



November 9, 2021

PARTICULARS IN THE MATTER OF

REGINA v. FOX, Patrick Henry

COURT FILE NO. 244069-8B

TRIAL DATE: November 23, 2021

TO: THE ACCUSED PERSON AND THEIR LEGAL COUNSEL

As of November 10, 2021 via courier to accused at North Fraser Pre-trial – kg/edc

One **external storage device** containing:

- ✓ The below listed material current to October 20, 2021
- ✓ RTCC version 2 (79 pages total); and
- ✓ Forensic Acquisition Summary (26 pgs).

As of October 20, 2021 via courier to accused at North Fraser Pre-trial – edc

One **external storage device** containing:

- ✓ Initial Disclosure (as listed below);
- ✓ RTCC version 1 (as listed below); and
- ✓ Multimedia (as listed below).

As of September 15, 2021 via courier to accused at North Fraser Pre-trial – ns

One **external storage device** containing:

- ✓ Initial Disclosure (as listed below);
- ✓ RTCC version 1 (84 pages total); and
- ✓ Multimedia:
 - Surveillance Video 1;
 - Surveillance Video 2;
 - Surveillance Video 3;
 - Surveillance Video 4;
 - Recording of Arrest;
 - Recording of Escort;
 - FOX, Patrick Henry – Statement (Audio);

- FOX, Patrick Henry – Statement (Video 1); and
- FOX, Patrick Henry – Statement (Video 2).

Initial Disclosure August 31, 2021 via courier – edc

- ✓ Information #244069-8B (1 pg);
- ✓ Criminal Record (2 pgs);
- ✓ JUSTIN Conviction List (2 pgs);
- ✓ Arrest and Booking Report (1 pg);
- ✓ Report to Crown Counsel (6 pgs);
- ✓ Accused Information (1 pg); and
- ✓ Probation Order 244069-7B (5 pgs).

The above-noted material is contained on a **password protected external storage device, serial number # A25-3PL256-500** (the "Device"). The password to access the device will be provided in a separate letter.

The enclosed Device remains the property of the BC Prosecution Service and the Ministry of Attorney General and is provided to you on your undertaking to return it to this office forthwith upon the conclusion of this case or upon your ceasing to act for the accused.

Please note that subsequent disclosures will be provided to you on the same Device. Please transfer the disclosure package to your computer and contact Nicole or Elizabeth to arrange for the return of the Device to our office so that new disclosure material may be uploaded to the Device. As the entire contents of this Device will be erased and reloaded with each new disclosure set, do not save any work product or material onto the Device.

TO THE ACCUSED

TAKE NOTICE THAT this disclosure material is provided to you for the sole purpose of assisting you to make full answer and defence in this prosecution. You must not use the material for any other purpose or for any other case.

1. The material may contain private or confidential information. You must keep it secure and not copy it or provide to any other person, other than your legal counsel, without the prior written permission of Crown Counsel.
2. The conditions set out above also apply to any further or additional disclosure material provided to you in relation to this prosecution.
3. If you are unable or unwilling to comply with these conditions, please immediately return the material to Crown Counsel.

4. If it is your intention to apply to exclude evidence under the section 24(2) of The Canadian Charter of Rights and Freedoms, you must give the Crown timely notice of the evidence you intend to rely on to support your application as well as the specifics of your argument and any remedy you seek.

TO THE ACCUSED AND DEFENCE COUNSEL

TAKE NOTICE THAT the Crown intends to produce the documents and records contained in this disclosure material, and any related testimony, at the trial or preliminary inquiry, pursuant to the *Canada Evidence Act, BC Evidence Act, Controlled Drugs or Substances Act* or the *Criminal Code*.

TO DEFENCE COUNSEL

TAKE NOTICE THAT this disclosure material is provided to you for the sole purpose of assisting the accused to make full answer and defence in this prosecution and not for any other purpose or any other case and also on the following conditions:

- a) You must keep the material in a secure fashion.
- b) You may permit access to the material or copy it for the use of the accused or persons acting under your supervision (for example, articling students, associate counsel, paralegals) in the preparation and presentation of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- c) You must not copy or provide access to the material to any person or counsel who is not acting under your supervision. Notwithstanding the foregoing, you may copy the material and use it in conducting the defence (for example, in cross-examining a witness, providing material to the court, or providing witnesses with copies of their own statements).
- d) You may permit access to the material or copy it for the use of any expert retained to assist in the preparation and conduct of the defence but only on the condition that they not copy it or provide access to it by anyone else.
- e) You must not permit access to the material by or copy it for any person other than those referred to in conditions 2, 3, and 4, above, without the prior written consent of the Crown or a court order.

- f) If you are unable or unwilling to comply with any of these conditions, please immediately return this disclosure material to Crown Counsel.

VANCOUVER CROWN COUNSEL OFFICE

Enclosures

Document Ver. 1

VANCOUVER POLICE DEPARTMENT
DIGITAL FORENSICS UNIT
FORENSIC ACQUISITION SUMMARY – STORAGE MEDIA
DEVICE TYPE: Laptop

FILE DETAILS	
G.O. Number:	2021-132224
Incident Type:	Criminal Harassment
Lead Investigator:	Det/Cst Kyle Dent 2680

EXHIBIT DETAILS		EXHIBIT #: 21132224-1	
Exhibit Description:	"HP Pavilion G7 Series laptop/Charging Cable (21132224-3)	Style:	Laptop
Make:	HP	Model:	HSTNN-Q74C- HP Pavillion G7
Colour:	Grey	Serial #:	5C1463G3X

STORAGE MEDIUM DETAILS			
New Exhibit # (if applicable as a child exhibit):			
Make:	Western Digital	Model:	WD10JPVT
Capacity:	1.0 TB	Type:	SATA
Serial #:	WX91CC1E5786		
ACQUISITION LOG			
Acquisition Tool:	AccessData	Start Date:	August 24 th , 2021 at 1218 hrs
Writeblocker:	Tableau Forensic Bridge write blocker		
Software:	FTK Imager version 4.5.03		
Acquisition Hash MD5:	32901844d6f9c06a27df7f3937818a38.		

