

Report on Shawn Rehn

A review of the involvement of the Alberta Crown
Prosecution Service with Shawn Maxwell Rehn

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INTRODUCTION

The attack upon two members of the Royal Canadian Mounted Police (RCMP) in St. Albert on January 17, 2015, properly compels those who are responsible for Alberta's criminal justice system to examine whether there are any processes or policies that could be improved so as to help prevent a repeat of this tragic crime. As such, on January 21, 2015, Alberta's former Minister of Justice and Solicitor General, Jonathan Denis, directed that I conduct a review of the involvement that the Alberta Crown Prosecution Service (ACPS) had with the assailant, Shawn Maxwell Rehn, prior to this incident.

To this end, prosecution files have been collected from the initial involvement of the ACPS with Rehn as a young offender, up to prosecutions that were still to be conducted at the time of the shooting. Each of these files has been examined with a view to determining whether there are changes that might be made to any ACPS processes or policies. This Report addresses whether there might be process or policy changes made in light of ACPS' involvement with Rehn. I have made several key recommendations.

It is important to note that this review is not a review of the exercise of prosecutorial discretion in individual cases against Rehn. As is described in this Report, Albertans are served well by Crown prosecutors who are entrusted with many important and unique duties, including decisions respecting which prosecutions to advance and what sentences to seek. These decisions are based upon the responsible Crown prosecutor's expert assessment of each case in light of the governing policies.

This review is limited to the involvement the ACPS had with Shawn Rehn, and does not consider his involvement with any other agency or party within the criminal justice system.

ROLE OF THE CROWN

In order to provide some context to this Report, it is important to describe the public function that is served by all Crown prosecutors.

Crown prosecutors are agents of the Attorney General. In Alberta, the Minister of Justice and Solicitor General holds the office of Attorney General. Crown prosecutors, as agents of the Attorney General, have unique duties and responsibilities within the criminal justice system. In *R v Proulx*,¹ Madam Justice L'Heureux-Dube summarized the function of prosecutors as follows:

The Attorney General and the Attorney General's prosecutors are the guardians of the public interest, and assume a general responsibility for the efficient and proper functioning of the criminal justice system. Their role is not limited to that of private counsel who is responsible for an individual case.

In carrying out their roles, the Attorney General and Crown prosecutors must act independently and cannot be influenced by political or other external influences. This means that prosecutors have discretion in almost all areas in which they must make decisions, including whether to consent to or oppose judicial interim release (bail), whether or not to withdraw or stay a charge, whether to elect to proceed by indictment or summary conviction, and whether to launch an appeal.

¹ *R. v. Proulx* [2000] 1 SCR 61.

While having considerable independence and discretion, Crown prosecutors remain accountable to the Attorney General for their decisions. Accountability is created through the guidelines that the Attorney General has provided to Crown prosecutors on how to do their jobs with respect to individual cases. The guidelines are contained in the *Crown Prosecutors' Manual*.² This manual is a series of documents that constitute the Attorney General's instructions to all Crown prosecutors as to what they are to consider in making decisions about specific cases. The manual helps ensure that prosecutions in Alberta are conducted fairly, and with transparency and consistency. For instance, over the years, there were charges laid against Rehn that were later stayed or withdrawn. When Crown prosecutors make such decisions, they do so in accordance with the *Decision to Prosecute* and *Terminating Proceedings* guidelines,³ which are two key policies in the manual. Ultimately, decisions of Crown prosecutors must reflect the interest of the community to see that justice is done properly.

It is critical to note that the role of Crown prosecutors is not to obtain a conviction for every charge laid by the police. As described in the *Decision to Prosecute* guideline, before proceeding with any prosecution, the Crown prosecutor must assess whether: (1) there is a reasonable likelihood of conviction; and (2) it is in the public interest to prosecute the case. A case will be prosecuted only if there is sufficient evidence and if a prosecution is in the public interest. While police and prosecutors are key partners in the criminal justice system, the evidential standard applied by Crown prosecutors of "reasonable likelihood of conviction" is higher than the standard the police must meet in order to charge a person with a crime. These dual standards are part of the checks and balances of the criminal justice system.

