AFFIDAVIT

DAVE FREEDOM

V

OTTAWA POLICE SERVICE

AFFIDAVIT OF Dave Freedom

Ι,	Dave Freedom Your first and last name	, of the _	City (City, Town, etc.	of <u>Toron</u>	to,
in the _	Regional Municipality (County, Regional Municipality, et	of	Toronto		_, (where the deponent is
a party	or the lawyer, officer, dire	ector, membe	r or employe	e of a party	y, set out the deponent's capacity).
MAKE	E OATH AND SAY (or AF	FIRM):			
All atta	achments included to form	part of the af	fidavit.		
1	D F 1 1	44 1 4	.4 1		E: 1 A::1 20th 2022

1. Dave Freedom plans to attend a protest in downtown Ottawa on Friday, April 29th, 2022 on Parliament Hill at 6 p.m. and Saturday April 30th, 2022 starting at the War Memorial at 10 a.m. and then to Parliament Hill starting at 2 p.m.

Attached at Exhibit #1:
Rolling Thunder Event Schedule,
https://rollingthunderottawa.com/schedule>, retrieved April 28, 2022

- 2. Dave Freedom fully intends to act peacefully and lawfully during protests. Dave Freedom Was going to Ottawa to express matters that have an important public message at a symbolic location. That important public message is his concern over the COVID-19 measures; vaccine mandates and travel restrictions. Dave Freedom has flyers which he wants to hand out from his vehicle and a speaker that he wishes to use to share that message.
- 3. The Ottawa Police Services have officially notified the public of a "vehicle exclusion" zone in the downtown core of Ottawa that will permanently prohibit the use of vehicles illegally parked, stopped or drivers who do not follow police directions will be fined, towed, and will result in arrests and charging of drivers.

Attached at Exhibit #2: OPS News Announcement,

<<u>https://www.ottawapolice.ca/Modules/News/index.aspx?keyword=&date</u> =04%2F01%2F2022&newsId=3d180865-14b0-4e4f-983d91ba40a3152c&fbclid=IwAR1xyZaWCULkIABoYEk9CPU1 IUc K XEj A5G6OewiDLjdVWPn6dJ9K3YjI>, retrieved April 28, 2022

Attached at Exhibit #3:

OPS Twitter Post Announcing vehicle exclusion zone,

https://twitter.com/OttawaPolice/status/1519102599148015616>,
retrieved April 28, 2022

Attached at Exhibit #4:
Bell Transcript from CTV News Voice Interview,
https://ottawa.ctvnews.ca/rolling-thunder-protest-vehicles-to-be-barred-from-downtown-ottawa-1.5874476 >, retrieved April 28, 2022

- 4. The police have no legislative authority under the Highway Traffic Act, S 134.1 or under the Criminal Code Canada, Part II, S63(1) or any other legislative authority to permanently shut down the roadways to impede peaceful protests.
- 5. And police are prohibited from taking such actions as these acts would violate the Canadian Bill of Rights, 1960, the Recognized and Protected right of the individual of (d) freedom of speech and of S1(e) freedom of assembly and association.
- 6. To provide some context, I've always been passionate about maintaining our Human Rights and Fundamental Freedoms in Canada. I've had tremendous support from the community and mutual respect from police officers who got to know many of us who took part in peaceful demonstrations at Queens Park Toronto. However, on February 6th, 2021, with no evidence, my right to peaceful protest was violated when I was arrested at Queens Park for 'common nuisance' in violation of the Covid-19 measures. I was taken into custody and placed in a court service truck with my hands cuffed. Behind my back for close to 3 hours and in pain. My speaker equipment was also confiscated, and my rights were further violated with unreasonable restrictive bail conditions. Some of these conditions included being banned from the downtown core, not being able to possesses sound equipment, hold a microphone and most importantly free speech and assembly.
- 7. Once my trial hearing was set for March 3rd, 2022, I made an application to dismiss for violations of the Canadian Bill of Rights, 1960 s1(b), the right of the individual to equality before the law and the protection of the law, s1(d) freedom of speech and s1(e) freedom of assembly and association. The week before the preliminary hearing, the crown submitted pleadings and on the day of the hearing, the crown withdrew my charge. I was very pleased that the court upheld my right to protest. It was my intention to participate in Rolling Thunder on April 29th to May 2nd, 2022 and other ongoing protests in the Ottawa downtown core in my vehicle in order to pass out flyers educating people on how they can get involved in various social actions regarding mandatory vaccinations. I learned that Chief Bell issued a statement where there was a permanent ban on vehicles protesting in the downtown core.
- 8. Freedom of speech, assembly and association without discrimination are critical rights because without the we have no capacity to maintain our rights.

