

**Statement of Patrick FOX**  
Interview Date: 2019/03/15

OO: Officer Jeffrey OBRIST  
OC: Officer CARTER  
UF: Unidentified Female(s)  
UM: Unidentified Male(s)  
PF: Patrick FOX

**Reviewed by Cst. K. Brown 2019/11/05 kmb**

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1. (background conversations)
2. OO: (indecipherable).
3. UM: Alright um I don't know what's gonna happen (indecipherable) so.
4. OO: Yeah (indecipherable)
5. (background conversations)
6. OO: Have a seat on that bench.
7. PF: Um, I should mention I have documentation as well from IRCC that states that I was born in the United States again the inference I would be a US citizen but your documentation says that I was born in Canada. Um,
8. OO: Ah I think personally if you really wanted me to believe that you woulda brought it with ya.
9. PF: Yeah it's on my phone though. They're PDFs. I have the originals but I, ...
10. OO: Where's your phone?
11. PF: You guys have it. That officer has it.
12. OO: Oh, it's heavy.
13. UF: You want me to carry it for you?
14. OO: No I'm good thank you. I just remembered I was strong.
15. PF: I think that the battery's dead I have a charger in my bag though
16. OO: Of course it is.
17. PF: Um well it wasn't earlier but then CBSA was going through it as well.
18. OO: Why would they go through it?
19. PF: Because I stopped in there before I came over here.
20. OO: To do what?
21. PF: Um, just to check ah with them to make sure that everything was okay because of the probation conditions.
22. OO: Charge it up. Show me.
23. PF: Thank you. I'm so sorry. Um, I also have from another government agency documents here that also state, that I'm a United States citizen. May I use that or is there another one?

24. OO: There's one right behind your back.
25. PF: Oh okay. And yes I agree with you I shoulda been more prepared and I should have printed them beforehand.
26. Um, I'm sorry it won't go because the plug is, cuz the bench is too close. Thank you. Do you want me to forward it to you or do you just wanna,
27. OO: No.
28. PF: See it on the phone here?
29. OO: I just wanna see it on the phone.
30. PF: Okay. I also have ah recordings of my telephone conversations with CBSA and IRCC as well where they state ah on the telephone that I'm not a Canadian citizen and I have no status in Canada. And I have those recordings on there too.
31. OO: There's 200 and some countries in the United, or in the world ah all saying you're not a Canadian citizen doesn't automatically make you a US citizen just,
32. PF: I realize yes, yeah.
33. OO: Not one of of those 200 and some countries.
34. PF: Um so this is a document I received through a freedom of information request. And the entire document including the letter, is on here so you can see that I requested for both names Richard REISS and Patrick FOX. Um and then there, what they call an FOSS a field office support system. That's the report in there, and you can see, Henry Berg states United States of America. Um, and I guess that entry was made somewhere 2008 when ICE was first, trying to deport me that was long before I ever had any contact with ah IRCC. So I was, my point to that is I never gave them that information. So mmm.
35. OO: Hmm. So you just say at the bottom you're a Canadian citizen.
36. PF: That's a non-computer based, though, that's not an official record that's just more supporting, the manual override that they did to issue the um 10 year authorization for me to enter. Which expired in May of last year. But then I also have this document from the Ministry of Social Development and they say in here that they spoke with or communicated with IRCC and IRCC says that ah they found no indication that this person has been granted or issued a certificate of Canadian citizen or naturalization. A birth certificate would be ah one thing that would be considered a Canadian ah certificate of Canadian citizenship. And then down below, um no information has been submitted to indicate any of the criteria above you are not a Canadian citizen an authorized permanent resident or a conventioned refugee. Would you like to see that?
37. OO: Sure. Can you just put it on top of,
38. PF: Okay. Let me say if I may um, I'm not trying to give you guys any grief or give you a hard time or anything like that,
39. OO: No again,
40. PF: I know that you're not,
41. OO: If, if you want to try and give us grief or hard time, you, you would have done this in the right order, I mean,

42. PF: I,
43. OO: So I don't know.
44. PF: Would it be better if I went, printed the documents and came back?
45. OO: Ah,
46. PF: I mean I can do that um,
47. OO: I'm not the one ah, coming here is not the answer to your questions.
48. PF: Oh.
49. OO: I'm not the one that's gonna make you a US citizen, no one in this building is. That seem like that'd be pretty obvious.
50. PF: Okay.
51. OO: After the steps that you've gone through already. It's just a judge level that's gonna take care of that. And so again if you were serious about this and, and tryin' to do it, I think you would have pursued that, is my personal opinion.
52. PF: I know.
53. OO: But you're here so we have to process you.
54. PF: Alright. Oh what about the recordings would you like to hear the recordings?
55. OO: No.
56. PF: No okay. Cuz they were, in the recordings they very clearly state that I have no status in Canada.
57. OO: Now and I would point out that it's not legal to make a recording in here.
58. PF: Oh no I'm not recording anything here no um I check first to make sure it's legal in Canada it's legal as, as long as at least one party is aware that it's being recorded.
59. OO: Mmmm. Are you needing something else on your phone?
60. PF: No should I turn it off?
61. OO: Unplug it all, ah unplug it turn it off put it back in your bag.
62. PF: Okay.
63. OO: It's not gonna turn off with the power cord on is it?
64. PF: Oh yeah. Yeah you just you have to hold the button for a few seconds. Allow me to say um as an aside regarding that Ministry of Social Development document, I generally oppose that kinda stuff welfare um the reason I applied for it is because my probation officer suggested that I should apply for it since I can't work in Canada. Even though I told them that I wouldn't qualify for it because I don't have status and so,
65. OO: Oh well,
66. PF: I apply for it anyway.
67. OO: So where were you born?

68. PF: Florida.
69. OO: Okay. Seem like the last time they ah, saw you you had a birth certificate from Florida. Right?
70. PF: Yes and they said that it was somebody else's birth certificate and confiscated it.
71. OO: And was it?
72. PF: Would it be disrespectful of me to say that I should decline to answer that?
73. OO: This isn't a criminal proceeding.
74. PF: Um partially the reason why I don't want to answer it is because I don't think that you're going to believe me anyway and so, and I think that it would just upset you.
75. OO: I'm gonna be askin' it so.
76. PF: Okay.
77. OO: Like I said this isn't a criminal proceeding there is no, um I plead the 5<sup>th</sup>. You answer the questions ah,
78. PF: Oh is that what you meant by it,
79. OO: We ask the questions, or we'll be here til you do.
80. PF: Okay.
81. OO: So who's was it?
82. PF: Um, Patrick Henry FOX.
83. OO: And who's that?
84. PF: Ah I have no first-hand knowledge.
85. OO: Where'd you get it?
86. PF: From the state of Florida vital statistics.
87. OO: Ah how'd you get this birth certificate?
88. PF: I filled out the application, I sent it in with photocopy of my driver's license.
89. OO: Alright. How did you get that ID?
90. PF: What ID? BC driver's license?
91. OO: Patrick Henry FOX how did you get the name Patrick Henry FOX?
92. PF: Changed my name to Patrick Henry FOX just like they changed my name to Richard REISS in '91.
93. OO: Okay. How do you get a birth certificate if you aren't born in that name?
94. UM: Sorry, I'll let you go man here, pretty soon. I'll let you go...
95. PF: Just apply for it. (indecipherable) I'm sorry I don't understand the question.
96. OO: My birth certificate has my name on it. Cuz that's the name I was born with. You change your name, how do you get a birth certificate with your name on you weren't born with that name? So how did you get that?

97. PF: I'm sorry I can't answer that.
98. OO: Why not?
99. PF: I'm not saying I will but I may potentially incriminate myself if I answer too many questions along that line.
100. OO: Again this isn't a criminal proceedings. So. Whether you're incriminating yourself ah this is not a criminal proceedings.
101. PF: Any information gathered, at this time could potentially be used, in a criminal proceeding in the future could it not?
102. OO: Sure.
103. PF: Ahhh.
104. OO: So again man I'm kinda stuck what you want ah, or expect of us to do here today. Ah you don't seem to be willing to help yourself or help me out do you?
105. PF: How can I help myself? Or more importantly, help you?
106. OO: I'm not sure...
107. PF: (indecipherable). Mmm.
108. OO: You're the one claimin' to be a US citizen.
109. PF: Yes. But I'm not at this time seeking entry to the United States I'm requesting only to be able to accord and in grace a judge.
110. OO: I asked you outside and you said you were tryin' to get out to California.
111. PF: Well that would be ideal scenario yes,
112. OO: Yeah I asked you,
113. PF: But I,
114. OO: A simple question outside. What were you tryin' to do. And you said to go to California.
115. PF: That would be ideal.
116. OO: Again I asked you,
117. PF: But I don't (indecipherable)
118. OO: A simple question of what you were tryin' to do. And you said go to California. I don't know how much more simple I can make this stuff. If you say you're tryin' to go to California, I'm to assume you're tryin' to go to California. Which would involve entering United States. You're the one sayin' that you're a US citizen that was, I'm assuming you feel improperly removed from the US?
119. PF: I do.
120. OO: So again, help me out here. So if you're a US citizen, how are you a US citizen?
121. PF: By birth.
122. OO: Where were you born?
123. PF: Florida.

124. OO: We just went over this, are we doin' this again? Were you born in Florida under a different name?
125. PF: I respectfully decline to answer that.
126. OO: Well, I can't help ya.
127. PF: Okay. I'm sorry may I receive the Ministry of Social Development document back I just don't wanna forget it.
128. OO: We're gonna hold onto that for a bit.
129. PF: Sure, sure.
130. OO: Is that yours?
131. PF: Oh yes I'm sorry. Fell outta the side pouch I guess.
132. OO: Underneath the bench, is that yours?
133. PF: Oh goodness yes. Fell out of the same side pouch. Thank you.
134. OO: What ya got in your coat?
135. Cigarettes, cigarette lighter just check here. Little card holder with a bunch of credit cards and things. Got a pair of headphones in here, ear buds. And a key that I have to return to the homeless shelter.
136. OO: In your pockets?
137. PF: Empty. Just the headphones, the ear buds. Thank you.
138. OO: So what are we doin' today?
139. PF: I'm sorry?
140. OO: What are we gonna do today?
141. PF: I, I can't answer that.
142. OO: Well you've given me 2 different answers of what you're tryin' to do today.
143. PF: Okay.
144. OO: One outside there and one inside here.
145. PF: Okay.
146. OO: So what are we tryin' to do today?
147. PF: There is ah, what I would like to do what would be ideal is what I believe,
148. OO: It's,
149. PF: Will (indecipherable)
150. OO: It's a simple question of what are you trying to do today.
151. PF: What am I trying to do?
152. OO: Yeah.
153. PF: I guess then, I would have to say I'm, trying to be able to go before an immigration judge to present the new evidence in my case. But that would be my second choice my first choice would obviously be for you guys to go oh welcome

back to America. Have a nice day. And I continue on to LA but I think that that's not gonna happen that's unreasonable.

154. OO: So you're tryin' to get into the United States today?

155. PF: Would, me,

156. OO: It's a simple question. Don't overthink it.

157. PF: I must overthink it because if I say something, that might be able to be twisted around and used against me. Would, going into custody for the purposes of seeing, going before an immigration judge be considered entering the United States? Given my experience in the past, um (indecipherable) when I was dealing with ICE, I have to be very careful about how I word things. And I'm not, I'm not being difficult. I know that you have a job to do today um.