Finally, it is often said that Crown prosecutors do not win or lose. The function of the Crown prosecutor is greater than winning – they must see that justice is done. If a Crown prosecutor decides to proceed with a charge, he or she must put before the Court credible and reliable evidence of the crime being prosecuted. While the prosecutor can and should be a strong advocate of the case, the advocacy is guided by the values of accuracy, fairness and dispassion. As the Alberta Court of Appeal has said, criminal cases must be conducted by "qualified prosecutors who have the training, judgment and courage to make the necessary decisions inherent in every prosecution."⁴ It is often challenging for prosecutors to make difficult decisions on cases, and their decisions are quite properly subject to public scrutiny and comment. Despite this, Albertans entrust Crown prosecutors to make these difficult decisions based upon the Attorney General's guidelines, and the values of fairness, transparency, and excellence.

BACKGROUND TO THIS REVIEW

At approximately 3:00 a.m. on Saturday, January 17, 2015, RCMP Constable David Matthew Wynn and Auxiliary Constable Derek Walter Bond were shot and seriously injured while inside the Apex Casino in St. Albert. The RCMP officers had attended the casino as part of an investigation respecting the theft of a vehicle. Inside the casino, the officers encountered Rehn, who then shot both officers. Rehn fled the casino and was later found dead at a residence east of St. Albert. While Constable Bond was seriously injured, he is

² The key policies within the manual can be viewed on the Alberta Justice and Solicitor General website: [Crown Prosecutors' Policy Manual](#).

³ See the policies at: [Decision to Prosecute Guideline](#) and [Terminating Proceedings Guideline](#).

⁴ *R. v. Tkachuk*, 2001 ABCA 24.

expected to make a full recovery. Tragically, on January 21, Constable Wynn, 42, died in hospital from his injuries, having never regained consciousness.

As is outlined in Appendix “A” to this report, Rehn had acquired a lengthy criminal record and was facing several prosecutions at the time that he attacked the officers. Given this history, it is important to briefly examine the series of events leading up to this incident.

On January 17, 2015, Rehn had a total of 29 *Criminal Code* charges outstanding before the courts. These charges stemmed from allegations arising on a number of different dates, the first of which occurred in October 2013, when Rehn was charged with committing fraud against his bank. At the time of the alleged bank fraud, Rehn was bound by bail conditions that had been put in place as the result of pre-existing criminal charges.

On October 18, 2013, Rehn was arrested for the bank fraud and breach of bail conditions, and on November 14, 2013, he was brought before a Provincial Court judge for a bail hearing. Although the Crown argued that Rehn should be detained because he was a risk to re-offend, Rehn was ordered released on \$2,000 cash bail with conditions. Rehn entered a not guilty plea and a trial date was set for November 28, 2014.

In December 2013, and while on release for the bank fraud charges, Rehn was alleged to have been a passenger in a motor vehicle that was stopped by Redwater RCMP. Upon stopping the vehicle, RCMP observed a rifle between the driver’s and front passenger’s seats. When the driver attempted to drive away, a male passenger (allegedly Rehn) in the rear of the vehicle jumped out and fled. As he was fleeing, the male threw away a baseball cap, a pellet gun and a pouch of marijuana. The male successfully evaded police, but DNA analysis of the baseball cap was found to match Rehn’s. After confirming the match, RCMP officers attempted to locate Rehn in order to arrest him for offences arising from the incident, as well as breaches of his release conditions. These attempts were unsuccessful, and on August 8, 2014, a warrant was issued for Rehn’s arrest.

On the evening of September 3, 2014, Rehn was arrested and charged with a number of offences in Edmonton, including possession of a stolen motorcycle, possession of a spring loaded folding knife, possession of marijuana, possession of break-in tools, possession of a weapon contrary to a court order, failure to comply with a recognizance, and escaping from lawful custody. He was also arrested on the outstanding warrant related to the December 2013 incident in Redwater.

