border (April 4, 2019), his BCDL was placed in his effects and transported by us to Burnaby Cells, put in his effects, and sent with him the following morning with the Sheriffs for court. Both Cst. Brown and I used FOX's BCDL for data entry on the prisoner booking system and for the fingerprint system. Myself and Cst. Brown both viewed FOX's actual BCDL at this time. This BCDL was a duplicate that FOX had obtained on March 29, 2016, expiring November 24, 2020. It's unclear as to why he obtained a duplicate of his BCDL."

Cst. Hawkins - 251792 High Risk Offender Unit

*** END OF HARDCOPY ***

*** CONFIDENTIAL ***

For: 251792 Printed On: Thursday, 2019-Jul-11

From:

"SHAW, GINNEFER" V1

To:

Tyler HAWKINS V1 2019/03/27 12:44 AM

Date: Subject:

Re: Reiss, Richard

sorry for the delay, I was on my RDO's. Here it is:

\/1

Ginnefer

From: Tyler HAWKINS V1

Sent: Monday, March 25, 2019 9:27 AM

To: SHAW, GINNEFER Subject: Re: Reiss, Richard

Ginnefer,

Would you be able to send me Rod O'Dell's email address? I've called several times and left voicemails for him but no callback. It may be easier to email him.

Thanks,

Tyler

>>> "SHAW, GINNEFER" V1

2019/03/21 10:41 AM >>>

Hi,

His last name is spelled RIESS. I found him on the locator page.

Ginnefer

From: Tyler HAWKINS V1

Sent: Thursday, March 21, 2019 10:34 AM

To: SHAW, GINNEFER

Subject: Re: Reiss, Richard

Great. I've tried calling the NWDC and it's very difficult to actually speak to anyone. When I look up FOX/REISS on the detainee locator (ice.gov/locator) it has no record of FOX/REISS being a detainee in the system. Any thoughts?

Thanks,

Tyler

>>> "SHAW, GINNEFER" V1

2019/03/21 10:32 AM >>>

I see I left off a digit for the NWDC # here it is:

V 1

From: SHAW, GINNEFER

Sent: Thursday, March 21, 2019 10:30 AM

To: Tyler HAWKINS Subject: Re: Reiss, Richard

Hi

He himself claimed credible fear.

Ginnefer

From: Tyler HAWKINS V1

Sent: Thursday, March 21, 2019 9:46 AM

To: SHAW, GINNEFER Subject: Re: Reiss, Richard

Thanks!!

Did FOX himself make the claim of credible fear or was it your officers who believed that he presented a credible fear to cause injury to his ex wife?

Tyler

>>> "SHAW, GINNEFER" V1

2019/03/21 9:37 AM >>>

No worries! For the video footage and report request you can contact Rod O'Dell at \(\frac{1}{2} \) Reiss/Fox crossed at the Peace Arch crossing and he was also transported from that location. I do not have a contact at the NWDC, but here are the numbers:

Ginnefer Shaw BCC

From: Tyler HAWKINSV1

Sent: Thursday, March 21, 2019 9:29 AM

To: SHAW, GINNEFER Subject: Re: Reiss, Richard

Ginnefer,

Thanks very much for your time this morning. I have a few more questions/requests concerning FOX's attempted crossing:

- 1) Is there an official report request form that we can fill out to obtain this information in a more official capacity? This information will be used to substantiate 3 or 4 breach of probation charges that we will be forwarding once FOX has been extradited back to Canada.
- 2) How can we request a copy of the CCTV of FOX attempting to enter the USA on March 15, 2019?
- 3) What crossing did he actually go through, ie. Peace Arch or Pacific Crossing?
- 4) Do you have a contact name or phone number for the North West Detention Centre in Tacoma where FOX is currently being held?

Thanks again,

Tyler Hawkins - #61381 High Risk Offender Unit **Burnaby RCMP**

>>> "SHAW, GINNEFER" V1

2019/03/21 8:15 AM >>>

Crossing history on REISS, Richard 11/24/1973 -- FOX, Patrick Henry 11/24/1973

Claimed credible fear on 3/15/2019 and was transported to Northwest Detention Center in Tacoma, WA transported on 3/16/2019 at 0032 and arrived at 0308.