158. OO: I'm an officer of the United States Immigration and Naturalization Service. I'm authorized to initiate immigration laws and take sworn statements. Gonna take your sworn statement regarding your application for admission to the United States. Before I take your statement I want to explain your rights and the purpose and consequence of this interview. You do not appear to be admissible if you have the required legal papers authorizin' your admission to United States. This may result in you being denied admission immediately returned to your home country without a hearing. Ah if a decision is made to refuse your admission into the United States you may be immediately removed from the country and if so you'll be barred from re-entry for a period of 5 years or longer. This may be your only opportunity to present information to me, for the Immigration and Naturalization Service to make a decision. It's very important to tell the truth, if you lie or give misinformation you may be subject to criminal and civil penalties, barred from receiving immigration benefits or aid, now or in the future. (indecipherable) explain to you you are not entitled to a hearing or review. US law provides protection of certain persons who face persecution, harm or torture upon return to their home country. If you fear or have a concern about bein' removed from the United States or bein' sent home you should tell me so during this interview because you will not have another chance. You'll have the opportunity to speak privately and confidentially with another officer about that fear or concern that officer will determine if you should remain in the United States or be removed from, or be removed because of that fear. Until decision is reached in your case you will remain in the custody of the Immigration and Naturalization Service. Any statement you make may be used against you in this or subsequent administrative proceedings. Do you understand what I've said to you?

159. PF: I do.

160. OO: Are you willin' to answer my questions at this time?

161. PF: To the best of my ability without potentially incriminating myself yes.

162. OO: Swear to tell the truth?

163. PF: I do.

164. OO: What's your true and complete name?

165. PF: Patrick Henry FOX.

166. OO: Have you used other names?

167. PF: I have.

168. OO: What other names have you used?
169. PF: Richard Steven REISS.
170. OO: Is that it?
171. PF: I decline to disclose anything further regarding any other names that I've used.
172. OO: What name are you born under?
173. PF: I respectfully decline to answer that.
174. OO: So since you've already given me the names of Patrick FOX and Richard REISS I ah would assume, it was not one of those names and you were bor, that you were born under.
175. PF: I'm sorry that, was that a question or?
176. OO: Mmm.
177. PF: Oh. That is a very reasonable assumption.
178. OO: Mmm.
179. PF: But I used the name Richard REISS since I guess what 1991. So from '91 until 2014 I was using Richard REISS and then I went back and forth. I've used Patrick FOX since 2014.
180. OO: Date of birth?
181. PF: November 24<sup>th</sup> 1973.
182. OO: Where were you born?
183. PF: Florida. I decline to be more specific I'm sorry. Meaning the county or city or particular hospital.
184. OO: What's your citizenship?
185. PF: It is my belief that I'm a United States citizen.
186. OO: We're all good. Ah are you a citizen any other countries?
187. PF: Um, no.
188. OO: Um. So you've been deported from the US several times correct?
189. PF: Twice in 2013.
190. OO: So I'll read the question again. So you've been deported from the US several times is this correct?
191. PF: That is incorrect. Several would be more than 3 would it not? I've been deported exactly 2 times.
192. OO: During those deportations you were charged to having falsely claimed to be a US citizen?
193. PF: Charged but those charges and every other charge along with them were all dropped. I'm talkin' about the 2 times in 2013. I was convicted of false claim of US citizenship in, 2009 I think. 2008. I had a court appointed attorney at that time. If I was ever charged with that again I would likely represent myself. I should also clarify that in 2011 I wasn't actually deported. There seems to be

some record somewhere or some comment that says that I was. But I wasn't actually I was brought up here to Peace Arch and then just dropped at Peace Arch and then I went back home to Los Angeles. But I wasn't actually taken to the border or brought out of the country. And the time in 2016 also I wasn't deported. Instead I was just brought here and handed over to the RCMP. Without any actual deportation. May I ask a question?

194. OO: Mmm hmm sure.
195. PF: What is the difference between customs and border protection and border patrol? There seems to be some overlap between the 2 agencies.
196. OO: I work at the border, they work between the borders.
197. PF: Oh okay.
198. OO: So were you criminally charged with ah, falsifying a US citizenship?
199. PF: Yes.
200. OO: And what was the outcome of that?
201. PF: Ah convicted of that and perjury at the same time.
202. OO: Have you applied for an immigrant visa?
203. PF: I did not.
204. OO: Do you have any immigration peti, petitions pending with US Immigration Service?
205. PF: No.
206. OO: Are you an American Canadian born in Canada with 50% American blood?
207. PF: No.
208. OO: Father's name?
209. PF: I decline to answer that.
210. OO: Father's date of birth?
211. PF: I have no idea. That wouldn't technically be because I don't know it's not a,
212. OO: Where was your father born?
213. PF: (indecipherable). Um, I'm not really certain of that either.
214. OO: What's your father's citizenship?
215. PF: I would assume it would be um American. I wasn't very close with my biological parents.
216. OO: Were you adopted or something?
217. PF: No, foster homes. Ran away from home young as well. That's why I changed my name to Richard REISS so my par, my parents and family couldn't find me any more. Not that any of that is relevant to me being here.
218. OO: Does your father have any claim to US citizenship?
219. PF: He's dead now so. I would say no.

220. OO: Well you don't lose your citizenship. So was your father have claim to US citizenship if he was alive?
221. PF: It is my understanding that he was a US citizen.
222. OO: And how do you come to that understanding?
223. PF: Um, because the little bit that I know of him, and since it is my belief that I was born in the US. Um I just assume that he also was born in the US.
224. OO: Lost of people born in the US their parents weren't born in the US.
225. PF: That is true.
226. OO: Mother's name?
227. PF: I'm sorry I respectfully decline to answer that.
228. OO: Mother's date of birth? Doesn't matter (indecipherable)
229. PF: Yeah I don't know it, I thinks it's August something.
230. OO: Where was your mother born?
231. PF: Again I can't be certain. Although I'm quite confident in the US but I, I don't know where.
232. OO: What's your mother's citizenship?
233. PF: I believe it would be US.
234. OO: Why are you at the border today?
235. PF: Um, I mean no disrespect by this but, could you phrase it in a different way or? I'm just I'm not really sure, because ah in discussion earlier if I say that ideally, I would like to return to Los Angeles but realistically I don't expect that to happen. Um, or can I provide that for an answer or? I guess, I guess the best answer would be seeking a hearing before an immigration judge.
236. OO: Have you had a hearing with immigration judge previously?
237. PF: I have.
238. OO: So why another one?
239. PF: Because I have new, evidence to support my claims ah since that time. I was convicted of perjury and false statement of US citizenship based on me being Ricky REISS from Sudbury Ontario Canada. If I'm not, that person as IRCC is now saying, and it seems to me that,
240. OO: How are they saying you're not Ricky REISS?
241. PF: Well because if I'm not a Canadian, they're saying I'm not a Canadian citizen and I have no status in Canada.
242. OO: No that has nothin' to do with being or not being Ricky REISS.
243. PF: What if Ricky REISS was born in Canada? And I can't be him but also I've been trying to get DNA tests from his parents um but the court has been fighting me on that.
244. OO: All this is is saying what Patrick FOX ah a name that you've, picked out of the air.

245. PF: Okay.
246. OO: So that has no bearing on, on you.
247. PF: The IRCC documents that I have on my phone for example um are under the name Richard REISS and Patrick FOX. The UCI number, is assigned to, to both names. UCI number is the same as an A number.
248. OO: So you have, I have new evidence to support my claim?
249. PF: Yes.
250. OO: Of,
251. PF: That I am not the person that I was deported as. I realize the evidence doesn't prove that I'm a United States citizen. But I believe that it reasonably proves that I'm not a Canadian citizen and that I'm not that person. And if I'm not that person, then there's no evidence that I'm not a US citizen. Does that Ministry document not mention Richard REISS cuz I provided that name to her, oh yeah she does mention in there that I told her about how I was given assistance under a different name the different name she's referring to is Richard REISS when I was first deported.
252. OO: Who were you deported as?
253. PF: Richard REISS. And she would have given IRCC the ah, UCI number so the name would have been irrelevant.
254. OO: So if you're not Richard REISS who are you?
255. PF: Patrick FOX. And what was my name before Richard REISS? That I would decline to answer. Not because I have anything to hide about it I just want nothing to do with it. I want no official records tying me to any of that. I mean I was too young at that age to really have done anything wrong. Well actually that's not true I guess, 12 year olds can go around killing each other.
256. OO: You stated you change your name to Patrick FOX when?
257. PF: Early 2014.
258. OO: With what court system?
259. PF: Um the procedure is different in Canada. You just do it through Vital Statistics. Fill out a form, get fingerprints, pay fees, send it in and that's it. Of course, I changed the name from Richard REISS and if I wasn't actually that Ricky REISS from Sudbury, then there's a question of well was the name change actually legitimate. I don't know if that matters.
260. OO: So many questions. Um. You go to, who did you change it with?
261. PF: Ah Department of Vital Statistics.
262. OO: Did you tell the immigration judge about this stuff?
263. PF: I told the immigration judge that I had changed my name from my birth name yes. They didn't enquire about my name prior to Richard REISS. Um it also came up, the deportation officer that testified at the perjury trial also brought that up in perjury trial but again nobody questioned what my name was prior to Richard REISS. They had all already decided at that point that I was an illegal alien from Canada so nobody cared.
264. OO: Are you seekin' admission into the United States today?

265. PF: May you explain to me what the potential consequences would be of answering either yes or no to that? I just don't want to,
266. OO: No I cannot explain it to you. I need you to tell me what you're seeking entry or what you are coming to the port to do. It's a simple question are you seeking admission to the United States today. You already know that you are inadmissible. You already know that. You chose to come here. You made this choice not me. I'm asking you,
267. PF: (indecipherable)
268. OO: Are you seeking admission to the US today?
269. PF: I don't believe that I'm inadmissible because I believe that I'm a United States citizen and a United States citizen cannot be inadmissible. Um, I am seeking the opportunity to go before an immigration judge.
270. OO: Where do you live?
271. PF: Currently I am homeless. You wish for the address of the shelter I've been staying at? Or are you asking about the city or what?
272. OO: You've been stayin' in a shelter?
273. PF: Yes.
274. OO: What's the name?
275. PF: Yukon.
276. OO: What?
277. PF: Yukon ah U., or Y.U.K.O.N.
278. OO: And where is this?
279. PF: In Vancouver.
280. OO: How long you been stayin' there?
281. PF: I guess it's been 4 or 5 weeks.
282. OO: And prior to that where were you?
283. PF: Prior to that I spent a couple weeks at a hostel called the Cambie Hostel.
284. OO: And prior to that?
285. PF: Ah another shelter called the Belkin House. B.E.L.K.I.N. And prior to that I was in jail for 2 ½ years.
286. OO: What was the shelter called for, or at, before Cambie?
287. PF: Ah Belkin. B.E.L.K.I.N. House.
288. OO: Prior to that was in jail for?
289. PF: 2 ½ years. Since, end of May 2016.
290. OO: And where was that?
291. PF: Um, a year and a half at a place called North Fraser Pretrial Center. And then a year at a place called Fraser Regional Correctional Center.
292. OO: What was the pretrial place?