Sworn or Affirmed before me: (select one): \times by video conference

by	at the	of	in the
(Deponent's na	at the (City, Tov	vn, etc.)	
	of		, before me on
(County, Regional Municipal	lity, etc.)		
in	accordance with O. Reg. 431	/20, Administerin	g Oath or Declaration Remotely
Complete if deponent an	nd commissioner are in same	city or town:	
Commissioner for Takin	g Affidavits (or as may be)		

Complete if deponent and commissioner are not in same city or town:

by	Dave Freedom (Deponent's name)	at the	Clty (City, Town,		<u>Toronto</u>	in the
R	egional Municipality (County, Regional Municipality, etc.)	of	, ,,	ronto	,	before me
at the	City of	<u>Ottawa</u>		in the		
(Regional Municipality County, Regional Municipality, etc.)	of	<u>Ottaw</u>	a-Carleton		on(date)
in acc	ordance with O. Reg. 431/2	20, Administer	ring Oath	or Declar	ration Remotel	y.
Comn	nissioner for Taking Affida	vits <i>(or as ma</i>				
	- Authentision Mary Jane Scharf -			Authentis	skn ve Freedom	05/02/22
Signa	ture of Commissioner (or a	s may be)	Sign	nature of I	Deponent	

RCP-E 4D (February 1, 2021)

Exhibit #1



This website uses cookies.

We use cookies to analyze website traffic and optimize your website experience. By accepting our use of cookies, your data will be aggregated with all other user data.

ACCEPT



2 of 3 4/28/2022, 1:43 PM

Exhibit #2



Feedback

Ottawa Police Statement on Rolling Thunder

Posted On Monday April 25, 2022



Tweet



FOR IMMEDIATE RELEASE: Monday, April 25, 2022 11:15 am

(Ottawa) - The Ottawa Police Service has developed an enhanced operational approach to manage the Rolling Thunder event scheduled for April 30th along with any impacts from the arrival of participants on April 29th.

We have heard the concerns of the community. Since February, we have adjusted our overall approach to all demonstrations, protests, events and rallies.

The right to lawful and peaceful demonstrations will always be protected.

We will not allow for unsafe or unlawful conditions that could lead to another unlawful protest as seen in February.

Vehicle exclusion zones: As a result of the unlawful protest, the City of Ottawa's position is that no motor vehicle protests, rallies or events will be allowed in the designated downtown core areas. The Ottawa Police is supporting and enforcing that decision. This includes areas near Parliament Hill and the National War Memorial and applies to all demonstrations, rallies and events. All motor vehicles will be prohibited from participating in any of these events in these designated areas.

Increased police presence: We will receive significant, additional resources from multiple partner agencies including the RCMP, OPP and municipal police services. The focus of these resources will be on public safety, maintaining the right to protest and enforcing all applicable laws.

Organizers: Any organizer of any event will be held accountable for their actions before, during and after events.

Online comments: We continue to monitor online and open source commentary

DF.

1 of 3 4/28/2022, 1:44 PM

related to all events. Threatening or intimidating behaviours will be investigated and subject to charges where warranted.

Investigations: Investigative teams, including our Hate Crime Unit, are in place focused on gathering evidence and laying charges. We are also in contact with the Crown Attorney.

Charter of Rights and Freedoms

As a police service, we will always protect the rights of individuals to lawfully and peacefully protest in line with the Charter of Rights and Freedoms. Since the removal of the unlawful protest we have worked to ensure more than 100 protests could occur lawfully and peacefully in the core.

As we do with all events, we have reached out to Rolling Thunder organizers to ensure we understand their plans. We do this for every event from football games to rallies to demonstrations. This is not meant to support any specific cause but to ensure there are clear lines of communications and that public safety issues are addressed.