CHAIN OF CUSTODY			
Received From:	DFU Intake Locker	Date/Time:	August 24 th , 2021 at 1145 hrs
Transferred To:	DFU PO Locker	Date/Time:	August 25 th , 2021 at 0745 hrs

DFU Member:	S/C 1490 Yingling	Report Date:	October 13 th , 2021
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Triage Notes-1490- 21132224-1**Exhibit Notes:**

Date: 2021-08-24 (12:08 28) Added by: Yingling, Nancy - 1490

On August 24, 2021 at about 1145 hrs I removed the exhibit a HP laptop from the DFU Intake locker to begin the Triage process.

I took photos of the exhibit and noted it was an HP laptop grey model HSTNN-Q74C, HP Pavilion G7. I removed the hard drive for imaging purposes. It was a Western Digital WD10JPVT serial #WX91CC1E5786. It was 1.0 TB in capacity.

Date: 2021-08-24 (12:21 45) Added by: Yingling, Nancy - 1490

On August 24th, 2021 at about 1218 hrs I commenced the imaging processing following Standard Forensic Techniques. I connected the SSD drive to Tableau Forensic Bridge write blocker. I then used FTK Imager version 4.5.03

Date: 2021-08-25 (06:42 49) Added by: Yingling, Nancy - 1490

On August 25th, 2021 at about 0640 hrs I noted that the imaging process was completed and the image had been verified.

The Md5 hash value created for the verification process was 32901844d6f9c06a27df7f3937818a38.

Date: 2021-08-25 (06:57 01) Added by: Yingling, Nancy - 1490

On August 25th, 2021 at about 063 hrs I imported the E01 image into Axiom Process version 5.0.0.24670, I selected the windows platform but selected all computer artifacts, I then initiated the process.

Date: 2021-08-25 (07:49 51) Added by: Yingling, Nancy - 1490

On August 25, 2021 0745 hrs I returned the drive to the computer and placed the exhibit into the DFU PO locker.

Date: 2021-08-25 (14:49 46) Added by: Yingling, Nancy - 1490

On August 25th, 2021 at about 1434 hrs I noted that Axiom had completed processing. I then exported out a review report from Axiom version 5.0.0.24670.

Date: 2021-09-28 (15:13 09) Added by: Yingling, Nancy - 1490

Email sent to lead investigator Det Dent advising ready for reap.

Date: 2021-10-12 (13:23 48) Added by: Yingling, Nancy - 1490

On Oct 12th, 2021 I received an email from Det Dent that he wished to review the data on reap. I provided a copy to Det/Cst Woolridge to place up onto REAP.

Date: 2021-10-13 (14:49 55) Added by: Yingling, Nancy - 1490

On Oct 13th, 2021 at about 1430 hrs I was provided the reviewed report from Det Woodridge as Det Dent has completed his review on REAP.

I noted that there were 2 tags selected.

I copied the reviewed report to the working directory.

A final Forensic report will be required.

Priority #1

 **VANCOUVER POLICE DEPARTMENT**
DIGITAL FORENSICS UNIT
EXHIBIT SUBMISSION FORM

Each exhibit **MUST** have its own property tag AND a completed Exhibit Submission Form.
Submit the completed form directly to DFU or email to **V1**

GO Number: 21-132224 Date / Time of Submission 2021/08/20

Incident Type: Criminal Harassment

Submitting Member: Nicole ROBERTS PIN 2685 Team/Unit DVACH Team 2 Local 717-9179

Lead Investigator ☐ Same as Submitting Member Name & PIN Kyle DENT 2680 Local 717-9225

Legal Authority to Search this Exhibit (COPY MUST BE ATTACHED)
☒ Warrant ☐ Consent Search Other (Explain) _____

EXHIBIT PREVIOUSLY VIEWED AND / OR ACCESSED BY ANYONE? ☒ NO ☐ YES
If yes, give reason why and by whom (attach separate page if required) _____

Have Charges Been Laid? ☐ NO ☒ YES If yes, Court Date Bail Hearing Sept 1, 2021 - Crown needs this evidence for then

**DFU MUST BE NOTIFIED OF UPCOMING COURT DATES
TO ALLOW SUFFICIENT TIME TO PREPARE REPORTS FOR DISCLOSURE**

Description of Exhibit PO# 21132224-1 Exhibit # _____
HP Pavilion G7 Series Laptop/ Charging cables (PO # 21132224-3)

Details of Examination Requested (attach separate page if required)
As per search warrant

Owner of Device is a: ☒ Suspect ☐ Victim ☐ Witness
Name: Patrick FOX
DOB: 1973/11/24
Passcode (if known): _____

Request Disposition After Examination
☒ Tag at Property Office ☐ Return to Submitting Member ☐ (Other Explain) _____

FOR DIGITAL FORENSICS UNIT USE ONLY

Received By 0516 Shook Date 21-8-20 Time 0930

Notes received from Ops Search & Seizure 21-08-23 1613hrs 6-day HP Laptop
Pavilion-g7, small dual core Ryzen HP-B884237-001, 00196-215-586-8
serial unit / comp / constant, constant, owner. ex-1617hrs
21-08-23 by 1719 Ryan

File name: **IMG_2230.JPG**
Image Size (pixels): **4320x2880**
Device Name: **Canon EOS M3**
Shooting Date/Time: **2021:08:24 11:47:49**