293. PF: North Fraser. F.R.A.S.E.R.
294. OO: And a year at what?
295. PF: Ah Fraser Regional Correctional Center.
296. OO: What was your conviction that led to this?
297. PF: Ah criminal harassment. Which is a very vague term I realize. I created a website, you might have seen it while you were in, investigating earlier.
298. OO: I did. So what are you wanting me to do today?
299. PF: I want you to let me walk out of here and return to Los Angeles.
300. OO: How is that seein' a judge?
301. PF: Um seeing a judge is what I believe is the most likely or probable thing to happen. As opposed to letting me walk out of here.
302. OO: So ah,
303. PF: But you're asking me,
304. OO: (indecipherable)
305. PF: What do I want to.
306. OO: How am I supposed to put you in front of a judge? There's not one here.
307. PF: Right I would assume that I would be waiting until I see a judge. It's not an ideal situation I realize but I'm stuck between a situation where I'd be detained in the US to see a judge, maybe get something worked out, or return to Canada and be homeless and penniless for 3 years because of probation conditions and I'm not allowed to leave to work there. So what's worse?
308. OO: Are you seeking asylum from Canada?
309. PF: In my mind, that would be reasonable. Because I believe that the website and what I was convicted of was nothing more than an issue of free speech and so in my mind I was sentenced to 2 ½ years um presumably expressing my beliefs and opinions about someone. But I don't think that that argument would ah, stand up in court. That it would be.
310. OO: Ah seems like you already had your day in court and it didn't. That's just my opinion.
311. PF: Have you seen the R v Fox section of the website? With all the evidence about the collusion and the corruption that occurred in the case?
312. OO: Ah no.
313. PF: Okay. It's jut like the perjury case all over again. A lawyer who doesn't bring up evidence and (indecipherable)
314. OO: (indecipherable).
315. PF: Would being persecuted for exercising your constitutional right to freedom of speech, be a legitimate basis for seeking asylum.
316. OO: I don't know I don't make those decisions. So in my mind the website created was a form of free speech.

317. PF: Yes um,
318. OO: I didn't get the rest of it.
319. PF: It was, oh I'm sorry. Um, it was nothing more than an expression of or a form of free speech as you had said, um and, I was convicted and sent to prison for 2 ½ years, plus 3 years of probation um for doing what I believe was nothing more than expressing my opinion and beliefs, sorry (indecipherable). And if I'm returned to Canada I am most likely going to be arrested again and put back in jail. For the same reason. Because the website is still there.
320. OO: Are you claiming to be a United States citizen.
321. PF: I'm saying that I believe that I'm a United States citizen. Which is not the same as making a claim being a United States citizen. I'm only expressing what I believe.
322. OO: Are you a United States citizen?
323. PF: I believe I'm a United States citizen.
324. OO: Again these aren't tricky questions man.
325. PF: The last time I,
326. OO: You know I, again,
327. PF: Said yes I am.
328. OO: Again, these aren't tricky questions you either are a United States citizen or you aren't. I believe I'm the best lookin' man in the world but I'm not.
329. PF: The last time,
330. OO: So again.
331. PF: That I stated unequivocally and directly that I'm a United States citizen, I was charged with false claiming US citizenship and then had a lawyer thrust upon me that did absolutely nothing at the trial and I was convicted of it and then I was deported based on that conviction.
332. OO: Are you a United States citizen?
333. PF: I believe I'm a United States citizen. I am not making a claim of being a United States citizen.
334. OO: Alright well I gotta figure out what my bosses want me to do.
335. PF: Okay.
336. OO: So if you could hang out here for a minute.
337. PF: I don't suppose I can go have a cigarette.
338. OO: No.
339. PF: Didn't think so.
340. OO: Give me just one minute.
341. (Officer OBRIST leaves room)
342. OO: Hey CARTER. Can I talk to you for a sec?

343. (Officer CARTER enters room)
344. PF: How are you Agent CARTER?
345. OC: Hey doin' fine.
346. PF: You're referred to as agents right?
347. OC: No officers.
348. PF: Oh, oh okay officer sorry. 2 countries they both say I'm not a citizen of that country and not born in that country. The US says I was born in Canada I'm a Canadian citizen Canada says I'm born in the US and I'm a US citizen.
349. OC: What do you say?
350. PF: I say I was born in the US and I'm a US citizen. The oldest record officially of me anywhere is in the US. The only records of me ever being in Canada are from after I was deported to Canada so.
351. OC: What about your birth certificate?
352. PF: Oh yes I have a birth certificate from Florida.
353. OC: From Florida.
354. PF: Yes. I don't have it with me right now though because,
355. OC: You have digital copy of it?
356. PF: On my server sure I suppose.
357. OC: Mmm.
358. PF: But anyway I wasn't expecting to get entry today I figured I'd ah come here I'd get arrested and be detained by ICE and eventually I'd go before an immigration judge and at that point I would provide all of the evidence.
359. OC: Sounds like you know the ins and outs of it.
360. PF: Oh I dealt a lot with ICE before when they were trying to deport me.
361. OC: Okay well that's a serious thing and I think, it's not something they'd lightly do.
362. PF: Deport someone?
363. OC: To deport somebody yes of course.
364. PF: Oh. Oh well.
365. OC: Especially,
366. PF: Ah okay. As an agency I agree. But um there's always some bad apples or some people who let the power go to their head or something and. Um, it's not ICE as an agency that did anything wrong I think, I just happen to get 2 deportation officers that, didn't agree with me on some matters in court.
367. OC: Well that says something that ah, you wouldn't want to do if you're in this profession. Ah deporting a US citizen,
368. PF: I think,
369. OC: Might not be a very good thing to be done right?

370. PF: I, I think though, not just in Homeland Security but also in any other justice system ah agency um, there are some people that are arrogant enough that they think that nothing will ever happen to them. Mostly prosecutors, prosecutors a lot because,
371. OC: I won't dispute that.
372. PF: Yeah. Um, I agree it was a very bad thing from (indecipherable) but also I've discovered that once a judgement is made, it's hard as hell to get the court or anybody to, change it or admit that something was done wrong or.
373. OC: Mmm hmm yeah I'm sure of that.
374. PF: Yeah.
375. OC: Mmm hmm. So you fully anticipated that this is the process and you had, you had received?
376. PF: Well see the thing is like I said Canada is saying I'm not a Canadian citizen. I'm saying I'm not a Canadian citizen I have no work authorization in Canada. But I'm on probation because I created this website and so then I was convicted of criminal harassment in Canada. Um and I have 3 years probation where I'm not allowed to leave British Columbia. And I'm not allowed to work so I got released at the end of December and I'm staying in a homeless shelter you know I'm a software engineer so I usually make 100 to 150,000 a year and all of a sudden now I'm living in a homeless shelter. And this is what I have to look forward to for the next 3 years so I just decided you know what I'd rather sit in an immigration facility and wait to see a judge, than to keep living in a homeless shelter spending all my days at Starbuck's. Kind of a choice between 2 crummy situations I realize.
377. OC: Yeah that's ah,
378. PF: But I think I'd rather be in custody in the US. Than to be free in Canada nowadays Cuz the feminism and the political correctness in Canada has gotten so out of hand.
379. OC: Could be, well there's dangers, in every country. Florida huh?
380. PF: Mmm just born. Spent all my life in LA.
381. OC: Oh.
382. PF: Moved there when I was very young.
383. OC: Mmm hmm. What was your website?
384. PF: desireecapuano.com. My ex-wife. The point of the website was to publish as much evidence of all the bad horrible things that she's done to people so that other people who meet her, will know the kinda person she is because she's one of these sociopaths that acts very sweet and everybody thinks oh what a wonderful girl. But um, she's just a horrible manipulative person. So, I published a bunch of proof on there you know recordings of her (indecipherable)
385. OC: You created a warning to the world.
386. PF: Essentially yes. And for that I went to prison for 2 ½ years. But, they forced a lawyer on me to do the cross examination.
387. OC: What was the, what was the charge?

388. PF: Criminal harassment.
389. OC: Criminal harassment.
390. PF: Yes and I'm saying, it's a website. She can't be harassed by it unless she goes to it. I mean she's the one that is choosing to go to the website. So how can I be the one harassing her and besides, she went on the news and told a bunch of lies about me. Which is essentially the same thing right? Different medium I mean one's a website the other one's going on the news but then most news agencies now put their stuff on the internet as well.
391. OC: True.
392. PF: So if you google Patrick FOX there's all these news stories about all this horrible stuff I did. Not one mention of any of the bad stuff she did.
393. OC: It's an interesting, situation.
394. PF: Mmm.
395. OC: Hmm.
396. PF: I'm sure it's gonna make a very interesting TV movie or book or something.
397. OC: Did you have an attorney?
398. PF: Um on this case, I chose to represent myself because I had an attorney at first. And he seem like he was trying to help the prosecutor more than anything so I fired him um represented myself but then there's a statute in Canada that for certain types of offences, if the person's representing themselves and if the Crown requests it, the Crown is the prosecutor is what they call them up there. If the prosecutor requests it then the court has to appoint an attorney to do the cross examination, of the person, so that I'm not cross examining for myself. So that lawyer then, and all this is on the website but ah, and all the evidence of the collusion between the prosecutor and this attorney that was forced on me. Um she was lying through her teeth I counted 130 instances of perjury that she committed in 8 hours of testimony. Didn't cross examine her on (indecipherable). And I'm tellin' him look we have the proof right here she's lying why are you not asking her about this oh don't worry we'll get to it, we'll get to it. So that's how I was convicted. But, as I say, it's all on the website all the transcripts the audio recordings from the trial um all of the e-mails the threatening e-mails the harassment e-mails she had sent me for years before I finally created the website.
399. OC: So, the ah the information that's on the website.
400. PF: Mmm hmm.
401. OC: It's not something that can be done away with I mean. Let's, I'm, I'm assuming the server it's not within the jurisdiction of Canada.
402. PF: No definitely not.
403. OC: Okay so therefore they can't shut it down.
404. PF: Right.
405. OC: Ah,
406. PF: But one of the probation conditions was that I take the website down so upon my release from custody I was required to take the website down but the

website had already done offline because um while I was in custody I couldn't renew the hosting plan. But, there is a non-profit organization called the Internet, the Internet Archive. Um dot org. And they have a crawler a web crawler that makes cash copies of other websites like all over the internet. And so there was a copy of it in there as well so even though it went off line the primary site, a copy of it was still accessible there.

407. OC: So what would you have to do to reinstate it?

408. PF: To put the website back up?

409. OC: Right. Yes what would you have to do?

410. PF: Ah, just go ahead and put it back up but not,

411. OC: And just pay the fee for your hosting.

412. PF: Oh yeah, yeah.

413. OC: That's all.

414. PF: Or just create a new one um based on the old one cuz I still have all the source material from the old one um but one of my probation conditions prohibits me from was it, publishing, disseminating or distributing any information about her and her fiancée and stuff um there's nothing that prohibits me from, creating, maintaining a new version of the website on my systems and then if somebody else publishes it, then that wouldn't be, I mean,

415. OC: Are you aware of any,

416. PF: Ah,

417. OC: Groups that would? Publish it?

418. PF: Oh yes the version that's on, the internet right now that went online about a week ago or something.

419. OC: Mmm hmm.

420. PF: Um, I didn't publish that. I wrote the content that's on there but I didn't publish it. So, technically I'm within the probation conditions.

421. OC: Okay. Well that's,

422. PF: But,

423. OC: That's nice.

424. PF: The thing is, um, I'm going, if I remain in Canada, I'm gonna be re-arrested for it anyway I mean and, they're gonna find something to, like either they'll bring up new criminal harassment charge or um, they'll say it's a probation violation or something.

425. OC: So you were in Canada because you were deported.

426. PF: Ah,

427. OC: From the United States.

428. PF: I was deported from the US to Canada yes in 2013.

429. OC: That's a long time ago.

430. PF: Yeah and I, I lived there for 3 years and then I came back here in 2016 just after crossing the border I was arrested by CBP and then they investigated and everything and dropped all the charges but then they handed me over to ICE. And then ICE, I guess they realize that the Canadian government wasn't gonna issue another travel document because by that point the Canadian government didn't realize that I wasn't that person from ah Ontario. So instead what they did was they tried convince the RCMP to request that I be, sent back as a person of interest or subject of interest to be questioned if the RCMP agreed to that then they could just take me to Peace Arch and then hand me over to the RCMP right? Um the RCMP told them, I've got e-mails for all of this ah, also on the website. Um the RCMP said that they check the website there's nothing illegal and you guys already have me in custody and oh they were, they were using the excuse that I had a PAL, firearms licence in Canada. So I had 4 registered firearms because handguns need to be registered, but rifles don't, anyway since I'd moved out of my apartment um they use the excuse that they wanted the RCMP to interview me to find out where my handguns were. Um the RCMP said to them well you guys already have him in custody why don't you interview him, why don't you ask him. And so then in the next e-mail um a couple ICE agents are talking about ah well we don't have any ah or he doesn't have a birth certificate or a passport to prove that he's Canadian. But if he can be a subject of interest, um that might be the way to go and we can just take him to the border.