Thanks, **GINNEFER Shaw** Blaine Command Center Blaine, WA

From: "Shields, Christopher J" 17
To: Tyler HAWKINS 11

Date: 2019/05/07 1:10 PM

Subject: RE: Request for Official Report - Patrick FOX/Richard RIESS

Good Afternoon,

I think it would be most efficient to pursue this information from the arresting Agency which is Customs and Border Protection. My Agency only handled the removal portion of this case. ICE/ERO house and removes subjects who were originally arrested by other agencies. If you contact the Port Director for Customs and Border Protection they will be able to accommodate your requests. If you have trouble getting in touch with the Officers at the Port of Entry I will see if I can help you contact them.

Thank you,

Christopher Shields Deportation Officer

From: Tyler HAWKINS V1

Sent: Tuesday, May 7, 2019 1:04 PM

To: Shields, Christopher JV1

Cc: Kirsty BROWN 11

Subject: RE: Request for Official Report - Patrick FOX/Richard RIESS

Christopher,

V2

Can you provide me with a certified true copy of the original, preferably with a stamp of authenticity for this report which has a higher resolution (coloured preferred) photograph?

Also, we have several additional questions relating to the report.

- 1) Did Officer OBRIST take the photograph of FOX/RIESS? And what about the fingerprints?
- 2) When I emailed you about obtaining the report, for sourcing purposes, what steps did you take to obtain it?
- 3) Who vetted the report? We don't have any concerns what was vetted in the report, but who actually conducted the vetting?

The information that you provide me will be used as evidence in court, $\sqrt{2}$

Thanks again for all your help with this file. My cell number is \/1 if you need to call for anything.

Tyler Hawkins

P.S. - I've attached the report you sent to me for reference.

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>>> "Shields, Christopher J" V1

Tyler,

2019/04/01 5:06 PM >>>
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I am not able to share that information. It looks like we may be able to remove this subject to Canada this week or next week. I will notify you, as well as CBSA if that is possible and the logistics of it.

Thank you,

Christopher Shields Deportation Officer

From: Tyler HAWKINS V1

Sent: Monday, April 1, 2019 11:14 AM

To: Shields, Christopher JV1

Subject: RE: Request for Official Report - Patrick FOX/Richard RIESS

Christopher,

Could I get both yours and Jeffrey Obrist's date of birth or age please?

Our court liaison is requesting this information.

Thanks,

Tyler

>>> "Shields, Christopher J" 11

2019/03/28 9:58 AM >>>

The redacted portions came from our legal team. There are certain portions of cases that we are not allowed to share. In regards to credible fear claims, we are not cleared to share that information.

Thank you,

Christopher Shields Deportation Officer

From: Tyler HAWKINS V1

Sent: Thursday, March 28, 2019 6:16 AM

To: Shields, Christopher JV1

Subject: RE: Request for Official Report - Patrick FOX/Richard RIESS

No problem. FYI his warrant is BC radius, not technically Canada Wide. Doesn't change anything though.

One last thing..... (for now hopefully) in the official report you sent me, what is the nature of the vetted section at the bottom of page 2 - top of page 3? I know that I was told by CBP that he claimed credible fear, but I don't specifically see credible fear in the report, or is that what is vetted?

Thanks,

Tyler

>>> "Shields, Christopher J" 1

2019/03/27 4:10 PM >>>

Tyler,

Thanks for the heads up. Once his proceedings are completed I will ensure he is turned over to RCMP.

Take care,

Christopher Shields Deportation Officer

From: Tyler HAWKINS V1 Sent: Wednesday, March 27, 2019 4:01 PM

To: Shields, Christopher J V1

Subject: RE: Request for Official Report - Patrick FOX/Richard RIESS

Christopher,

Just an update to advise that FOX/RIESS now has an active Canada Wide Warrant for Fail to Comply with Probation Order which is on CPIC, and hopefully visible to you on NCIC. It was added yesterday at 1457hrs.

Thanks,

Tyler Hawkins

>>> "Shields, Christopher J" <CV1

2019/03/22 10:45 AM >>>

Good morning,

Attached is the encounter for this subject. Some information was redacted based on a review on our end. The report as attached is cleared for your use.