On the morning of September 4, 2014, Rehn was brought before a justice of the peace, and was released on these new charges. The justice of the peace also released him on the outstanding charges stemming from the December 2013 incident in Redwater. This was with the consent of the Edmonton Police Service (EPS) officer conducting the bail hearing. On both sets of charges, he was eligible for release on certain conditions and only if cash bail was deposited. On September 13, 2014, Rehn’s bail money was deposited, and he was consequently released from custody. Conditions of his release required him to appear in court on September 25, 2014, to answer to the Redwater charges, and on October 2, 2014, for the Edmonton charges. He did not personally attend either of the court appearances. On both dates, a lawyer attended on his behalf, and on

both occasions, a warrant to hold⁵ was issued. The judges ordered that the warrants be held until November 2014 when Rehn was to appear personally in court.

On October 28, 2014, EPS officers saw someone thought to be Rehn driving a minivan with a licence plate that was not registered to any vehicle. Rehn was the registered owner of the licence plate. The police tried to stop him but the driver sped through a red light, narrowly missing vehicles traveling in the opposite direction. Due to safety concerns, police did not pursue the vehicle. In the following days, attempts were made to locate Rehn, but without success.

Rehn did not appear in court on November 12, 2014, in relation to the Edmonton charges. He also did not appear in court on November 13, 2014, in relation to the Redwater charges. On both dates, the “held” warrants were released, meaning that police were then entitled to arrest him.

Further warrants were issued for Rehn’s arrest on November 28, 2014, when he did not attend in court for his fraud trial, and on January 6, 2015, as a result of the incident in October 2014 when he was alleged to have driven away from EPS officers. In all, at the time of the incident on January 17, 2015, Rehn had outstanding arrest warrants relating to 29 different *Criminal Code* charges, arising from 4 different offence dates.

Given Rehn’s background, on January 21, 2015, Alberta’s former Minister of Justice and Solicitor General, Jonathan Denis, directed me to review any involvement that the ACPS had with Rehn leading up to the incident. As stated, the purpose of the review is to determine if any processes or policies should be changed to help prevent a repeat of this incident. It is, as described above, not a review of individual actions or decisions, nor should it be interpreted as critical of individual actions within the ACPS. My review is in addition to any public fatality inquiry ordered under the *Fatality Inquiries Act*, the investigation by the Alberta Serious Incident Response Team, and the independent RCMP investigation.

It should be noted that the review process involves the analysis of all available ACPS files. While many files were obtained, some of the earliest of Rehn’s files had long been destroyed in accordance with the Records Retention and Disposition Policy required under *Records Management Regulation* A.R. 224/2001 and the *Government Organization Act*.⁶

FINDINGS OF THIS REVIEW

Profile of Shawn Rehn as an Offender

A comprehensive review of all available materials regarding Rehn’s involvement with the ACPS in the years leading up to this incident provides some insight into his profile as an offender. Efforts have been made to condense this considerable amount of information into a manageable and more easily understood format in order to facilitate the drawing of conclusions and the making of recommendations. To this end, the information summarized below is divided into three broad categories: 1) Rehn’s charging history; 2) Rehn’s conviction history; and 3) Rehn’s outstanding charges as of January 17, 2015.

⁵ A “warrant to hold” refers to a situation in which a judge issues a warrant for the arrest of the accused but the warrant is not released to the police to execute. It is within a judge’s discretion to hold a warrant which allows the accused to attend court without the police having to find and arrest the accused.

⁶ The *Records Management Regulation* A.R. 224/2001 can be found at: [Records Management Regulation](#).

1. Charging History

Between 1994 and 2014, Rehn was charged with offences that occurred on 58 different occasions. He was charged with a total of 206 offences, summarized as follows:

- offences against the administration of justice - 7;
- property offences - 103;
- violent offences - 13;
- weapon offences - 24;
- compliance/breach offences - 46;
- driving offences - 6; and
- drug offences - 7.