431. OC: Excuses.

432. PF: Yeah.

433. OC: May I, may I ask you a question?

434. PF: Yeah.

435. OC: You know you were deported in 2013.

436. PF: Yeah.

437. OC: You're tellin' me you don't have a passport.

438. PF: No.

439. OC: From any country?

440. PF: I had a Canadian passport years ago that was obtained under false pretenses IRCC now knows that um, um I mean I know they can prosecute me for it because there's no statute of limitations in Canada, but I highly doubt they will because then they would have to like admit that they let me be deported there, um but the other records that I have from IRCC show that they knew that I wasn't a Canadian citizen what they did was they issued a 10 year authorization to enter. And so then I was deported based on that. But that authorization to enter has since expired. In May of last year. Now ah I was, I was deported in 2013. But I was living there till 2016 when I was gonna move back to Los Angeles. Um and then I was brought back to the border and given to RCMP and then charged with all this.

441. OC: But you, you claimed to be a United States citizen. Yes?

442. PF: Well okay. I have,

443. OC: You, yes you, you did ah this is not a hard question,

444. PF: Right no, no.

445. OC: It's either a yes or no.
446. PF: The thing is, I have to be careful how I answer that because remember I was convicted previously. Of false claim to US citizenship. So I'm making no claim of being a US citizen, citizen. What I am saying is I was born in the United States and based on that I believe I am a United States citizen.
447. OC: That's pretty clear.
448. PF: Yes. But that's not saying as making a claim of being a United States citizen. There's no, criminal offence, um of saying that you believe that you are a United States citizen, if you're not. Well, I do believe that I am, it's not a matter of stating that I believe that I am but I'm not really. Okay? I think that these documents from IRCC and CBSA further support that belief, plus I've recorded some of my phone calls with IRCC and CBSA where they come right out and they say that you have no status in Canada you are not a Canadian citizen. Now I realize that doesn't mean necessarily that I am a US citizen, but the only 2 countries I've ever been are United States and Canada. So I must be a citizen of one of them. Anyway I know it all sounds crazy and you're probably thinking oh this guy should be on meds or something um but,
449. OC: You seem lucid.
450. PF: I am I had to go for a psych assessment oh and I recorded the psych assessment because the prosecutor was trying to discredit me and so he figured if I went for a psych assessment, then they would be able to say oh he's delusional and then they could use that to discredit me before I published all the evidence of the stuff they did wrong at my trial. Anyway, at the psych assessment it was determined there was absolutely nothing wrong with me, I'm perfectly fine.
451. OC: Mmm. Except you have no country.
452. PF: Yes and as far as being a citizen of something, I don't care. Um, if the US wants to say I'm not a citizen, I don't care um as long as I have a place where I can physically actually be, that's fine with me. I mean I don't care about getting any benefits of being a US citizen or being Canadian citizen or anything I'm far too capitalist to want anything from the government anyway. So.
453. OC: Tuvalu?
454. PF: Hmm?
455. OC: The island of Tuvalu?
456. PF: Oh. I thought you were making some obscure academic reference I'm like oh.
457. OC: You could, emigrate, emigrate to.
458. PF: Well I mean preferably it would be, in either Canada or the US preferably the US. Um I've become very disenchanted with Canada after this whole experience. At first I liked it, I mean when the conservatives were in power it was much more right wing and then these liberals with this Justin TRUDEAU ah, just. I'm a very, very conservative person, like I'm not conservative as in republican conservative I'm more conservative as in libertarian conservative. I believe in personal freedom and such. Um,
459. OC: These seem to be good values.

460. PF: I don't know if they'd work in practice because it's never actually been tried in the US before um, I like TRUMP a lot of people don't like TRUMP but. Personally I think he's doing a good job.
461. OC: But I don't understand, since all this time,
462. PF: Mmm hmm.
463. OC: You never applied for a US passport.
464. PF: No. Um like I said I have no interest in claiming or making any stake of citizenship in any country anymore. The US deported me they held me in custody for 4 years jerked me around, charged me with all this stuff tryin' to get me to plead guilty to something I didn't and it dragged out for 4 years. Then they let me go. And then a year later my ex-wife is complaining to Homeland Security oh this guy's an illegal alien he's tryin' to take my kid and if you guys don't do something I'm going on the news media about it. So then ICE comes to my apartment in Los Angeles, arrests me I lose custody of my son and I get deported to Canada. Um so at that point I decided you know what to hell with it. Um I don't care about US citizenship or anything Canada seemed like a fine place at the time. And so I decided to stay up there for a few years.
465. OC: Hmm well being stateless. That's...
466. PF: (indecipherable) states,
467. OC: That's a u, unique situation.
468. PF: I'd be fine with that. Um, like right now I guess I'm the closest thing I can be to stateless because I've got 2 countries that are (indecipherable) um that I have (indecipherable)
469. OC: At this, at this particular moment in time it sounds like it.
470. PF: Well but I've got 2 countries that I have history with. But both countries are insisting that the other country is the one that I'm from and that I'm a citizen of. It's even worse than stateless. It's like being shunned by the 2 countries.
471. OC: You got a point there. It's true. Mmm. Now I have read, about people who have been in that situation before. But it's normally because they've renounced their citizenship.
472. PF: Yeah.
473. OC: And then they end up as a, well I don't have citizenship (indecipherable)
474. PF: Right, right.
475. OC: That's how it occurs, it's unique.
476. PF: And I would never go as far as renouncing US citizenship because, having been away from the US for a few years now um and become more and more patriotic and when I see the American flag and I think like oh fuck I'm homesick God I wanna go back to Los Angeles and such but um so. I don't like to use the word love cuz it's fuzzy emotional word. But ah yes I, I would say, but I do love the United States. And society and culture. Ah there's some things about the government or some government agencies I'm not too keen on but you take the good with the bad.
477. OC: Ah okay well so you never travel.

478. PF: No.
479. OC: Never travel,
480. PF: Been around many parts of the US and I've been to Vancouver and that's about it.
481. OC: Ah you'd need a passport to do some international travel.
482. PF: Yeah. I'll tell ya though, I have very little interest in going anywhere when I was younger I thought maybe I'd like to go see Europe but mmm. Nowadays, I'm happy with southern California and I don't mind Arizona, Texas is nice um.
483. OC: Mmm, mmm.
484. PF: Washington is too cold for me it rains too much up here it's pretty much like Vancouver.
485. OC: Mmm hmm.
486. PF: I'm assuming you're not originally from here right? You guys keep movin' around a lot don't you?
487. OC: If we choose to.
488. PF: Oh okay.
489. OC: Yeah I grew up in the southwest.
490. PF: Mmm hmm.
491. OC: Texas, Arizona.
492. PF: Ah. I used to live in Arizona for a few years.
493. OC: Mmm. Too hot.
494. PF: Yeah it is hot.
495. OC: Phoenix is too hot.
496. PF: But um, having spent most of my life in southern California and see the thing about California is that northern California is very left wing very, very tree huggerish whereas southern California is much more conservative um,
497. OC: Sure.
498. PF: And so I like southern California don't like northern California at all but ah having spent most of my life in California with the gun laws they have there and I'm very much a, an enthusiast ah second, second amendment supporter. Um I had a firearms licence in Canada but obviously they revoked that after the criminal harassment thing. So when I moved to Arizona, the gun laws there were so lax I thought ah this is wonderful. Cuz they're so strict in, especially like in the Los Angeles area you can't carry,
499. OC: I never lived in California.
500. PF: Mmm. I like LA a lot. The rest of it mmm.
501. OC: Mmm hmm.

502. PF: I think I just like LA so much because it's a huge, huge city and um, I don't know it's always changing and always, new people coming and going very transient.
503. OC: Well it's international city yes that's for sure yeah.
504. PF: Whereabouts in Texas did you live? I spent some time in San Antonio.
505. OC: Oh. Houston.
506. PF: Oh okay.
507. OC: And ah El Paso.
508. PF: Oh sure, sure.
509. OC: Mmm hmm. But there are many places in the world that are interesting.
510. PF: Are there though?
511. OC: Oh yes. Yes indeed.
512. PF: Hmm. Where would you say would be interesting to go visit? And, I'm not trying to play with your psyche or something here it's none of that I'm just making conversation.
513. OC: Puerto Rico is still a US territory.
514. PF: Mmm hmm. Interesting.
515. OC: Mmm hmm. Yeah it has different laws.
516. PF: Oh yeah?
517. OC: Well it's been very popular with people who want different tax laws because ah some of them are not existent.
518. PF: Oh.
519. OC: Which is nice. No it's beautiful. Panama is ah, really growing. Lot of development down there. Many good things possible there a lot of things happening in Panama. Columbia is the same.
520. PF: Interesting all these place you've chosen so far are all Hispanic or Spanish speaking places. Hmm.
521. OC: Yeah.
522. PF: We're all kinda in that same area.
523. OC: Culture is nice.
524. PF: Oh okay.
525. OC: Culture's different.
526. PF: Mmm hmm.
527. OC: Values are different. And they're, generally really good.
528. PF: Mmm hmm.
529. OC: The value of family is, important. Responsibility, however security is always these big fences you know these big walls and glass on top. It may be colorful but they still got the glass on top. Switzerland.

530. PF: Oh yeah, okay.
531. OC: Probably the most expensive place you can go in Europe. Gorgeous. It's so beautiful.
532. PF: Oh you've been there.
533. OC: Trains are amazing so nice and smooth, comfortable. People are nice, there's a difference between (indecipherable) Geneva and the east like in Zurich.
534. PF: Mmm hmm.
535. OC: Much different. Zurich being nicer. Further away from France.
536. PF: Mmm hmm.
537. OC: And the immigration problems they have.
538. PF: Oh yeah?
539. OC: Mmm hmm.
540. PF: Seems a lotta places in the world these days are having immigration problems. Lots of people wanting to leave their poor countries and, coming to those who have done ah don't even get me started on that.
541. OC: The question is where you wanna im, immigrate that's the question.
542. PF: I just wanna live my life I wanna get my son back. And help him go to university and ah cuz when I got deported like I said I lost custody of my son um,
543. OC: How old is your son?
544. PF: 18 now.
545. OC: 18 well he's an adult. There is no,
546. PF: Everybody always says that but the thing is,
547. OC: There is no custody in place.
548. PF: No I realize I realize but it's not about custody at this point it's about, my ex wife is a horrible person all the stuff I say about it on the website is true I mean there's proof of all the stuff there. Um she's not giving him any proper guidance or, or, teaching him the right way to live or how to treat people. I mean the longer he's with her the more he's gonna be like her and I don't want him to become a manipulative sociopath like she is. So.
549. OC: Well. A, a child that is in that particular environment um has very few choices.
550. PF: Mmm hmm.
551. OC: Because if they show any resiliency and they, ah stand up for themselves and they say I do not want to adopt your values. And behave in your manner.
552. PF: Mmm hmm.
553. OC: Then they will become the object of persecution.
554. PF: Right, right.
555. OC: And suffer, so that's a tough choice for any child who's stuck with a,

556. PF: Yeah.
557. OC: Sociopathic person. Because you know they will become the favorite target of a lot of unproductive things.
558. PF: Right. Yeah.
559. OC: A lot of abuse.
560. PF: She's a horrible person.
561. OC: So it's only once the child is out of that situation can they begin to change. Perhaps you can be there.
562. PF: Hopefully.
563. OC: Yeah you, certainly you can be in, insightful.
564. PF: Oh well,
565. OC: (indecipherable) someone outside of that environment.
566. PF: The thing is though once I was arrested in 2016 my ex-wife cut off all communication so I haven't had any contact with him since May of 2016. Um,
567. OC: It's up to him.
568. PF: Yeah I don't think he even realizes I'm out of jail yet because what was in the news media, they were saying I was sentenced to 3 years and 10 months but I only served 2 ½ years out of that because they (indecipherable) um, so as far as he knows I'm probably still in jail.
569. OC: (indecipherable)
570. (Officer OBRIST re-enters room)
571. OO: So we're tryin' to decide what to do here tonight.
572. PF: Okay. Before you go any further I have to say, ah Officer CARTER, hell of a nice guy.
573. OO: Good. Okay.
574. PF: I'm sure you are too but I understand that we're kind of in a somewhat adversarial role and you've got your job to do.
575. OO: Yeah. I don't know if adversarial but.
576. PF: Well.
577. OO: Different.
578. PF: Is it okay if I get up and just stretch a bit my knees are sore from sitting so much.
579. OO: Go ahead.
580. PF: Oh. I'm old.
581. OO: I actually ah can sympathize with that I am too.
582. OO: What are you lookin' for? Where's your radio?
583. UF: I forgot it, it's sitting there.