CERTIFIED TRUE COPY

AUG 19 2021
Clerk of the Court

No: _____
Vancouver Registry

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA

IN THE MATTER of an Application for a Search Warrant
Pursuant to Section 487 of the *Criminal Code*

WARRANT TO SEARCH

TO: Detective Constable Janine TANINO, and Peace Officers in the Province of British Columbia

UPON reading the Information to Obtain of Detective Constable Janine TANINO, a Peace Officer, affirmed on the 19th day of August 2021, for a Warrant to Search pursuant to the provisions of Section 487 of the *Criminal Code*;

AND UPON BEING SATISFIED that there are reasonable grounds to believe that between August 12th, 2021, and August 17th, 2021, at or near the Vancouver, British Columbia, the offence of Breach of Probation, contrary to section 733.1 of the *Criminal Code* has been committed.

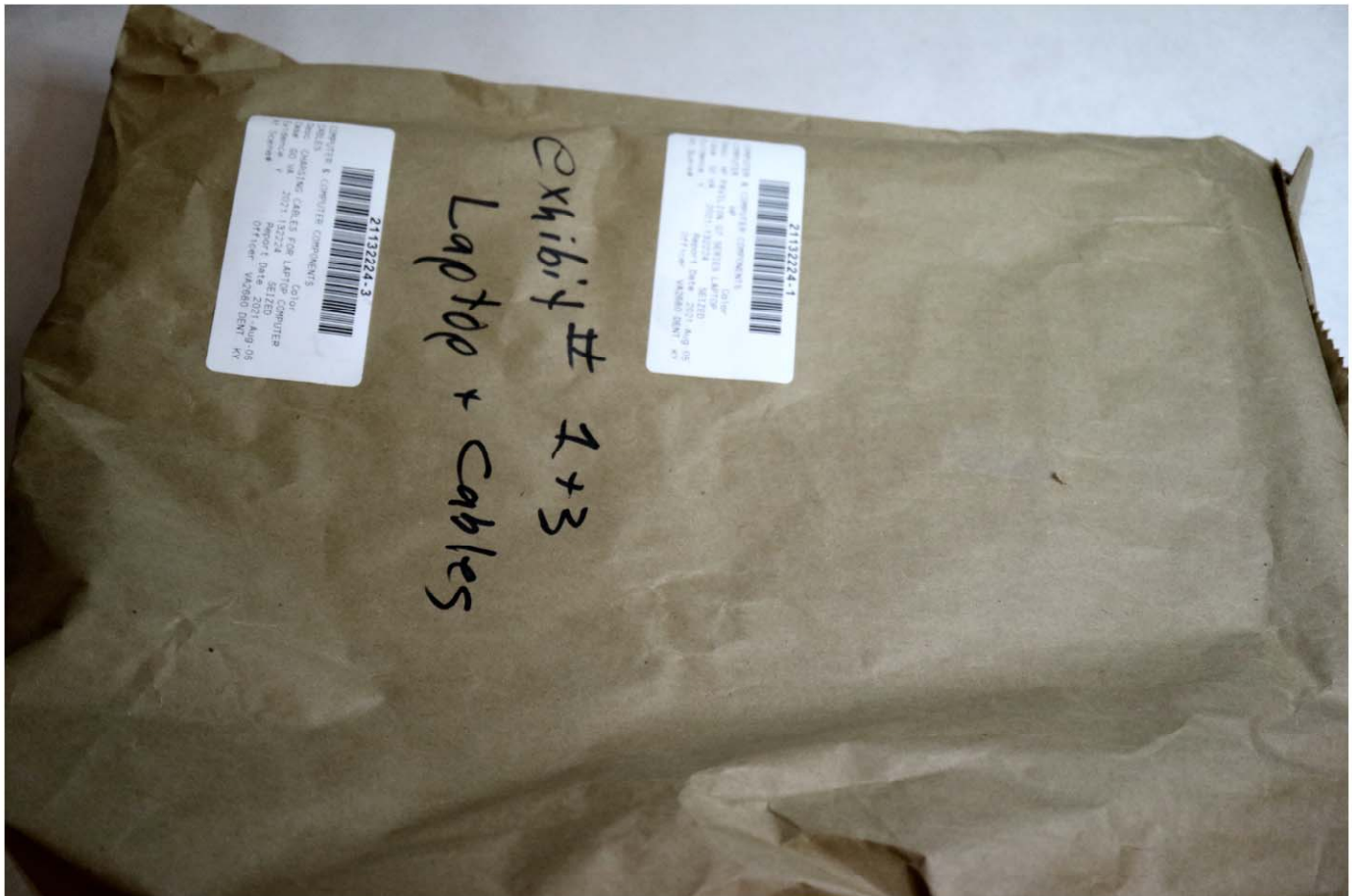
(The "Named Offences")

AND UPON BEING SATISFIED that there are reasonable grounds to believe that the recovery of the following things, namely:

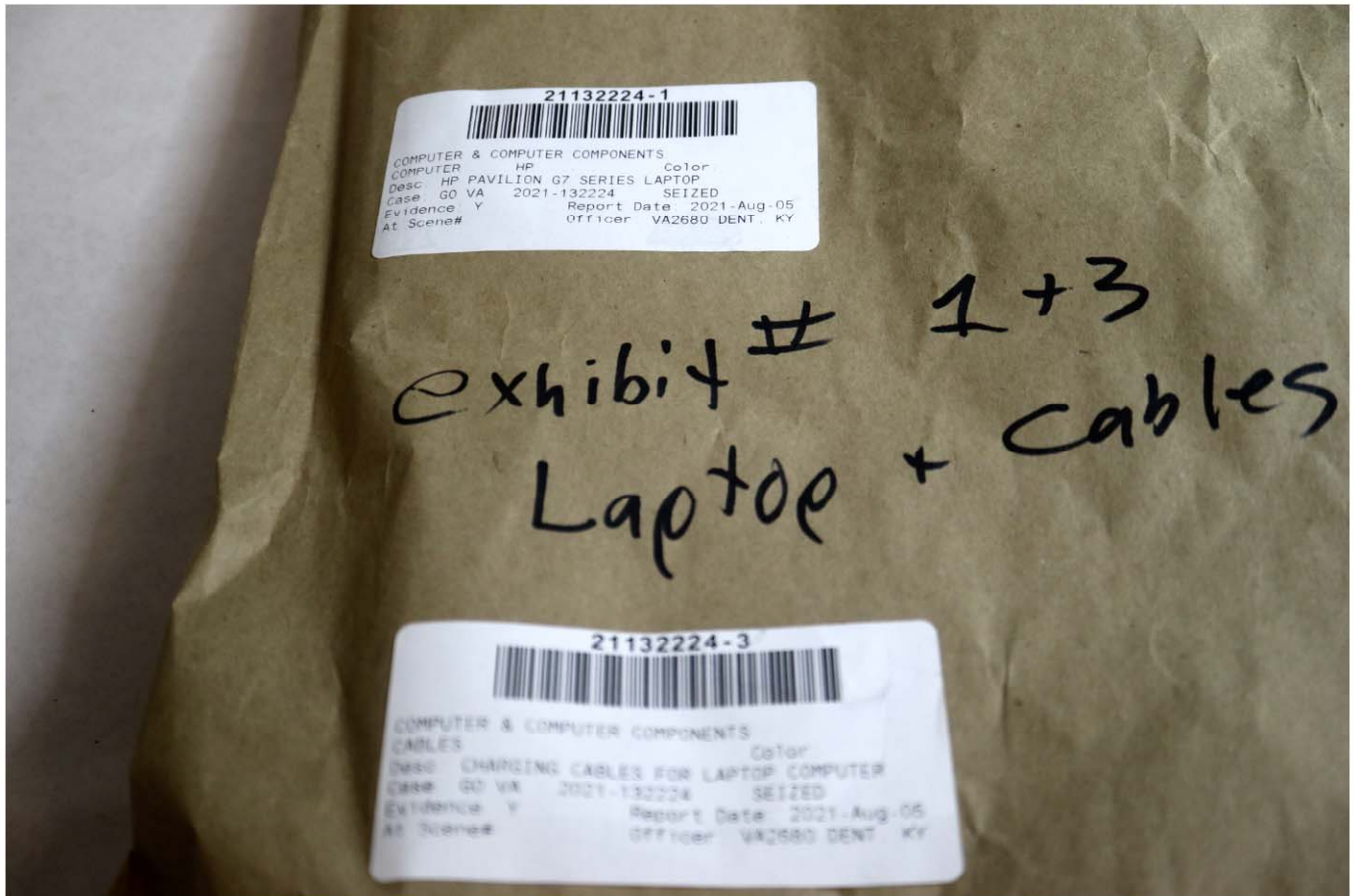
1. Emails from Patrick FOX to the editor of www.desicapuano.com between the dates of August 12th, 2021, and August 17th, 2021;

Page 1 of 3

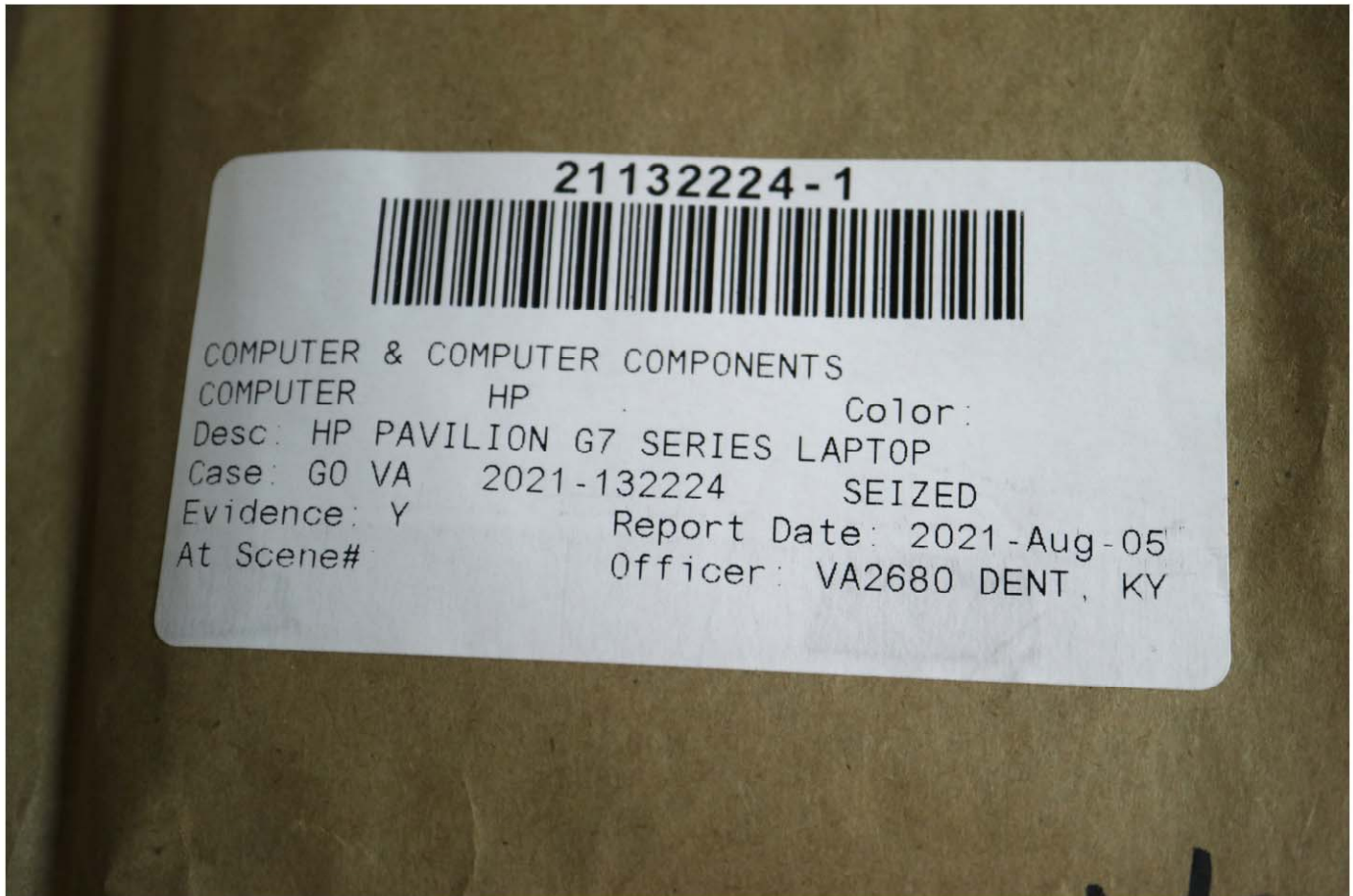
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Device Name: Canon EOS M3
Shooting Date/Time: 2021:08:24 11:48:03