The role of police is to remain impartial, promote public safety and enforce relevant legislation.

We are also reaching out to individuals and groups who plan to express their opposition to this event through protest to understand their plans. As with all events, demonstrations and protests everyone will be treated equitably.

What residents can expect

We will continue to communicate through this event to ensure everyone can make informed decisions.

Residents and businesses should expect traffic delays. Areas may be restricted to pedestrian-only zones in the core to maintain public safety. We are aware of a site in the rural area of Eagleson Rd. where some Rolling Thunder participants are gathering this weekend. This area will see increased police presence and possible traffic delays.

We are working with our City partners to develop a traffic plan and maps that will manage vehicular traffic and ensure safe movement of pedestrians. There will be allowances made for local traffic. Controlled intersections, road closures, vehicle towing and ticketing will be part of the enforcement strategy to support public safety.

In line with the Charter of Rights and Freedoms, ALL lawful protests, demonstrations and rallies etc. will continue to be allowed in the downtown core in areas such as Parliament Hill and the National War Memorial. Vehicles will be excluded from participating in any of these events.

DF

Extra police resources from multiple police services have been requested to manage public safety, assist with road closures and enforce all Criminal Code, Bylaws and provincial Highway Traffic Act offences.

- 30 -

CONTACT:

Media Relations Section

Tel: 613-236-1222, ext. 5366

Back to Search

Contact Us

Ottawa Police Service

P.O. Box 9634 Station T, Ottawa, Ontario, K1G 6H5

T: 613-236-1222, TTY: 613-232-1123

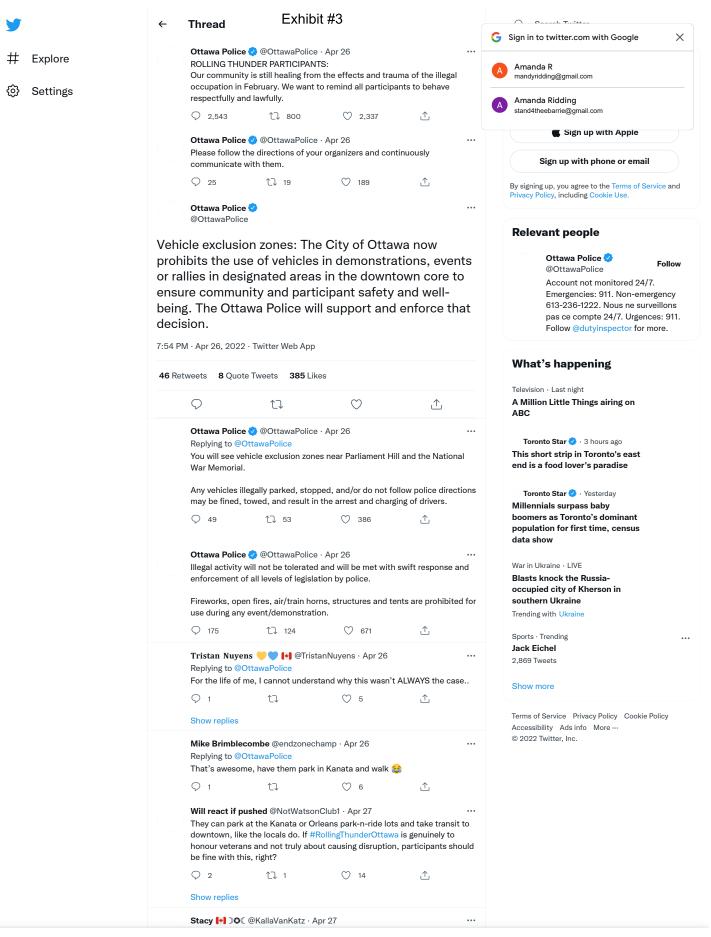
Email Us

© 2022 Ottawa Police Service



Ottawa Police Service P.O. Box 9634 Station T, Ottawa, Ontario, K1G 6H5, T: 613-236-1222, TTY service for the deaf, deafened and hard of hearing: 613-232-1123