584. OO: Can I get ya to,
585. UF: Yes.
586. (background conversations, outside room)
587. OO: We have to ask 4 more questions sir.
588. PF: Okay.
589. OO: And then my management will go back to pondering. So they're 4 questions, set form questions. I just have to find them so give me a sec here.
590. PF: Okay.
591. OO: Why did you leave your home country or country of last residence?
592. PF: I left my country of last residence um, in part because I believe that I was being wrongfully persecuted by Provincial Government um, and,
593. OO: Can I catch up?
594. PF: Sorry.
595. OO: Persecuted?
596. PF: Yes.
597. OO: And?
598. PF: And in part because I'm not a citizen of that country. And, I'm not authorized to work in that country. Therefore, not able to support myself. When I say that um, this ah you don't need to type this part if you don't want to, but um, when I say that I believe that I was being persecuted. Um, about the criminal harassment being the website and then having these probation conditions that prohibit me from leaving but at the same time don't allow me to work.
599. OO: Do you have any fear or concern about being returned to your home country? Or being removed from the United States?
600. PF: Um, I have the fear that if I return to Canada, I will be, continue to be persecuted in those ways. For exercising my, they call it charter right, like ah constitutional right (indecipherable).
601. OO: I have a fear that if I'm returned to Canada I will be,
602. PF: Ah will continue to be persecuted.
603. OO: Will, continue, to be persecuted.
604. PF: For exercising my right to free speech.
605. OO: Would you be harmed or, excuse me. (coughs). Would you be harmed if you were returned to your home country or country of last residence?
606. PF: When you say harmed, I just wanna be clear would, being arrested and detained without due process would that be considered harmed?
607. OO: Again, it's, it's,
608. PF: I'll say yes.
609. OO: It's your question. Yes?

610. PF: Yes.
611. OO: You have any questions of me or anything you'd like to add? As far as questions about what we're gonna do today I don't know yet and I will let you know,
612. PF: Yes.
613. OO: In as full detail as I can, when the decision's made so when I'm saying questions it's, it's mean that I won't be copying that in here.
614. PF: Right I, I have no questions about what was talked about here. Let me say, if I may though,
615. OO: Mmm.
616. PF: Um, I know that you're just doing your job and there's regulations that you have to follow and there's procedures that you have to follow and I don't take any of this personally.
617. OO: Is that it?
618. PF: Yeah.
619. OO: Okay.
620. PF: I, I'm just addressing that to you ah.
621. OO: I understand.
622. PF: Should I, should I be clear though that ah because the way you rai, raised the questions you had said, your country of origin or um of last residence. But I wanna be clear though that I'm saying I'm referring or I'm thinking in terms of country of last residence not country of origin when I answered those. Okay let's just if I say country of origin then that's the admission that Canada is my country of origin.
623. OO: When was the last time you ate?
624. PF: Um, stopped at the duty free shop just before, well just up there and then I went to CBSA I guess it was, I don't know some time this afternoon.
625. OO: (indecipherable) so you're not starving.
626. PF: No, no. No I'm, I'm fine thanks.
627. OO: I can get ya some water or something.
628. PF: Oh yeah that'd be good yeah. I realize I don't have any cash on me um I have credit cards though that ah, in case you were thinking I'm not indigent or. I meant to stop at a, whatchacall a currency exchange to get some US cash um but I just forgot to get around to that.
629. OO: I'll just grab some water for ya. Can I just get you to watch here for a second? Left your ID outside gonna grab that real quick.
630. PF: Oh thank you. Good evening.
631. UM: Good evening sir.
632. PF: Thank you for the water.
633. UM: No problem.

634. PF: (coughing)
635. UF: You need some water?
636. PF: Oh no I have some thanks it's ah, I've been smoking a bunch the past few days.
637. UF: Fair enough.
638. OO: Um. You have any ailments anything like that we have to worry about?
639. PF: No.
640. OO: How tall you think you are?
641. PF: 5'5.
642. OO: Your weight?
643. PF: 130.
644. OO: Married, single, divorced?
645. PF: Divorced. And brown eyes.
646. OO: Brown eyes?
647. PF: No scars, marks or tattoos.
648. OO: Mmm. So there's 2 different procedures I have to per, I, that I can go with here. One procedure is if you are, seeking asylum credible fear. The other one is if you're claiming to be a United States citizen.
649. PF: Mmm hmm.
650. OO: 2 different paperwork.
651. PF: But to seek asylum,
652. OO: Which,
653. PF: I would have to be an alien.
654. OO: Which one should I go with here?
655. PF: Um, well that is a dilemma.
656. OO: Mmm hmm.
657. PF: Um, I'm not going to say that I'm an alien. So that I think unfortunately rules out the asylum thing um but what, does the person though have to be an alien to seek asylum? I mean if you guys are insisting that I'm an alien, is that not sufficient or would I actually have to agree with that and say yes I am an alien?
658. OO: No idea.
659. PF: Oh. May I ask a few questions about either one and you may or may not have answers but. Um, obviously if you proceed with the citizenship claim, then I would assume that I would be detained in custody pending the outcome of the proceedings that could drag on for who knows how long. If I were to proceed with the asylum claim, ah would I still be detained in custody? And that would probably also drag on for who knows how long. So from that perspective, does it make a difference?

660. OO: No it's a question of paperwork on my end.
661. PF: Do the one that has the least amount of paperwork.
662. OO: I wish it were that easy.
663. PF: Isn't it?
664. OO: No unfortunately it's not.
665. PF: Um what time were you scheduled to be on until?
666. OO: I'm here till 2 a.m. man.
667. PF: Oh okay, okay.
668. OO: Yeah unfortunately that's not ah, not an issue for me.
669. PF: I mean it would set an interesting precedent to have somebody who's accused of being Canadian claiming asylum here in the US because of persecution from the Canadian government there's something you don't hear every day.
670. OO: Ah it happens more often than you think.
671. PF: Oh really? Hmm I wouldn't have thought.
672. OO: And ah You know what, I'm just gonna just pick one and. They can change it if they want. (indecipherable) March 15
673. PF: 15<sup>th</sup>. (indecipherable)
674. OO: No. Frisked?
675. PF: Oh.
676. UM: (indecipherable)
677. PF: Yeah.
678. UM: Believe they patted you down already did they not?
679. PF: Yup they did. You can check again if you wish.
680. UM: I do not.
681. PF: Okay. Are you thinking in terms of time you have to report what time it was at?
682. OO: No I don't think. Thumb.
683. PF: Oh too hot?
684. UM: It's fine, 4 fingers. There's gonna be a photo in just a second. Good enough.
685. PF: Ah I always look horrible in those VHS photos.
686. OO: (indecipherable) canvas.
687. UM: Ah you're almost there eh?
688. OO: I went ahead and just picked one.
689. UM: Picked one what?

690. OO: I asked him if either, I filled one...
691. UM: He didn't wanna review?
692. OO: Kinda crippled now, that's if he's a US citizen.
693. UM: Well if he goes before, that'd be
694. OO: If he goes before a Judge...
695. UM: An immigration Judge,
696. UM: Directly before an immigration judge,
697. OO: Mmm hmm. That's why I pick that one but I mean in the end it's, so if, if he does directly go to the judge it goes to review.
698. UM: Hmm. Not questioning.
699. OO: We're not questioning (indecipherable). Yeah are we? I'm not questioning any of it.
700. UM: No, no, no, no the, the citizenship.
701. OO: Yeah that's what I'm sayin' I'm not questioning any of it. He is.
702. UM: Oh I know.
703. OO: Alright.
704. UM: I'd say the credible fear, so credible fear...
705. OO: (Sighs) So I gotta change that.
706. PF: I fear I have become a pain in the ass.
707. OO: It is what it is. Not I mean you're not bein' belligerent you're not, you know.
708. UF: (Background talking outside room)
709. PF: (coughing). I apologize for the coughing I know it's annoying when somebody's coughing a lot.
710. UF: Do you need anything?
711. OO: Um, yeah if you want to ah, grab printed out documents.
712. UF: I, I'm sorry what?
713. OO: The printer?
714. UF: Oh. Rap sheets?
715. OO: Ah this stuff should be coming out here right now.
716. UF: (indecipherable)
717. OO: Alright this is yours. I'm gonna make a photocopy of that before you get it back.
718. PF: Okay. There was more to that document but ah it's not really relevant to the citizenship issue. Did you want the rest of it or?
719. OO: I don't care it's up to you.
720. PF: Oh.

721. OO: You'd make a good cop.
722. PF: Oh yes.
723. OO: Mmm. Ah, do you ever do your fingerprints it's not showin' up for some reason?
724. UF: (indecipherable) search on this..
725. OO: Mmm mmm.
726. UF: Here?
727. OO: Yeah um I stop tryin' all these lines.
728. UF: Well it's there.
729. OO: Yeah as I said I stop tryin'. Have you had to do that new e-mail yet?
730. UF: Yeah.
731. OO: I hate it.
732. UF: Yeah it sucks.
733. OO: And I (indecipherable)
734. UF: Apparently not. (indecipherable) downstairs.
735. OO: (indecipherable)
736. UF: You can take a seat.
737. OO: Do you wanna make an extra photocopy for me to get ready.
738. UM: Got it.
739. OO: Just go ahead and read that over. Start with that we've got a lot of readin' to do but you can start with that.
740. PF: Okay. Um is it relevant ah you've got the question here what other names have you used, qualified response I haven't. I think the question would, should have been um have you used other names because then the next question you have is what other names have you used so. Does that matter?
741. OO: It's what I asked.
742. PF: Okay.
743. OO: We get, we get, we get the stuff in regardless. Thanks.
744. PF: Yeah, yeah.
745. OO: Nice.
746. UF: Why did you print the second page twice? (indecipherable) prints once and this twice?
747. OO: Mmm. Cuz that paper (indecipherable)
748. UF: Oh you printed 2?
749. OO: Maybe so.
750. UF: Okay.