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Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:48:36



File name:	IMG_2233.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:48:48



File name: IMG_2234.JPG
Image Size (pixels): 4320x2880
Device Name: Canon EOS M3
Shooting Date/Time: 2021:08:24 11:48:53



File name:	IMG_2235.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:49:35



File name:	IMG_2236.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:49:39



File name:	IMG_2237.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:49:55



File name: IMG_2238.JPG
Image Size (pixels): 4320x2880
Device Name: Canon EOS M3
Shooting Date/Time: 2021:08:24 11:50:01



File name:	IMG_2239.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:50:36



File name: IMG_2240.JPG
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Device Name: Canon EOS M3
Shooting Date/Time: 2021:08:24 11:50:47



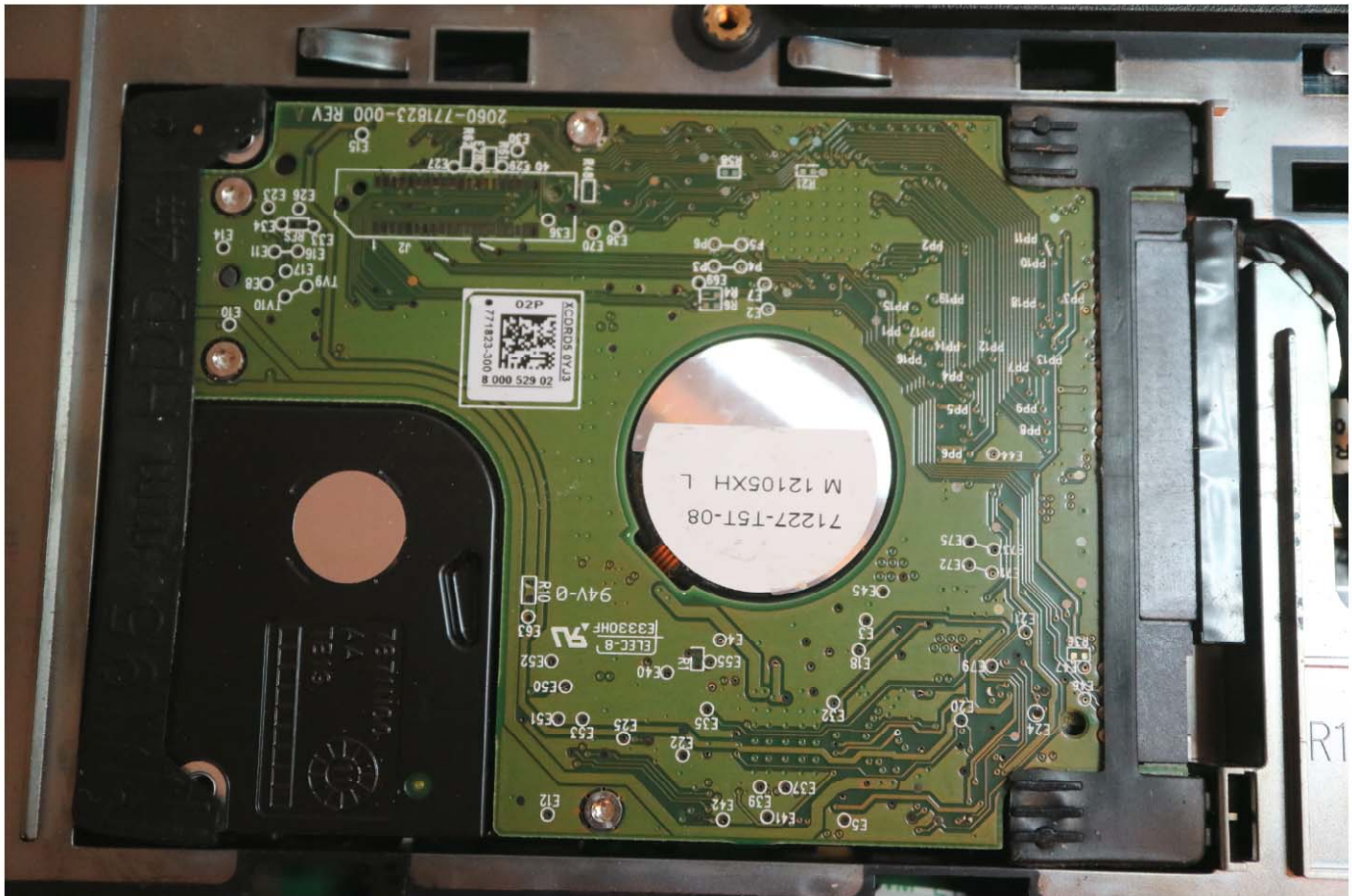
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Device Name:	Canon EOS M3
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File name: IMG_2242.JPG
Image Size (pixels): 4320x2880
Device Name: Canon EOS M3
Shooting Date/Time: 2021:08:24 11:51:07