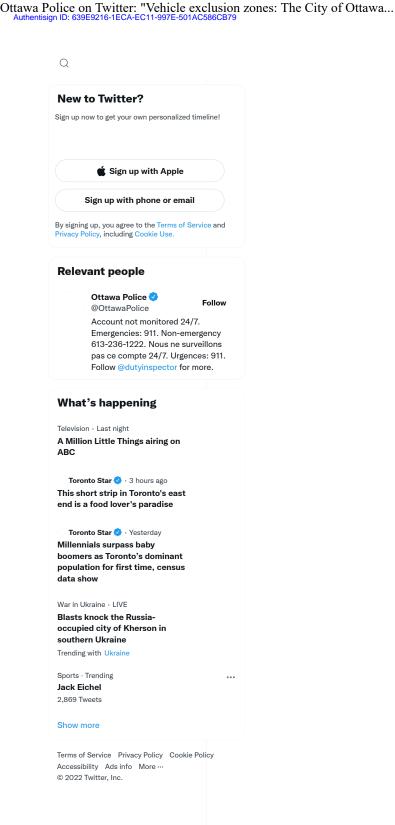
Design by eSolutionsGroup (http://www.esolutionsgroup.ca)



Don't miss what's happening

People on Twitter are the first to know.

in Sign up



Don't miss what's happening

People on Twitter are the first to know.

Exhibit #4

Ottawa at Work with Leslie Roberts – transcript of interview

00:00:00.000 --> 00:00:19.510

Leslie Roberts (Transcript starting at 0:55 of recording):

I am well. I'm anxious to get your reaction to all these developments, rumors and set the record straight. First and foremost, they say they had a deal to be able to do, among other things, a role, so in other words, on their bikes past the War Memorial, they said they would not include Wellington. As you hear what they are claiming - How much of it is true; how much of it is made up?

00:00:20.790 --> 00:00:49.860

OPS Chief Steve Bell:

Yeah. Thanks, Leslie. And I, I do appreciate you bringing us on. So we can actually get the information out about how we're looking to progress through the weekend. What I can tell you is we've been planning for this from the time that we first became alerted to it through social media and through the Internet. And we've been in contact with the organizers and had discussions with them. What I can tell you at the same time is we've actively been working with the city. We've been working with other our partners, our community in that area to take a look at what is the best way that we manage, facilitate protest demonstrations and rallies moving ahead, particularly as they relate to vehicles. So what you've seen since the end of the occupation in February is there won't be vehicle-based protest rallies or demonstrations in the footprint that we have identified since South of Laurier. So we continue to get that message out to the organizers and we're having discussions with them about looking to identify what is the safest, most effective way for them to actually attend the War Memorial on foot to be able to go into that zone that doesn't have vehicles, and have their ceremonies while we facilitate the safe movement of vehicles through the city?

Leslie Roberts:

OK, so let's talk 1st about the zone. Is it similar to the one that was off limits during the occupation?

OPS Chief Steve Bell:

So I actually think what is most similar.. most similar to is the footprint we would have on Remembrance Day or the footprint we would have on Canada Day, where we also don't allow vehicles down into the core of the downtown. So it will go, it will go basically from the canal to Lyon St and then North from the river to Laurier St and that that is a that is a typical zone for us in Ottawa in order to be able to allow people to walk around and allow people to move in about an area and not have them come in conflict with vehicles.

Leslie Roberts:

So to answer my first question: There will be no roll by or roll through the War Memorial. It'll be off limits regardless of whoever the protester is.

OPS Chief Steve Bell:

Yeah, absolutely. So we we have, we have identified that based on what's occurred in our city over the last number of months, that protest vehicle based protests shouldn't occur in that area. And we've put exclusionary zones in now.

00:02:45.500 --> 00:03:11.720

Make the really important thing to remember in that is, we're a city that hosts hundreds of protests a year, so we're we're a city that at a police service that absolutely understands the, protects people's right to lawfully demonstrate. We will continue to do that. People can attend the War Memorial, we encourage them to. It'll just be on foot. So you can they drive through centre town with their engines, you know, making the noises that motorcycles do.