751. OO: It's outta paper.
752. UF: No cuz it just printed somethin' else. Look at that the second pair of prints, I was just so impatient. You drivin' him?
753. OO: I've been askin' them for in an hour what they wanna do, and they're like...well it's your ((indecipherable)).
754. UF: You know it's him.
755. OO: Yeah. (indecipherable) given him. (indecipherable).
756. UF: Think you wrote them down, (indecipherable). Now he's misspelled. Screwed himself, but then it says than.
757. OO: Yeah (indecipherable) too late. It's already been documented. Copy notes.
758. UF: (indecipherable) just tryin' to help.
759. OO: I'm chilly.
760. UF: That's fine. This is too much for me (indecipherable) is good.
761. OO: Good? Um do do do do do. When you ah were out here ah just initially out, with the rest of people.
762. PF: Yeah.
763. OO: What did you tell that officer that you were coming to do?
764. PF: You mean when I first spoke to anybody?
765. OO: Yeah.
766. PF: Like the first lady?
767. OO: Yeah.
768. PF: Um, first I explain to her a bit of the background and um, about you know having been deported before um,
769. OO: Mmm hmm.
770. PF: And I told her that I um I don't expect that I'm going to be admitted um at this time um I expect most likely that I'm gonna be arrested and detained and then have to go before a, an immigration judge and then a few moments after that coupla other officers came up put me in handcuffs and brought me over there. And that was (indecipherable). No that was about it. Because the first few moments were taken up with the, the background of ah having been deported and then the criminal harassment charge being in jail getting out and that's what brought me in here today. Oh when I gave her the drivers licence I of course also told her that I used to go by Richard REISS.
771. OO: Mmm hmm.
772. PF: I wasn't tryin' to conceal that. It would be pointless anyway I mean you guys know. I have a question about um,
773. OO: Mmm hmm.
774. PF: The name that's being used on here.
775. OO: Mmm hmm.

776. PF: I see that it's ah Richard REISS because I understand that's what you guys have me as cuz that's what you first encountered me as.
777. OO: Yeah.
778. PF: Um, should it be Richard REISS or should it be Patrick FOX since that's my legal name now? Doesn't matter.
779. OO: Ah (indecipherable)
780. PF: Okay ah I guess it doesn't matter right?
781. OO: You are you.
782. PF: Yes. Yes I am.
783. OO: Besides you, you raised the question of whether your name change was legal if the name you had before was,
784. PF: Yes.
785. OO: Not yours. So we'll just stick with what we know you as. I'm sure they'll tell me to change it. Um.
786. PF: Would you like me to sign this now or?
787. OO: Um just yeah step up just to, a hard surface to write on. And, you'll unfortunately (indecipherable) all of this. Just initial the bottom it just shows that I gave you each page not just the last page. And again (indecipherable).
788. OO: Right here. In that block. You wanna read that over.
789. PF: (Coughs)
790. OO: (indecipherable).
791. PF: Yes but I'm concerned about, the term alien there because it's kind of like I'm admitting I'm an alien.
792. OO: That's what I'm charging you as.
793. PF: I'm sorry?
794. OO: That's what I'm charging you as.
795. PF: Oh right right but I don't want that to be taken as an admission that I'm an alien. If I sign it. Can I cross that off?
796. OO: You can do whatever you want.
797. PF: Okay thanks.
798. UM: Question for ya.
799. OO: Mmm hmm.
800. UM: (indecipherable) 2016
801. OO: (indecipherable)
802. UM: What was the outcome of that? Was he reinstated?
803. PF: (coughs)
804. OO: (indecipherable)

805. UM: Well all of those things would be good to have.
806. (indecipherable).
807. UM: (indecipherable) show today. Get back to that name again.
808. OO: Um.
809. UM: Is that the (indecipherable) IFIS?
810. OO: That's from IFIS
811. UM: He's ah, any medicals conditions or anything?
812. OO: Um no I agree that (indecipherable) is not the right word. But understood?
813. PF: I understand.
814. UM: So yeah for Section 235 that's basically just the removal here at the border.
815. PF: Mmm hmm.
816. UM: Ah you were found to be inadmissible under 6(c)(2) and 7(a) as a Native ah not a United States citizen or national, a native of Canada, citizen of Canada, you are today presenting yourself as a United States citizen seeking entry. To return to Los Angeles to continue living.
817. PF: Mmm hmm.
818. UM: Ah you are an immigrant without a ah valid Visa (indecipherable) Los Angeles (indecipherable) um again it's not sayin' you agree that, it's just what, what I'm sayin' from, from our end) okay? Um (indecipherable)
819. OO: Oh yeah. Just got outta jail what, a month ago?
820. PF: December 30<sup>th</sup>.
821. OO: Couple months ago. Ah that was the harassment.
822. UM: A lot in the States too.
823. PF: Well it looks like a lot but it's because there's a lot of duplication. For some reason there was, some of the charges show up five or six times.
824. OO: Each, yeah each state is different it's really annoying tryin' to figure out how to read 50 different states.
825. PF: Mmm hmm.
826. OO: Plus federal plus DC um codes that are all different. So I have to read you this warning I don't do the verification part at the bottom so (indecipherable) for you to sign. But because you, your multiple removals from the United States ah there's a 20 year bar from ah, the time you depart till you're allowed to come back. I'm just required to read you that warning.
827. PF: Okay.
828. OO: I think that's about it for all of our, stuff we need to sign here, I'll go around. Oh let me get back to this. Of course he's not in there.
829. PF: (coughs)
830. OO: Alright so, where was I (indecipherable). So the first time you got removed, looks like you actually left the United States in 2011.

831. PF: That's not correct. Um there was a removal order the Canadian government issued a travel document at that time. End of August. Um that's the time that I was brought over here to Peace Arch but just dropped off just south of the ah, the border crossing.
832. OO: And they said go that way?
833. PF: They didn't say that. They just open the door and took the shackles off and I said to them that's it it's, it's over. Cuz 4 years I was in custody and then they had the mood in the middle of the night take me from my cell put me on a plane to fly me up here. Let me out they said you're not our problem any more and then they got in the car and drove away. That's also supported by CBSA records I have copies of those that show time dates that I was entered Canada.
834. OO: Do you have 3 reinstatements?
835. PF: Reinstatement meaning I was removed or what do you mean? I'm not sure what reinstatement means.
836. OO: Um yeah got that here.
837. PF: There were 2 times in 2013. That were,
838. OO: And one in 2016?
839. PF: But see that one though wasn't actually, a deportation order um, a reinstatement I guess like there was no travel document that was obtained um and there was no official process or procedure that was done.
840. OO: What was done?
841. PF: Um they tried to get the RCMP to request I be sent back the RCMP didn't go along with that and so then they said um, they said that if he's a subject of interest that would probably be the way to go on this um, and that I have no, documents to establish Canadian citizenship um and what they've done in the past, this is what they said in the e-mail um what their officer has done in the past, sometimes in those cases is just takin' them to the border and hoped that Canada would accept 'em. It's in the e-mails that are on the website.
842. OO: What website?
843. PF: Oh the website that I created, that the criminal harassment was based on. There were e-mails between CBP, ICE, CBSA and the RCMP when they were trying to figure out what to do with me back in June 2016.
844. PF: (coughs)
845. OO: Ohhh, oh di do oh di do. Are you pondering somethin'?
846. PF: Yeah, I'm thinking about um, since Canada's not gonna issue any more travel documents for me um, even if I were to do nothing, after 6 months um cuz ICE has to effect somebody's removal within 6 months under the Zebedeus Law. Um, because I highly doubt that the asylum thing ah is gonna go anywhere. Um cuz everybody loves Canada. And the citizenship thing um they're gonna fight me on that as much as they possibly can because they'll never, admit that they deported a citizen in the first place. No matter how much evidence I come up with.
847. OO: Was there a, ending to that train of thought there?

848. PF: No that was it. Of course that 6 month clock doesn't begin until after any other pending applications are complete. Yeah I'll be in custody for a long time.
849. OO: Yup.
850. UM: (indecipherable)
851. OO: Who's this? Canada?
852. UM: Yeah. (indecipherable)
853. OO: Oh.
854. UM: You know what I mean they already, confirmed what we already know. Ah this is probably gonna be you and (indecipherable) midnighter?
855. OO: Oh she's got overtime in the morning you guys are gonna change that?
856. UM: Yup.
857. OO: Ah yeah I'll be done here pretty soon I'm just ah, finishing up the C13.
858. UM: You know ah pat down was done.
859. OO: Yeah ah.
860. UM: And so they did a, oh I also, I'm gonna have 'em cancel your I, that O-I-L.
861. OO: Yeah I, I phone,
862. UM: And you can put that pat down information in the SAS.
863. OO: I told her as soon as I showed up behind you guys,
864. UM: Yeah.
865. OO: Pat down's the last time the, I mean the IOAL's ah (indecipherable). Waste of time.
866. UM: Right just to let you know that it was done. So and it's gonna be cancelled but he was gonna leave it up, until you got a chance to look to see what the times and names were.
867. OO: No worries.
868. UM: Okay?
869. PF: So I'm curious um did you guys consult with the CBSA or did you actually speak with IRCC?
870. OO: Ah sounded like CBSA but I'm not the one makin' any phone calls,
871. PF: Right, right.
872. OO: I'm in here talkin' with you. I don't know what the abbreviations are that you keep throwin' around there.
873. PF: Mmm. Oh.
874. OO: IRCC it doesn't mean anything.
875. PF: Oh Immigration Refugees and Citizenship of Canada it's the agency that handles reports of immigration and citizenship issues. They make the actual determinations, CBSA is just an enforcement agency like ICE. So CBSA has no real authority to actually determine or do anything they just.

876. OO: Kinda like me. Oh where we at here.
877. PF: That's a lotta typing you have to do.
878. OO: Mmm hmm.
879. PF: I'm assuming it's some kinda narrative?
880. OO: Mmm hmm. Tell ya what. I think we're done signing everything for a while we gotta get a coupla fingerprints off you for the you know jail paperwork.
881. PF: Oh boy.
882. OO: But ah. Hey is that (indecipherable) in there?
883. UM: (indecipherable)
884. OO: I need to put him in a cell. Like I said I'm gonna pull ya out um in a bit here (indecipherable) ah so (indecipherable) shoes, belt, pockets inside out.
885. PF: Like the one I (indecipherable)
886. OO: I assume that's not ah marihuana (indecipherable)
887. PF: No.
888. OO: Excellent.
889. (indecipherable background conversation)
890. OO: I ah, belt, shoes, getcha a blanket. Watch, if ya got a necklace.
891. PF: Nope. No necklace.
892. (background conversation about clothing)
893. PF: very popular (indecipherable) and did you say watch?
894. (background conversation/ indecipherable)
895. OO: Pockets, t-shirt, down to one (indecipherable)...glasses up there
896. PF: Okay. Let me ask you (indecipherable).
897. OO: Around the corner's the toilets, and water, let me know if that's not enough, like I said you're not gonna be here forever. I ah, just... (indecipherable).
898. (background conversation)
899. (recording turned off)
- :cal

Patrick Foy  
1451 Kinsler Ave  
Port Coquitlam, BC  
V3C 1S2

October 31, 2019

Attn: Bernie Wolfe  
Crown Counsel  
227 Main St, Suite 204  
Vancouver, BC V6A 2S8

Re: R. v. Foy; Court File: 244069-5-BC

Mr. Wolfe:

1. Please accept this as whatever notice I may be required to provide prior to applying for a subpoena against Mark Myhre.

I will try to get into the law library to try to review whatever Practice Directive you referred to in court on 2019-10-29.

2. May you please schedule a hearing for the various subpoena applications I intend to make? I assume the hearing will have to be at least 30 days in the

future since, as you see, the Practice Directive requires I provide Myhre 30 days notice.