File name:	IMG_2243.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:52:14



File name:
Image Size (pixels):
Device Name:
Shooting Date/Time:

IMG_2244.JPG
4320x2880
Canon EOS M3
2021:08:24 11:52:20



File name:
Image Size (pixels):
Device Name:
Shooting Date/Time:

IMG_2245.JPG
4320x2880
Canon EOS M3
2021:08:24 11:52:47

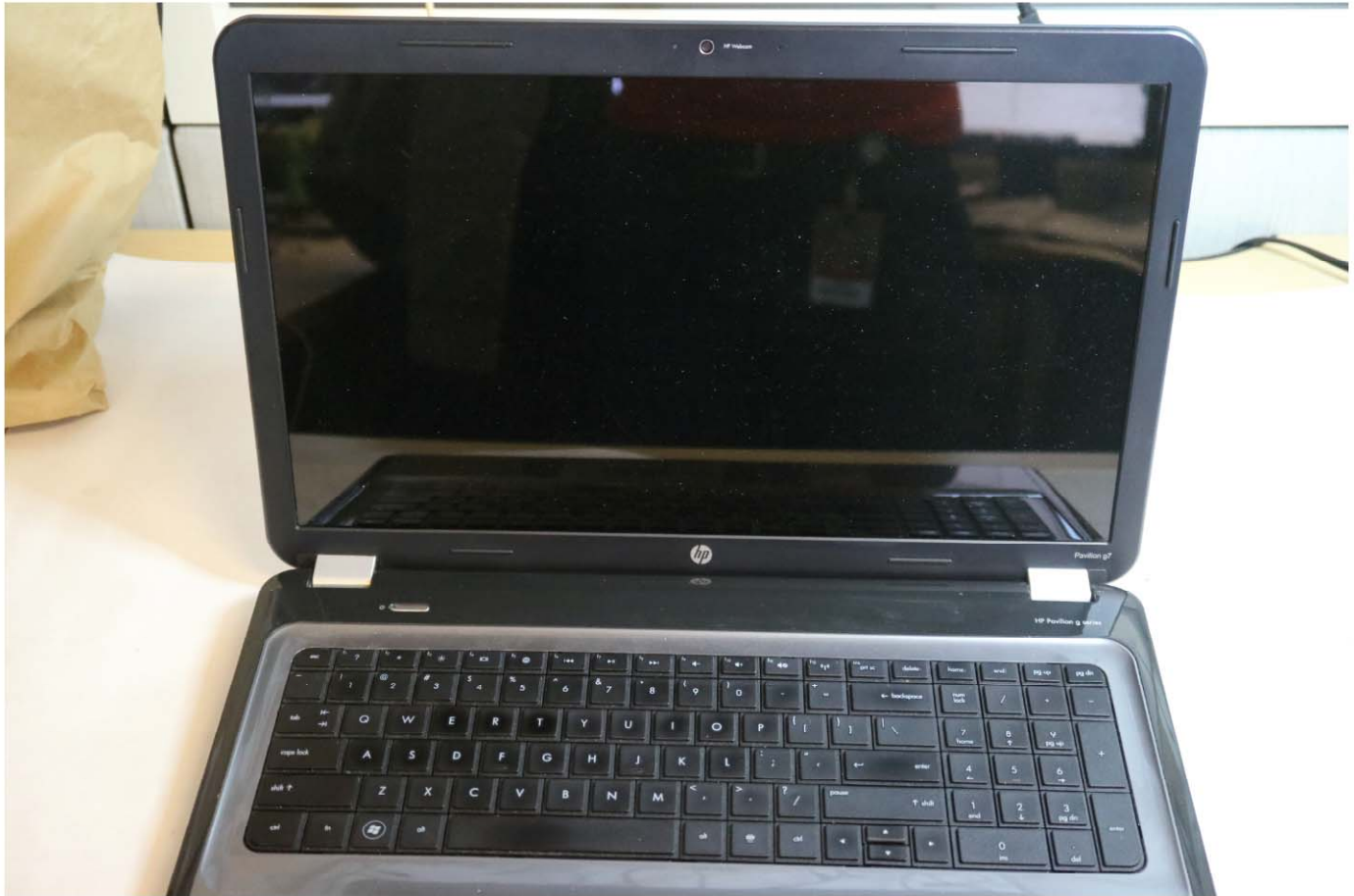


File name:
Image Size (pixels):
Device Name:
Shooting Date/Time:

IMG_2246.JPG
4320x2880
Canon EOS M3
2021:08:24 11:52:54



File name:	IMG_2247.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 11:53:00



File name:	IMG_2248.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 12:24:02



File name:	IMG_2249.JPG
Image Size (pixels):	4320x2880
Device Name:	Canon EOS M3
Shooting Date/Time:	2021:08:24 12:24:11