Thank you,

Christopher Shields Deportation Officer

From: Tyler HAWKINS V1

Sent: Thursday, March 21, 2019 12:18 PM

To: Shields, Christopher JV1

Subject: Request for Official Report - Patrick FOX/Richard RIESS

Christopher,

Thanks for accepting our phone call today relating to the detention of Patrick FOX/Richard RIESS - 1973/11/24. In order to fully substantiate our breach charges which we will be forwarding to our Provincial Crown Counsel, we are requesting any official reports or documents that detail RIESS's arrest at Blaine Peach Arch Crossing on March 15, 2019 and subsequent detention at the North West Detention Centre in Tacoma.

He is currently bound by a Probation Order and is in breach of several conditions as a result of him being close to the US border and actually crossing into the US.

Please get back to me when you can,

Tyler Hawkins - #61381 High Risk Offender Unit Burnaby RCMP From: To:

"ODELL, ROD C" 1/1 Tyler HAWKINS V1

Date:

2019/04/24 10:13 AM

Subject:

RE: CCTV at Peach Arch Pedestrian Crossing - March 15, 2019

Hello Tyler:

Please send me a formal request on your agency's letterhead, per below. If you can broaden your request to say "information confirming Reiss/Fox entry into the U.S." or something like that, I can include arrival records that are not video that can confirm his border crossing. That will give us the opportunity to limit the amount of video that has to be processed for release which will greatly speed up getting our response to you. Also, non-video systems can also confirm his arrival and detention and do not require processing at the CBP lab in order to be released. Regards,

Rod O'Dell Senior Paralegal Specialist FOIA Officer Area Port of Blaine

From: Tyler HAWKINS V1

Sent: Wednesday, April 24, 2019 7:39 AM

To: ODELL, ROD CV1

Subject: RE: CCTV at Peach Arch Pedestrian Crossing - March 15, 2019

Rod.

Thanks for the reply, sorry for not responding back sooner. I would be looking for CCTV which shows RIESS/FOX arriving at the US pedestrian primary, specifically footage where his face can be somewhat identified. FOX has been back in Canada since April 4 and has been in custody since. His next court appearance for trial is August 12, and 12 tasked me with obtaining more evidence to support that RIESS/FOX actually crossed the border and was in the United States. Anything to substantiate this would be ideal.

I will email you a scanned written request outlining what we would be looking for.

Additionally, would you be able to provide me the phone number and email address for Jeffrey OBRIST? He was the officer who dealt with RIESS/FOX in person.

Thanks,

Tyler

>>> "ODELL, ROD C" \/1

2019/04/03 12:36 PM >>>

Hello Tyler:

Sorry to be slow in responding- I am just back in after out of office for the past two weeks.

CBP will need a written request from you on agency letterhead specifically listing what is requested; how the video will be used; and if the video will be shared with any entity outside your immediate operations.

Please limit your request as tightly as possible. Video releases have to be redacted to protect identity of CBP officers and members of the traveling public. Looking at the incident with Fox/Reiss, I suspect there is quite a lot of footage, from pedestrian primary to secondary and detention. If there is a lot of footage requested, it can be several months before our lab in San Francisco is able to process for release. Regards,

Rod O'Dell Senior Paralegal Specialist FOIA Officer Area Port of Blaine

From: Tyler HAWKINS V

Sent: Wednesday, March 27, 2019 2:17 PM

To: ODELL, ROD CV1

Subject: Re: CCTV at Peach Arch Pedestrian Crossing - March 15, 2019

And that would be Peace Arch as opposed to Peach Arch. Sorry.

>>> Tyler HAWKINS 2019/03/27 1:54 PM >>> Rod,

My name is Tyler Hawkins and I work in the High Risk Offender Unit with Burnaby RCMP. I've been in contact with Officer Ginnefer Shaw via

phone and email relating to a Canadian Citizen who claimed credible fear at the Blaine Peach Arch pedestrian crossing on March 15, 2019 at 2019hrs. Officer Shaw provided me with the information that the male in question, Patrick Henry FOX, AKA Richard RIESS - 1973/11/24, had been taken into secondary inspection and then into custody. He was transported to NWDC at 0032hrs on March 16, 2019, arriving at 0308hrs.

