



Recorded Arrest with Patrick FOX

May 16, 2022

Incident #22-66177

K – Constable 3284 Jin KIM

M – Detective Constable 2343 Amber MCELROY

F – Patrick FOX

?F – Unidentified Female

?M – Multiple Unidentified Males

Background traffic noise throughout recording

K Hey, Patrick? This is Amber (unintelligible). We're here because, uh, I'm arresting you for failing to comply with your probation orders. Do you understand?

F I understand. What's the allegation?

K 'Kay, I'll explain that, okay?

F Mm-hmm.

K Can you turn around? I'm gonna put handcuffs on you. Hands behind your back. Do you have anything on you that I should be aware of...

F No.

K ...that can hurt me or my partner? No?

F No.

K (Unintelligible) make sure you don't (unintelligible).

F Mm-hmm.

K Quick pat-down, sir. Is that your wallet?

F Sure.

Short pause

K Face me.

Short pause

?F (Unintelligible)

K (Unintelligible) do you wanna sit down? (Unintelligible)

M (Unintelligible)

1 K This, this is not gonna go with you, all the properties that we served, uh, from
2 your place. Uh, this is Patrick Fox. Uh, I am Det. Jin Kim of the Vancouver
3 Police Department. It is May 16th, 2022. The time is 12:08. I am currently at
4 555 Homer Street, Vancouver. I'm gonna sit down next to you, okay? Patrick
5 Fox, I am arresting you for two counts of fail to comply with probation order
6 contrary to section 733.1 of the Criminal Code. This offence is alleged to have
7 occurred on or about April 21st and May 15th, 2022 in the City of Vancouver,
8 Province of British Columbia. It is my duty to inform you that you have the right
9 to retain and instruct counsel in private without delay. You may call any lawyer
10 you wish. There is a 24-hour telephone service available which provides a Legal
11 Aid duty lawyer, who can give you legal advice in private. This advice is given
12 without charge, and the lawyer can explain the Legal Aid Plan to you. If you wish
13 to contact a Legal Aid duty lawyer, I can provide you with a telephone number.
14 Do you understand?

15 F Yes.

16 K Do you want to call a lawyer?

17 F No.

18 K You're not obliged to say anything, but anything you do say may be given in
19 evidence. Do you understand?

20 F Yes.

21 **Short pause**

22 K You may be subject to audio and video recording at any time while in police
23 custody, with the exception of when you're speaking with legal counsel. Do you
24 understand?

25 F Yes.

26 K Are you aware of the pu-, uh, public health warning and the global pandemic of
27 COVID-19?

28 F Yes.

29 K Have you travelled outside of Canada in the last 14 days?

30 F No.

31 K Have you had any symptoms of COVID-19 such as fever, cough, headache,
32 shortness of breath and/or difficulty breathing in the last 14 days?

1 F No.

2 K Have you provided care or had close contact with a person with COVID-19,
3 probable...

4 F No.

5 K ...or confirmed? Would you like to wear a f-, uh, medical face mask?

6 F No.

7 K I'd like to advise you that myself and any others in contact with you today do not
8 have symptoms or have not exhibited symptoms of COVID-19 in the last 14
9 days. Do you want to call a specific lawyer or a L-, a Legal Aid duty lawyer?

10 F Nope.

11 K You'll be transferred to the, uh, Vancouver Police Department where you will be
12 provided an opportunity to call any lawyer in private to seek legal advice.

13 M (Unintelligible)

14 K 'Kay. No, you guys can have a seat. Um...

15 ?M (Unintelligible)

16 K ...so this is what's gonna happen. We're just getting a wagon, all right? They're
17 gonna transport you. And then, uh, we're gonna go to one of the police facilities
18 and we're just gonna talk, okay?

19 F Mm-hmm.

20 K Any questions for me at this point?

21 F No.

22 ?M (Unintelligible)

23 **Background noise**

24 **Unintelligible background conversation**

25 K (Unintelligible)

26 **Short pause**

27 K I can hold that if you want (unintelligible).

28 ?M Thank you.

29 F Uh, you were unclear though. You did specify that it's two allegations of breach
30 of probation, but what are the allegations?

31 K 'Kay. So one of your condition is to report to probation officer. Um, I believe you
32 missed one of the dates.

1 F Mm.

2 K That's one.

3 F Okay. Well...

4 K We, we can talk more.

5 F Yeah, yeah, yeah, yeah.

6 K Yeah. When we go to a, you're gonna have a chance to s-, tell your side of the

7 story once you're...

8 F I'm...

9 K ...there, right, so...

10 F ...(unintelligible). What's, what's the other one?

11 K The other one is, uh, y-, the website that you have, uh...

12 F Mm.

13 K ...one of your condition was to have, you know, take necessary steps to take the

14 website down, which is still active.

15 F That is completely incorrect. Upon my release the website was already, uh,

16 offline. So...

17 K Like I say, we can discuss a bit more...

18 F Yeah.

19 K ...okay, when we get to police facility. But those are the allegations, the basics

20 of the allegations, okay?

21 F All right.

22 K Yeah.

23 **Long pause (ends at E.T. 00:07:35)**

24 K Is there any medical concerns or anything I should be aware of?

25 F No.

26 K 'Kay.

27 **Long pause (ends at E.T. 00:09:34)**

28 K Do you have anything in your room that you wanna take with you?

29 F Right at this moment?

30 K Yeah.

31 F No.

32 K Okay.

1 Long pause (ends at E.T. 00:10:56)

2 K (Unintelligible)

3 Short pause

4 K Did you eat today?

5 F I had breakfast.

6 K 'Kay. So are you gonna be hungry when we get there or...?

7 F I'll be hungry eventually.

8 K Yeah? Okay. I mean we can get you some food when we go to the station,

9 okay?

10 Unintelligible conversation

11 M Uh, no, no, just to the Annex.

12 ?F Okay.

13 M Yeah.

14 **Short pause**

15 K 'Kay. Step in. Just watch your head. (Unintelligible) Just watch your head.

16 M Fox is in the wagon at 12:18.

17 K 12:18.

18 RECORDING ENDS

19 Transcribed By: VA5338/2022-09-13

20 Transcript Proofed By: Detective 2343 Amber MCELROY/October 12, 2022