21-175314 card A

TITLE <u>Breach</u>		PHOTO NUMBER <u>121</u>
DATE <u>2021-Oct-28</u>	TIME <u>0735</u>	PHOTOGRAPHER <u>2720 ACL</u>
INCIDENT NUMBER <u>VA21-175314</u>		LOCATION <u>FIU exam rm</u>

Printing History

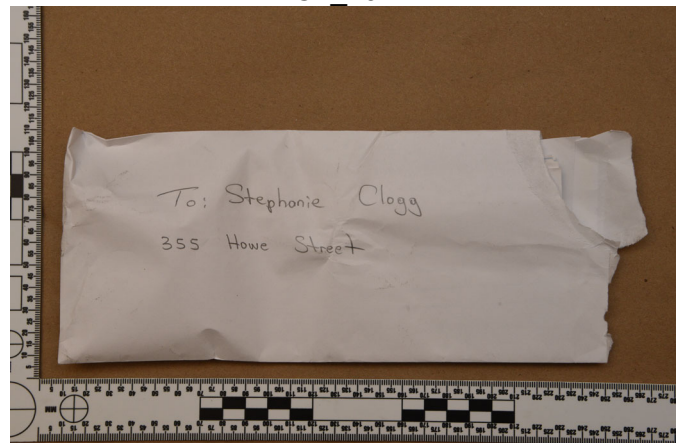
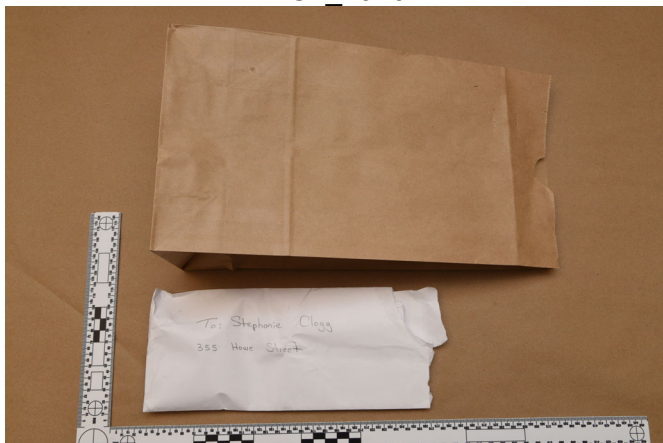
(DARKROOM USE ONLY)

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5 x 7	C.C. Auth. ☐
	C.C. Auth. ☐
8 x 12	



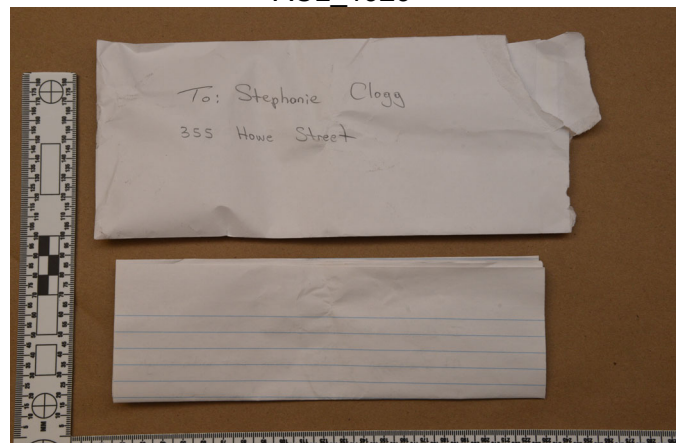
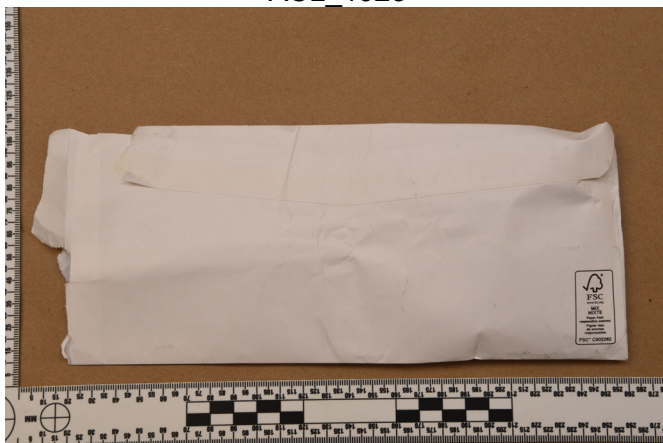
ACL 1926

ACL 1927



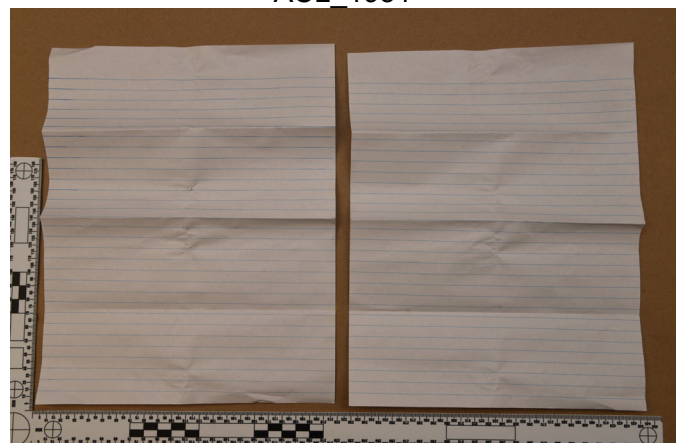
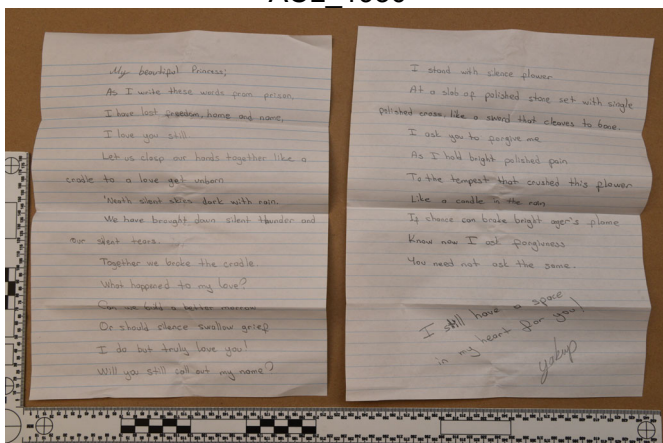
ACL 1928