I am submitting charges against FOX/RIESS as he has breached numerous conditions by not only being close to the US border, but by leaving the Province of BC, to name a few. Officer Shaw provided me with your name as someone who would be able to facilitate my request of obtaining CCTV of FOX/RIESS attempting to cross into the US.

Thank you,

Cst. Hawkins High Risk Offender Unit Burnaby RCMP From:

"OBRIST, JEFFREY D" V1

To:

Tyler HAWKINS V1
"DAHM, JOHN E" V1

CC:

2019/04/26 4:08 PM

Date: Subject:

RE: Richard RIESS/Patrick FOX - March 15, 2019

Good Afternoon.

Sorry for the late response as I needed to inform my chain of command of the request, whom is included in the CC. I've been told that the request is being worked on and we will be getting in touch with you on this. Thanks.

Thank you,
Jeff Obrist
FDAU Officer / AEU Officer
U.S. Customs and Border Protection
Blaine, WA.

From: Tyler HAWKINS V1

Sent: Thursday, April 25, 2019 1:17 PM

To: OBRIST, JEFFREY DV1

Subject: Richard RIESS/Patrick FOX - March 15, 2019

Jeffrey,

My name is Tyler Hawkins and I work in the High Risk Offender unit with Burnaby RCMP. I have current charges before Vancouver Crown Counsel against Patrick Henry FOX/Richard RIESS. My unit travelled to Peace Arch to take custody of FOX/RIESS from an ICE Officer on April 4, 2019. From March 15, 2019 to April 4, 2019, FOX/RIESS was detained at the NWDC. Officer Christopher Shields provided me with a vetted copy of your report detailing you interaction with FOX/RIESS on March 15, 2019 at the Peace Arch crossing.

V2

I've been in contact with Rod O'Dell and I'm in the process of obtaining CCTV of FOX/RIESS' movements at the pedestrian primary, secondary, and detention.

FOX/RIESS' next court date is August 12, 2019 at Vancouver Provincial Court, Vancouver, BC.

My cell is <mark>√1</mark>

Bernie Wolfe's contact info:

V1

If you could get back to myself or Bernie directly, that would be great.

Thanks again for your help.

Tyler Hawkins High Risk Offender Unit Burnaby RCMP From:

"BAKER, CHRISTOPHER A" V1

To:

Date:

V1 2019/07/11 2:43 PM FOX/RIESS

Subject:

Constable Hawkins,

I reached out to our legal department in hopes of providing you a better copy of the redacted Form I-213 that was provided to you earlier.

Unfortunately I am not able to provide that information directly. I have let Mr. O'Dell know that you are hoping to get a better photo/clear copy of the form. I am hoping he will reach out to you soon to resolve this.

I wish I could be more help and appreciate your patience.

Sincerely,

Christopher A. Baker Supervisory Customs and Border Protection Officer Admissibility Enforcement Unit Blaine, WA

Burnaby File: 2019-10877

Arrest script of Patrick FOX, on April 4, 2019.

Conducted by Constable Tyler HAWKINS, Reg. #61381.