00:03:13.230 --> 00:03:43.360

So we've been really clear as well that it's really important that people as they engage in in these activities that they do them lawfully, we have bylaws, we have HOA laws, we have Criminal Code enforcement abilities that we will enact if there is unlawful behavior going around. If people are driving through respectfully on area to come in a in, in their rally to come follow our course and be out and back onto the Queens way to be gone, we're absolutely.

00:03:43.780 --> 00:04:17.200

Going to facilitate that if they're roaming around neighborhoods, creating public safety concerns or issues, we are going to use our enforcement abilities to do that. One of the really important things we have to remember about this is our communities are scarred by what happened in February. They were deeply hurt and deeply affected by that. We as a police service myself as the chief, have had many conversations with them. They expect us to make maintain community safety and well being in their areas, and we're putting plans in place to make sure we.

00:04:17.770 --> 00:04:30.320

Some center town residents may not be happy that this is they could still drive through their neighborhood and may well, in fact, show up. What do you? What is your message to the people of Centertown who were angry about last time in May, want to take it out on these folks?

00:04:31.550 --> 00:04:37.200

So I think so. I think my first message to them is, is I understand their frustration. I I I understand.

00:04:38.420 --> 00:05:07.610

The impact that that the convoy had on the Members of this community on the people that lived downtown in this area and you know, all of our planning that has been front and center, we've activated all of our investigative abilities, including our hate crime units to make sure that there is no inappropriate behaviors, criminal behaviors and if there are, we'll follow up and investigate them. We've been really clear with the organizers.

00:05:07.710 --> 00:05:28.490

Of this abandon every other event that that they will be if there is inappropriate behavior that they're condoning, they'll be held responsible for that. We saw that out of the convoy. We continue to see

charges laid around that and there will be accountability to people that Council or encourage people to to commit offenses.

00:05:29.910 --> 00:05:50.850

So the people that are are planning on attending, I understand they're frustration. We are putting plans in place to make sure that we can manage all eventualities moving through the weekend and our sole purpose is to make sure that everyone that attends that area does is safe as they do. So is there a place being made for them to be able to park their vehicles and motorcycles?

00:05:51.690 --> 00:06:22.380

And so the short answer is, in the downtown core, no, there will be there. There will not be the ability for mass amounts of parking down there. We're not facilitating that our our understanding and our continued discussions with the with the organizers is around a route that is held as as safe. We will allow them and and identify a route that they can go through and facilitate that passage. But there won't be the ability to have massive amount of parking in the downtown.

00:06:22.460 --> 00:06:53.690

So just to be clear, if they come in large numbers, there isn't a place for them through the downtown core to stop. And if they do in the zone, in particularly even center town, it sounds like they'll be asked to move along and if not, what happens? Well, that's why we're putting plans in place. So, so and that's why I think it's important that we understand the plan. So what you're gonna see over the weekend is your first of all, you're going to see absolute accessibilities for pedestrians to attend the downtown core. But you're also going to see traffic disruptions. There will be.

00:06:54.230 --> 00:07:07.120

Road closures there will be traffic disruptions in that area. There will be areas where no parking is being designated. There'll be areas where no stopping is being designated and in order to facilitate the enforcement of that or the.

00:07:08.310 --> 00:07:38.370

Making sure that people are obeying that you're gonna see a much larger police presence. We continue to work with our partners from the Ontario Provincial Police and the Royal Canadian Mounted Police to have them assist us over this weekend to make sure that it be made, is maintained as a safe and lawful event. How many more officers from the other forces are coming in there? So we we continue to work on numbers. As you know Leslie in the lot of discussions we don't give out the actual number of officers we're deploying, but I can tell you we've had it.

00:07:38.450 --> 00:07:53.850

Amazing cooperation with the RCMP and OPP have had conversations with both Commissioner Creek and Commissioner Lucky and they continue to be great partners to us in Ottawa and support our our work. We're talking dozens or hundreds. Can you give me that ballpark?

00:07:55.550 --> 00:08:28.240

So we will have absolutely the right number of officers on the street, Leslie, in order to be able to maintain safety and security. You're gonna see a substantially increased police presence this weekend, one that will enable us to be able to manage whatever situation comes our way, see if I have a question from a listener who lives in Pleasant Park, says, can you ask the chief, when does the exclusion zone go up? How long will it remain in, in, in place as well? So we're still, we're actually in in the later stages of planning that what you can expect to see is our presence start doing increase.