3. I would have requested scheduling a subpoena hearing previously, however at the October 8, 2019 hearing the court said "let's wait and see" what CB5A responds to that particular ADIT request before we proceed with subpoena applications. Based on that, I was under the impression the purpose of the October 29, 2019 conference was to see what CB5A had responded and then, based on CB5A's responses, decide whether or not to subpoena one or more parties from CB5A.

4. I was "vague" in my request for you to print an aerial photo of the Peace Arch border crossing because I was NOT asking you to print it - I was asking if you would be WILLING to print it. I don't have a copy of that letter yet (you've not provided me a photocopy), but I'm pretty sure I was pretty clear and precise in what I was requesting. Once I had established that you would be willing to print the aerial photo map THEN I would submit the actual request for you to print it and I would provide all of the necessary details/information. In the event I am ever to actually ask you to do something (as opposed to asking if you would be

(WILLING to do something) it would generally be phrased as "May you please...?"

As I had said in court, you could have simply communicated with me directly, prior to the court appearance, if you had some concerns or uncertainty about what I was asking - rather than wasting the court's time and publicly making yourself and the office of the Crown Counsel look foolish with your erroneous inferences.

5. I've not yet been able to confirm with the NPTC staff that they will be agreeable to providing me photocopies of my documents. I will let you know once I receive confirmation.
6. May you please provide me a copy of this letter and my previous letter, for my records?

Thank you,



Patrick Fox

Patrick Fox  
1451 Kinsmen Ave  
Port Coquitlam, BC  
V3C 1S2

November 6, 2019

Attn: Bonnie Wolfe  
Crown Counsel  
222 Main St, Suite 204  
Vancouver, BC V6A 2S8

Re: R. v. Fox;  
Court File 244069-5-BC;  
NFPC's response to request to provide copies

Dear Mr. Wolfe:

Please find, enclosed, ADW Dunbar's response to the most recent request for NFPC to provide me photocopies of the evidence/exhibits it intend to submit to the court.

I've not seen the recording of your communication to them, but I'm quite confident you did not describe or refer to the material in question as "disclosure".

Moreover, there is no policy, regulation, statute, et cetera, which would prohibit BC Corrections staff from looking at or even from reviewing any actual disclosure material if they have the consent of both the Crown and the Defense. Not that that matters in this instance, since we're not talking about "disclosure" material.

And even more moreover, the material in question is being requested to be photocopied for the purpose of submitting it to the court - so it is going to become, essentially, public record once it is submitted to the court anyway. So there is very clearly no privacy concern!

Now, do you see the truly staggering level of incompetence I must deal with at every turn? And this is coming from somebody who has risen to the level of an Assistant Deputy Warden. How is it that there is not already clearly established case law regarding the rights of incarcerated, self-represented, defendants in Canada?

I will expect to take this matter up at the December 11, 2019 appearance.

Sincerely,  
  
Patrick Fox

# SPECIAL REQUEST

567313

MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL  
CORRECTIONS BRANCH

INMATE NAME: Patrick Fox CS# 10582500  
CORRECTIONAL CENTRE: NFPC LIVING UNIT: CN  
DEPARTMENT: ADW Campbell DATE: 2019-11-01

REQUEST: On 2019-10-29, the Court (in my case) asked the Crown to ask the jail to provide me photocopies of the documents I will be using as evidence/exhibits at my trial and/or hearings.

The Crown then asked me to let him know once I have confirmed the jail's decision/response in that matter.

So, may you inform me whether or not you will be providing me photocopies of my trial exhibits?

Thank you.

INMATE SIGNATURE: 

LIVING UNIT OFFICER COMMENTS / RESOLUTION:

Forward to ADW Campbell

NAME: Bassi SIG: Bassi DATE: NOV. 1, 2019

CORRECTIONAL SUPERVISOR / WARDEN REMARKS:

I have ~~not~~ received a request for disclosure from Crown.  
Corrections officers are not permitted to obtain legal material from inmates to make photocopies. There would be potential for information / privacy breaches. There is no area in the secure perimeter where inmates have the ability to photocopy for themselves.

NAME: Dunbar SIG:  DATE: 19-11-05

Patrick Fox  
1451 Kingsway Ave  
Port Courtenay, BC  
V3C 1S2

November 7, 2019

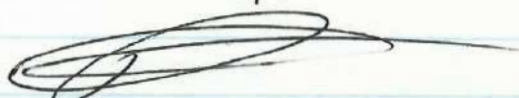
Attn: Bernie Wolfe  
Crown Counsel  
222 Main St, Suite 204  
Vancouver, BC V6A 2S8

Re: R. v. Fox; Court File 244069-5-BC

Mr. Wolfe:

Another flaw in NPTC's reasoning to refuse to provide me photocopies of my evidence is that if am receiving the relevant material in the mail - which means the NPTC staff has already inspected it as incoming, non-privileged private mail before I even receive it. So how can they possibly claim there would be ANY privacy issues with making copies?

Sincerely,



Patrick Fox

**BURNABY RCMP**  
**NARRATIVE TEXT HARDCOPY**

GO# 1202 2019-10877

Narrative: **OCCURRENCE REPORT - 18**  
**Supplemental Report - Disclosure 12.0**  
Author: **076554 BROWN, KIRSTY**  
Related date: **Wednesday, 2019-Nov-06 at: 16:22**  
Related event: **GO 1202201910877**

**Burnaby RCMP 2019-10877**  
**R. v. Patrick Henry FOX**  
**Breach of Probation**

**Supplemental Report**  
**November 6, 2019**

On October 8, 2019 Constable Kirsty Brown (Constable Brown) received a request from Crown Counsel with respect to accused Patrick Henry FOX's trial matter, advising that the accused had requested additional information with respect to video surveillance obtained from United States Customs and Border Protection (U.S. CBP). Following receipt of a previous supplemental report from Constable Brown (dated October 3, 2019), in which Constable Brown was able to confirm the existence of additional video surveillance, with Rod O'Dell Senior Paralegal Specialist for the Area Port of Blaine. Crown Counsel was now asking that the footage be requested from the United States Customs and Border Protection.

On October 8, 2019 Constable Brown sent an email request to Rod O'Dell, Senior Paralegal Specialist for the Area Port of Blaine, who had provided previous video surveillance footage to the Burnaby RCMP, requesting the inside footage as previously discussed.

On October 9, 2019 Constable Brown sent an email to O'Dell with a formal request letter attached, per his response to the request on the 8th.

On October 22, 2019 O'Dell confirmed via email that the Chicago lab would be shipping the footage and he would advise when he receives it.

On October 29, 2019 O'Dell advised via email that he had received the disk from the Chicago lab, and over additional emails (on October 30 and 31), Constable Brown advised she would attend the Blaine Command Center to pick the disk up from O'Dell the morning of October 31, 2019.

On October 31, 2019 at 1145 hours Constable Brown and Corporal Andrew Coupe (Corporal Coupe) attended the Peace Arch border crossing, stopping briefly at the CBSA Douglas building to advise the Superintendent of their presence and to advise of crossing the border on foot. Constable Brown left her business card and obtained directions, and then called Rod O'Dell to advise she was approximately 10 minutes from being at the Blaine Command building.

Members then walked southbound, across the border and into the United States and attended the pedestrian primary point of inspection at the Blaine Command building at 1204 hours, and identified themselves to U.S. Border Patrol officers. Constable Brown advised one of the officers of the of the pending meeting with Rod

\*\*\* CONFIDENTIAL \*\*\*

|  |                                                       |
|--|-------------------------------------------------------|
|  | <b>BURNABY RCMP</b><br><b>NARRATIVE TEXT HARDCOPY</b> |
|  | GO# 1202 2019-10877                                   |

O'Dell, who was off site and driving a short distance to the Blaine Command Centre building, and as such members were escorted inside the building and into a conference room to await O'Dell's arrival. At 1208 hours O'Dell arrived and met with members and provide an envelope to Constable Brown containing a disk with surveillance footage, and then provided a brief tour of the command building, pointing out the public entrance, inspection desks, and the area where further interviews are conducted.

At 1220 hours members concluded the meeting and walked northbound back to Canada, via the same pedestrian sidewalk, and subsequently identified themselves to a CBSA officer at the breezeway and walked through and back to the parking lot. At 1230 hours members departed the Douglas CBSA building parking lot, and returned to the Burnaby Detachment.

Constable Brown removed the disk from the envelope and confirmed it to be a Compact Disk (CD) which contained two video clips (mp4 format): 1) FOX entering into the public lobby access doorway (10 second clip), 2) FOX being interviewed by Officer Obrist in West Interview 107C (vetted to remove officer from video, but FOX is visible and audio plays throughout/3 hours 31 mins). Constable Brown made copies of the disk and forwarded one to steno section to be transcribed.

On November 5, 2019 Constable Brown received the transcript of the U.S. Border Patrol interview of Patrick Henry FOX conducted by Officer Obrist on March 15, 2019. Between November 5/6, 2019 Constable Brown reviewed the video clip and compared with the transcript as typed by steno. Constable Brown made some corrections and additions to the statement, as best she could, based on the audio quality, background talking/sounds, and over-speak occurring during the interview.

A supplemental package of disclosure was prepared detailing the request for additional footage from the U.S. CBP, regarding dealings with FOX which occurred on March 15, 2019, at the Blaine Command Center building/ Peace Arch border crossing, and the subsequent receipt and review of the footage provided by Constable Brown.

**Attachments:**

- CD containing CCTV surveillance video clips (copy of original provided by O'Dell);
- CD containing Adobe documents: emails between Constable Brown/ O'Dell, transcript of interview between FOX/Obrist, and supplemental report to Crown (this report).

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Cst. Kirsty Brown  
Burnaby RCMP-GRC High Risk Offender Unit  
47608/076554  
November 6, 2019

**\*\*\* END OF HARDCOPY \*\*\***

**\*\*\* CONFIDENTIAL \*\*\***

**Burnaby RCMP 2019-10877**

**R. v. Patrick Henry FOX**

**Breach of Probation**

**Supplemental Report**

**November 6, 2019**

On October 8, 2019 Constable Kirsty Brown (Constable Brown) received a request from Crown Counsel with respect to accused Patrick Henry FOX's trial matter, advising that the accused had requested additional information with respect to video surveillance obtained from United States Customs and Border Protection (U.S. CBP). Following receipt of a previous supplemental report from Constable Brown (dated October 3, 2019), in which Constable Brown was able to confirm the existence of additional video surveillance, with Rod O'Dell Senior Paralegal Specialist for the Area Port of Blaine. Crown Counsel was now asking that the footage be requested from the United States Customs and Border Protection.

On October 8, 2019 Constable Brown sent an email request to Rod O'Dell, Senior Paralegal Specialist for the Area Port of Blaine, who had provided previous video surveillance footage to the Burnaby RCMP, requesting the inside footage as previously discussed.

On October 9, 2019 Constable Brown sent an email to O'Dell with a formal request letter attached, per his response to the request on the 8<sup>th</sup>.

On October 22, 2019 O'Dell confirmed via email that the Chicago lab would be shipping the footage and he would advise when he receives it.

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Members then walked southbound, across the border and into the United States and attended the pedestrian primary point of inspection at the Blaine Command building at 1204 hours, and identified themselves to U.S. Border Patrol officers. Constable Brown advised one of the officers of the pending meeting with Rod O'Dell, who was off site and driving a short distance to the Blaine Command Centre building, and as such members were escorted inside the building and into a conference room to await O'Dell's arrival. At 1208 hours O'Dell arrived and met with members and provide an envelope to Constable Brown containing a disk with surveillance footage, and then provided a brief tour of the command building, pointing out the public entrance, inspection desks, and the area where further interviews are conducted.