TH: Cst. Tyler HAWKINS KB: Cst. Kirsty BROWN

PF: Patrick FOX

CORRECTED BY CST. KIRSTY BROWN 2019/04/04

- 1. TY: My name is Tyler HAWKINS, a Constable with the Burnaby RCMP. So, Patrick FOX, you're under arrest for the following offence in relation to Burnaby RCMP file 2019-13740. Count 1, on or about March 19th, 2019, at or near Vancouver, BC, did commit an offence of failure to comply with probation order, contrary to Section 733.1 (1), of the Criminal Code. Patrick, you're also under investigation for the following counts of breach of probation order. Count 1, on or about the 15th day of March, 2019, at or near Vancouver, in the Province of British Columbia, did without reasonable excuse, fail to comply with such order by failing to notify the court or your probation officer, in advance, of any change to your address or receiving written permission in advance of changing your residence, contrary to Section 733.1 (1), of the Criminal Code. Count 2, on or about the 15th day of March 2019, at or near Vancouver, in the province of British Columbia, did without reasonable excuse, fail to comply with such order by leaving British Columbia, without the written permission of the probation officer, contrary to Section 733.1 (1), of the Criminal Code. Count number 3, on or about the 15th day of March, 2019, at or near Vancouver, in the province of British Columbia, did without reasonable excuse, fail to comply with such order, by being within 100 meters of the United States Border, contrary to Section three-733.1 (1), of the Criminal Code. Patrick, it is my duty to inform you that you have the right to retain and instruct counsel in private, without delay. You may call any lawyer that you want. (Pause). There is a twenty-four-hour telephone service available, which provides a Legal Aid duty lawyer, who can give you legal advice in private. This advice is given without charge, and the lawyer can explain the Legal Aid plan to you. If you wish to contact a Legal Aid duty lawyer, I can provide you with a telephone number. Do you understand that?
- 2. PF: Yes I do.
- 3. TH: Okay. (Pause). And Patrick do you want to call a lawyer.
- 4. PF: Not at this time.

Page **1 of 2** Typed: 2019/04/04

Statement of Patrick FOX

Burnaby File: 2019-10877

- 5. TH: Not at this time, okay.
- 6. PF: It would be physically impossible to do so.
- 7. (Pause).
- 8. TH: And Patrick, you're not obliged to say anything, but anything that you do say, may be given in evidence. Do you understand that?
- 9. PF: I do.
- 10. (Pause).
- 11. TH: And Patrick, you may be subject to audio and video-recording at any time while in police custody, except when speaking to legal counsel. Do you understand that?
- 12. PF: I do.
- 13. (Pause).
- 14. KB: Do you have any questions at all for us, based on, on the arrest?
- 15. PF: No.
- 16. KB: Okay, sounds good. So we're just gonna get uh, heading back to Burnaby detachment here, and so we'll stop this.
- 17. (Audio ends).

:lh

Page 2 of 2 Typed: 2019/04/04



July 17, 2019

VIA COURIER DELIVERY

Mr. Patrick H. Fox C/O N.F.T.C. 1451 Kingsway Avenue Port Coquitlam, BC V3C 1S2

Dear Mr. Fox:

Re:

R. v. FOX, Patrick

Court file: 244069-5-BC

Next Court Appearance: Trial commencing August 12, 2019

Please find enclosed copies of correspondence between the RCMP and the USA Border Patrol.

As well I have conducted advance interviews of the following persons: Cst. Hawkins, Probation Officer Bhimji, and Court Clerks Ragua and Dhinjal.

Below appears a synopsis of the salient information from the interviews. The synopses are based on my recollection and notes. Errors or omissions, if any, regarding information they related are mine alone. The witnesses have not reviewed the synopses.

Cst. Hopkins related nothing new during the advance interview; he brought with him additional supplemental materials --- email exchanges between himself and USA authorities and a transcript, which has been prepared for disclosure.

Probation Officer Bhimji, indicated that he relied on a Cornet photo to confirm identity when he first met with you. With this letter I enclose a copy of that Cornet page.

As well, Mr. Bhimji indicated that he was working in March 19th 2019 at the 275 E. Cordova Street Office, the day you were to next report, and he checked to see if your name was on a sign in log and it was not.

He confirmed to himself that you did not check in at 275 E. Cordova Street before he generated the Cornet log previously disclosed indicating that you failed to report as directed on March 19, 2019.

Ms Dhinjal indicated she satisfied herself at the time the Probation Order was reviewed that she had before her the correct person i.e. Patrick Henry Fox. She recognized her signature, notation, and initials. She could point out the court file number for both the Supreme Court action and the related Provincial Court action. She said her practice was always to read out the conditions to a probationer, so that he understands the conditions, after satisfying herself the correct person was before her, and then sign it. The date of the Order is the date she reviewed and signed the Order on behalf of A.C.J. Holmes. Her practice was to then make a copy of the signed Order and give it to Sheriffs for distribution to the Probationer.