00:08:28.370 --> 00:08:59.620

Have Thursday into Friday, you can start to see some road closures and limitation of access Friday into Saturday and depending on how it unfolds, that should loosen up Sunday and move into regular operations through next week. What they have in common with the convoy is of course is there. I would imagine their politics because they haven't been quite clear what they want, but we think we know what they stand for. They just haven't told us and #2 they're obviously vehicles. Is this the new normal or is this a one off? Is this because in many ways chief this is a test for you and your your course.

00:09:01.170 --> 00:09:17.940

I so I think it's, uh, I got the the \$1,000,000 question lastly and I think that's the thing that we were trying to manage right now we've seen an increase in uptake in people using vehicles to demonstrate and protest. It's something that.

00:09:19.400 --> 00:09:49.170

That we actually have to work with and we have to manage and that's why you're seeing us take the steps we are including creating a solutionary zones, including extending no parking zones and no stopping zones so that we can manage that scenario as we move ahead. All while we do that in protecting peoples trying to right to protest and demonstrate in the nation's capital. So we'll continue to protect that right. We'll continue to support people to be able to do that.

00:09:49.330 --> 00:09:52.140

We'll just limit their ability to do that with vehicles.

00:09:53.230 --> 00:10:23.520

Would this be true regardless of the group going forward though? I mean, if if it were different group and they were saying they wanted to come to town, I just want to be clear here because there are critics who are saying you're just doing this because of what they stand for. Is that the fact is that the truth or no. But so that's a great question and it's a really, really important piece. This goes for everyone. This isn't directed or targeted at any one group. There will not be any sort of demonstration protest event or rally with vehicles in and around that area.

00:10:23.580 --> 00:10:33.650

We will create an exclusionary zones for for everyone that wants to come and do that and and we have a history in Ottawa of that we have. We saw farmers attend last year we saw.

00:10:34.960 --> 00:11:03.980

Indian farmers, three Lankan members of Sri Lankan community attend to have those vehicle type rallies. We aren't allowing any of those in that downtown core anymore. Let's go back and talk cost here. We know that the Feds have finally said that they're gonna pick up the was the 35 million for what we went through with the the federal sorry the convoy slash occupation. What about this time around is we talking a lot of money here chief over time etcetera and other forces as well. So and I think it's important point to clarify or around the.

00:11:04.070 --> 00:11:27.960

You're picking up of the cost. We continue to work with the federal and provincial government through through the city and through our own financial sections. We're having a great talks with those great level of cooperation there as we're still amassing the bills and we'll be taking those for final sign off and approval as we work through this quarter. It probably early into the summer, so.

00:11:28.780 --> 00:11:58.870

There, there has been a commitment of cooperation from the federal and provincial government and we continue to work with them in terms of finalized costs for the convoy. We actually haven't yet identified exactly specific amounts and how the payment and recouping of the money will be broken out between the different layers of government. So we continue to work in that area. This in terms of in terms of this, this incident, we are tracking costs. We have already started to have discussions with the federal government.

00:11:58.990 --> 00:12:28.920

Around the increased cost to us in Ottawa as Ottawa police relating to these events and and we will see where those go in the coming days and weeks ahead. OK. So as far as this, just to recap the Friday, Saturday and Sunday events, if they follow the rules and they don't bring their vehicles into the exclusionary, if they roll through town and not stop, they're good to go. If not, there be consequences, including potentially here arrest late like anyone else if they engage in lawful behavior then then there is absolutely no issues.

00:12:29.020 --> 00:12:58.530

When it goes out, that bound of lawfulness, that's when we as a police organization, step in and actually try to create the environments of community and safety. Well being that our residents expected us to have clear interim police Chief Steve Bell, chief thank you for your time this morning. Appreciate it. Thanks very much, Leslie. Have a great day. You too. There you have it. That's the plan. As we go into the weekend and the Rolling Thunder that's headed to Ottawa. Catherine Mckenney, a counselor, of course, has been outspoken. They will join us before the end of the program as well.

00:12:59.020 --> 00:13:01.380

Listening to Newstalk 580 CF RNA.