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A supplemental package of disclosure was prepared detailing the request for additional footage from the U.S. CBP, regarding dealings with FOX which occurred on March 15, 2019, at the Blaine Command Center building/Peace Arch border crossing, and the subsequent receipt and review of the footage provided by Constable Brown.

**Attachments:**

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---

Cst. Kirsty Brown

Burnaby RCMP-GRC High Risk Offender Unit

47608/076554

November 6, 2019

**Kirsty BROWN - RE: Burnaby RCMP 2019-10877/Additional CCTV Request FOX aka REISS**

---

**From:** Kirsty BROWN  
**To:** ODELL, ROD C  
**Date:** 2019/10/08 3:18 PM  
**Subject:** RE: Burnaby RCMP 2019-10877/Additional CCTV Request FOX aka REISS

---

Sounds good. I will make that request from our prosecutor.

Kirsty

>>> "ODELL, ROD C" <V1 > 2019/10/08 2:19 PM >>>

Hello Kirsty:

I will check with CBP lab personnel to see if that is possible. On the surface, I doubt they can meet that narrow timeline, but will confirm. Meantime, we will need, from the prosecutor, a written request that details what is being sought and how the footage will be used specifically in the prosecution.

I'll get back to you with the lab's response.

Regards,

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

V1

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**From:** Kirsty BROWN <V1 >  
**Sent:** Tuesday, October 8, 2019 2:10 PM  
**To:** ODELL, ROD C <V1 >  
**Subject:** RE: Burnaby RCMP 2019-10877/Additional CCTV Request FOX aka REISS

Rod,

I have just received a response from our prosecutor, and he is asking for the additional CCTV footage to be requested & forwarded to the Burnaby RCMP.

Further, he has asked that the footage be sent to the Burnaby RCMP, in a playable format, by November 8, 2019 (so that he can have it by November 12, 2019 which appears to be the new anticipated date for the trial matter to re-commence).

Please let me know if this request can be forwarded/actioned as soon as possible.

Thank you for your continued assistance in this criminal matter.

Kirsty

Cst. Kirsty Brown  
High Risk Offender Unit  
Burnaby RCMP / Government of Canada

V1

Gend. Kirsty Brown  
Groupe des contrevenants à risque élevé  
GRC de Burnaby / Gouvernement du Canada

V1

>>> "ODELL, ROD C" <V1> 2019/10/03 9:03 AM >>>

Good morning Kirsty:

Blaine Command Center has located additional video for Fox/Reiss while he was in our custody. BCC advises there is about 3.5 hours of footage with numerous CBP officers present that will require redaction. I don't have a firm estimate of the time needed to redact the officers out and convert the file to an open-source format, as the lab will have to review the footage to make that determination. Based on previous work done, however, I can safely say it would be at least 30-40 days, depending on what the lab gets ahead of our request. There are only a small group of technicians available and CBP has consolidated all video requests nation-wide into the Chicago lab, significantly boosting processing times compared to what we could previously achieve when we sent our vids to San Francisco.

Regards,  
Rod

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

V1

---

**From:** Kirsty BROWN <V1>  
**Sent:** Friday, September 27, 2019 1:15 PM  
**To:** ODELL, ROD C <V1>  
**Subject:** RE: Burnaby RCMP 2019-10877/Additional CCTV Request FOX aka REISS

Whatever response you get would be great!

Basically I don't think it will be an issue either way, I simply have to provide an answer to what we received & disclosed previously AND whether there is time to get inside footage (if yes, no matter how small of a clip etc).

Thanks again & I apologize for the repeated requests!

Kirsty

>>> "ODELL, ROD C" <V1> 2019/09/27 1:02 PM >>>

V1

2019/11/01

Kirsty:

I believe the video we released was everything that was archived for that encounter. To be certain, I have reached out to key persons to see if there is anything additional. The larger problem is time; if there is additional video, time required to re-process and redact our secure video system will be substantially past trial deadlines, even for a small amount of video.

I'll get back to you on the existence of additional footage.

Regards,  
Rod

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

V1

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**From:** Kirsty BROWN <V1 >  
**Sent:** Friday, September 27, 2019 12:30 PM  
**To:** ODELL, ROD C <V1 >  
**Subject:** Burnaby RCMP 2019-10877/Additional CCTV Request FOX aka REISS

Rod,

This is a follow-up request to the previous assistance you provided to the Burnaby RCMP back in August, relating to the CCTV/video clips provided for our investigation. The trial matter in court commenced (August 12-15, 2019), but was not concluded at that time & additional dates were scheduled (starting October 8, 2019).

I just received a communication from our prosecutor, based upon a disclosure request from the accused (who is defending himself in court) regarding his dealings at the U.S. border with CBP officers.

I am writing to you in an effort to determine whether there would be any way to secure CCTV/video footage of our accused (Patrick FOX, aka Richard REISS/RIESS) inside the CBP building dealing with officers? We would be interested in any footage you might be able to supply prior to October 4, 2019.

If no, a response indicating so with any relevant reasons would be appreciated, in order to advise to our prosecutor.

Thank you for your investigative efforts on our behalf.

Kirsty  
Burnaby RCMP HROU

Cst. Kirsty Brown  
High Risk Offender Unit  
Burnaby RCMP / Government of Canada

V1

V1

2019/11/01

Gend. Kirsty Brown  
Groupe des contrevenants à risque élevé  
GRC de Burnaby / Gouvernement du Canada

V1

V1

2019/11/01

## Kirsty BROWN - Request for Additional CCTV Footage - FOX/RIESS

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**From:** Kirsty BROWN  
**To:** ROD C ODELL  
**Date:** 2019/10/09 7:21 AM  
**Subject:** Request for Additional CCTV Footage - FOX/RIESS  
**Attachments:** RCMP Request US CBP 191009.pdf

---

Rod,

Attached is the formal request from the Royal Canadian Mounted Police for additional CCTV footage, as previously discussed, and per the confirmation from our Crown Prosecutor that the Provincial Court trial matter has been further adjourned and the footage is required for ongoing court purposes.

Please let me know if you require anything further in regards to this latest request for assistance.

Thank you,

Kirsty

Cst. Kirsty Brown  
High Risk Offender Unit  
Burnaby RCMP / Government of Canada

V1

Gend. Kirsty Brown  
Groupe des contrevenants à risque élevé  
GRC de Burnaby / Gouvernement du Canada

V1



Royal Canadian  
Mounted Police

Gendamerie royale  
du Canada

Security  
Classification/Designation  
Classification/designation  
securitaire

Confidential

Constable Kirsty BROWN  
General Investigative Services  
High Risk Offender Unit  
Burnaby RCMP  
6355 Deer Lake Avenue  
Burnaby, BC  
V5G 2J2

File #: 2019-10877

Department of Homeland Security  
Customs and Border Protection  
Blaine Border Patrol Station  
1580 H Street, Blaine, WA  
98230-9114

2019-10-09

Attention: Rod O'DELL, Senior Paralegal Specialist, FOIA Officer

Re: CCTV Request

Dear Mr. O'DELL:

The Burnaby RCMP's High Risk Offender Unit is respectfully requesting the Department of Homeland Security – Customs and Border Protection branch's assistance in providing CCTV for the movements of Richard RIESS/Patrick FOX – 1973111/24, on March 15, 2019, at the Blaine Command Center building. This request for CCTV is in regards to current Breach of Probation trial matters against RIESS/FOX, that is ongoing in the Vancouver Provincial Court, Province of British Columbia, Canada.

Please accept our formal request for the following specific CCTV and information:

-per our recent email communication Dated October 3, 2019, the remaining 3.5 hours of CCTV footage of Mr. Fox interacting with CBP officers in the Blaine Command Centre.

Our intent is to substantiate our charges against RIESS/FOX by providing, for court disclosure purposes, CCTV evidence that RIESS/FOX was breaching the following Probation conditions:

- you must not be within 100 metres of the United States border;
- you must not leave British Columbia unless you have the written permission of the probation officer; and
- you must carry the permission when you are outside the province.



Royal Canadian  
Mounted Police

Gendamerie royale  
du Canada

Security  
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Confidential

All CCTV and records received from you will be disclosed to Crown Counsel as well as Defense Counsel, and potentially could be presented as evidence during the trial. The trial started on August 12, 2019, and was subject to an adjournment for further dates to be scheduled. The Crown Counsel has requested a return date for this information of November 8, 2019.

Your attention to this matter is greatly appreciated.

Respectfully Yours,

A handwritten signature in blue ink, followed by the number "47608" also in blue ink.

Constable Kirsty BROWN  
General Investigative Services  
High Risk Offender Unit  
Burnaby RCMP

**Kirsty BROWN - video**

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**From:** "ODELL, ROD C" <V1 [REDACTED]>  
**To:** Kirsty BROWN <V1 [REDACTED]>  
**Date:** 2019/10/22 2:34 PM  
**Subject:** video

---

Kirsty:

Chicago lab advises they will ship processed CD close of business today. I'll let you know when I receive it. We have isolated an interior lobby scene that shows Fox/Reiss voluntarily entering the POE. There is also a longer segment from the interview room where he is interviewed by CBP officers.

Regards,

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

V1 [REDACTED]

**Kirsty BROWN - RE: CD**

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**From:** "ODELL, ROD C" <V1>  
**To:** Kirsty BROWN <V1>  
**Date:** 2019/10/31 9:43 AM  
**Subject:** RE: CD

---

That can work- Douglas is the Peace Arch crossing and is about 1-1/2 miles from the Pacific highway crossing where I am. Give me a call as you're walking down and I'll drive over and meet you at Peace Arch. I'll let the shift sup know to expect you.

Rod

---

**From:** Kirsty BROWN <V1>  
**Sent:** Thursday, October 31, 2019 9:34 AM  
**To:** ODELL, ROD C <V1>  
**Subject:** RE: CD

I have to deal with an appointment here in Burnaby at 10:30 am and then we are planning to head down to the border after that, so should be arriving just before noon.

I think the plan is to walk down from the Canadian side, from the Douglas CBSA building to the Blaine Command Centre building (just like Mr. Fox did on March 15th) in order to familiarize ourselves with the pedestrian crossing route etc. Hopefully that works out & we see you in a few hours.

It will be myself and Cpl. Andrew Coupe.

Kirsty

>>> "ODELL, ROD C" <V1> 2019/10/30 1:57 PM >>>

Hi Kirsty:

I don't have a way to get the CD to CBSA. Depending on traffic and wait times, driving to the Pacific Highway crossing, either POV or truck lanes might be the fastest means. Just inform the primary officer why you are here and they can call me. I'm in the building above the truck lanes and next door to the passenger lanes and I can walk the CD over to you and you can flagpole back north from either location.

I'm here from 0815 hours.

Let me know what works best for you.

Regards,

Rod

---

**From:** Kirsty BROWN <V1>  
**Sent:** Wednesday, October 30, 2019 11:13 AM  
**To:** ODELL, ROD C <V1>  
**Subject:** Re: CD

Rod,

Thanks. We are thinking of driving down to the border tomorrow to pick the disk up. Just trying to wrap our

head's around the logistics...i.e. parking on the Canadian side at the CBSA building and walking down to your building.

Unless you have the ability to get it to the CBSA building for us...i.e. a hand-off to one of the CBSA officers on shift at the Douglas crossing?

Let me know your thoughts?

Kirsty

Cst. Kirsty Brown  
High Risk Offender Unit  
Burnaby RCMP / Government of Canada

V1

Gend. Kirsty Brown  
Groupe des contrevenants à risque élevé  
GRC de Burnaby / Gouvernement du Canada

V1

>>> "ODELL, ROD C" <V1> 2019/10/29 1:11 PM >>>

Hello Kirsty:

I have received the processed CD from the Chicago lab. How would be the best way to get to you?

Regards,

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

V1

V1

2019/11/01