Ms Raguz indicated she reviewed the Variation Order with the probationer the day after the Order was made, as he left the courthouse without signing the Variation Order the day of the Order; he returned the next day. This accounts for the entry, on one copy of the Variation Order, indicating "left without signing", and her signature and the probationer's signature on the other copy (the next day). She recalls the probationer coming in the next day. She only reviewed the Variation Order with the Probationer; this is her practice. She reviews it by reading the Conditions to the probationer so he understands the conditions. He then signed it and then she signed it. This is the sequence in which the signatures are placed on the Order. She will recognize the Probationer because of prior trips to the Registry to either file applications or to listen to DARS. When interacting with an individual familiar to her because of prior appearances at the Registry, she will still ask for a name and date of birth of that person to determine if they are consistent with the data on the Order and then she will begin the Order review.

The provisional witness list, subject to change, is as follows:

- 1. Cst. Brown,
- 2. Cst. Hawkins,
- 3. Cst. Potts
- 4. CBP Officer Obrist,
- 5. Probation Officer Bhimji,
- 6. Court Clerk Ragua, and
- 7. Court Clerk Dhinjal

Yours truly,

Bernie R. Wolfe,

Crown Counsel

BC Prosecution Service



Ministry of Public Safety and Solicitor General **Client Profile Report**

Print Location: VANCOUVER COURT COMMUNITY CORRECTIONS

LAST NAME: FOX

GIVEN: PATRICK HENRY

INSTITUTIONAL ADMIT DATE:

2019.04.05 17:22

COMMUNITY ADMIT DATE:

2018.12.31 09:12

PRIMARY CASE MANAGER (PCM):

BHIMJI, ABEED

SECONDARY CASE MANAGER:

CS NUMBER: 10582500

DOB:

1973.11.24

ALIAS NAMES: Yes

BIRTH PLACE:

YEAR ENTERED CANADA:

PHYSICAL DESCRIPTION

GENDER: Male

HEIGHT: 165cm / 5 FT 5 IN WEIGHT: 63kg / 139 LBS

HAIR COLOUR: Gray

EYE COLOUR: Brown

RACIAL CHARACTERISTICS: Caucasian

BALD: No

FACIAL HAIR: Beard

BUILD: Slight

COMPLEXION: Fair



Photo Taken Date: 2019.04.05 20:01

SECURITY ALERTS

TYPE AUTHORIZED BY COMMENT **EFFECTIVE DATE** V1

Page 2 of 3



Ministry of Public Safety and Solicitor General **Client Profile Report**

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2019.04.05 17:22

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BHIMJI, ABEED

SECONDARY CASE MANAGER:

DOB: 1973.11.24

CS NUMBER: 10582500 ALIAS NAMES: Yes

BIRTH PLACE:

YEAR ENTERED CANADA:

MEDICAL ALERTS

TYPE

AUTHORIZED BY

COMMENT

EFFECTIVE DATE

V1

ADDRESSES and COMMUNICATION DEVICES

PRIMARY COMMUNICATION DEVICE: Cellular phone V1

PRIMARY ADDRESS

ADDRESS DETAILS

V1

OTHER COMMUNICATION DEVICES

COMMUNICATION DEVICE DETAILS

Page 3 of 3



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DOB:

1973.11.24

ALIAS NAMES: Yes

BIRTH PLACE:

YEAR ENTERED CANADA:

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|----|-----|------|------------|-----|------|
| CH | ARA | (: I | HR | SI | IC:S |

| TYPE | DESCRIPTION | COMMENT | |
|-----------------------|-------------|-------------------|--|
| Citizenship | Canadian | | |
| Language | English | | |
| Occupation | Other | software engineer | |
| Marital Status | Single | | |
| Education | University | BSc | |
| Metis | No | | |
| Inuit | No | | |
| First Nations | No | | |
| Indigenous/Aboriginal | No | | |
| Religion | Judaism | | |
| CONTACTS | | | |

| RELATIONSHIP | NAME | TELEPHONE |
|--------------|------|-----------|
| | | |

V1

NO CONTACTS

| RELATIONSHIP NAME TELEPHONE | RELATIONSHIP | NAME | TELEPHONE |
|-----------------------------|--------------|------|-----------|
|-----------------------------|--------------|------|-----------|

V1