ACL 1929



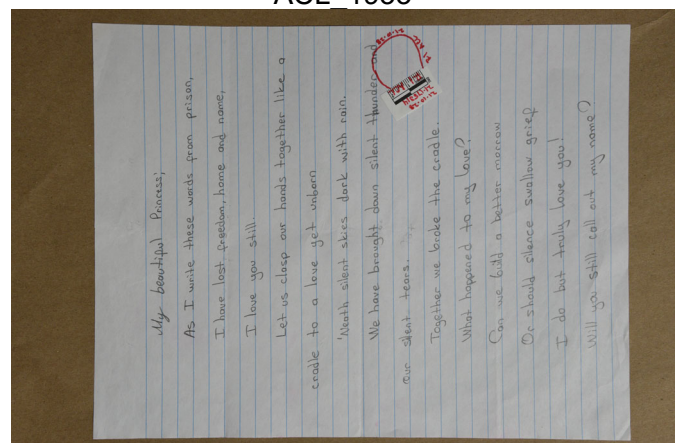
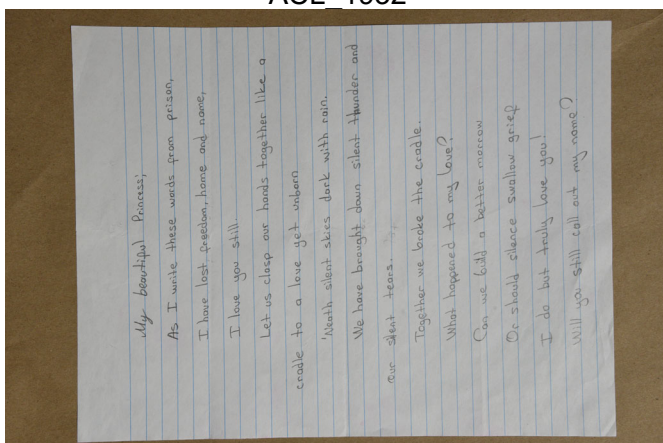
ACL 1930

ACL 1931



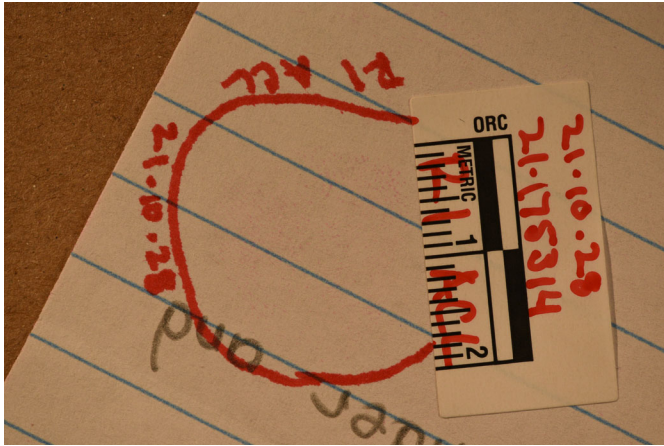
ACL 1932

ACL 1933

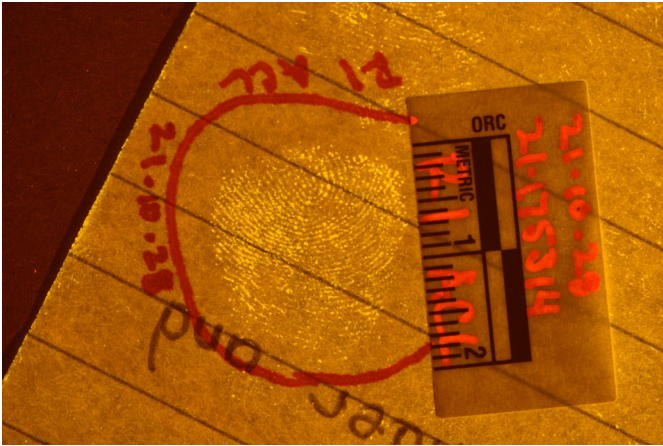


ACL 1934

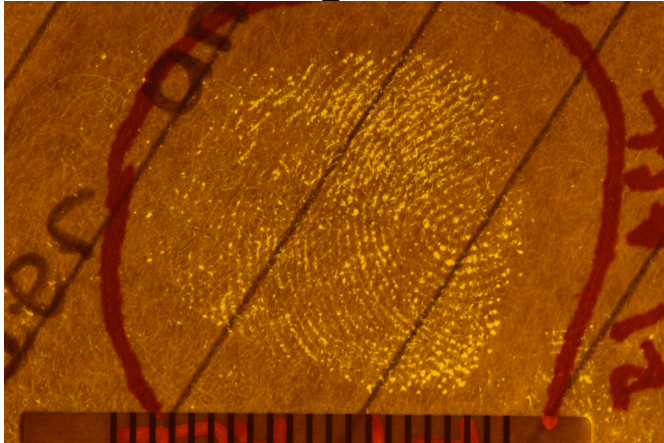
ACL 1935



ACL_1936



ACL_1937



ACL_1938



ACL_1939