Rehn's bail history is a subject of particular interest to this review. As such, it should be noted that in relation to the subcategory of compliance/breach offences, Rehn was charged with breaching his bail conditions on ten different occasions, resulting in a total of 21 charges. He was charged with failing to appear in court on 13 occasions and with breaching other court orders 12 times.

Attached to this report as Appendix "A" is a detailed chronological summary of the charges Rehn faced over his lifetime. As well, Chart 1 below provides a visual summary of Rehn's charging history.

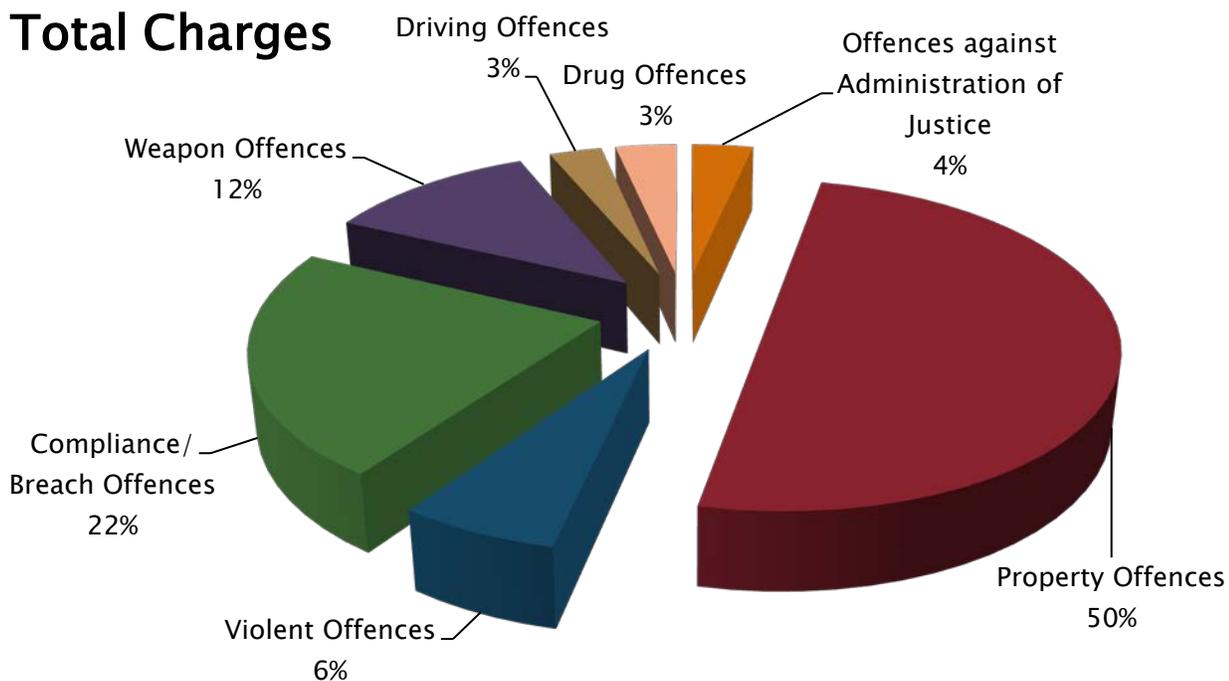


Chart 1 – Total charges from 1994 to 2014

2. Conviction History

Between 1995 and 2014, Rehn was convicted of 68 offences, summarized as follows:

- offences against the administration of justice - 3;
- property offences - 41;

- violent offences - 5;
- weapon offences - 4;
- compliance/breach offences - 12;
- driving offences - 2; and
- drug offences - 1.

In relation to the subcategory of compliance/breach offences, Rehn was convicted of failing to comply with release conditions three times and of failing to appear in court five times. He was also convicted of failing to comply with a court ordered weapons prohibition on one occasion, and of failing to comply with a driving prohibition on three occasions. Chart 2 below provides a visual summary of Rehn’s conviction history.

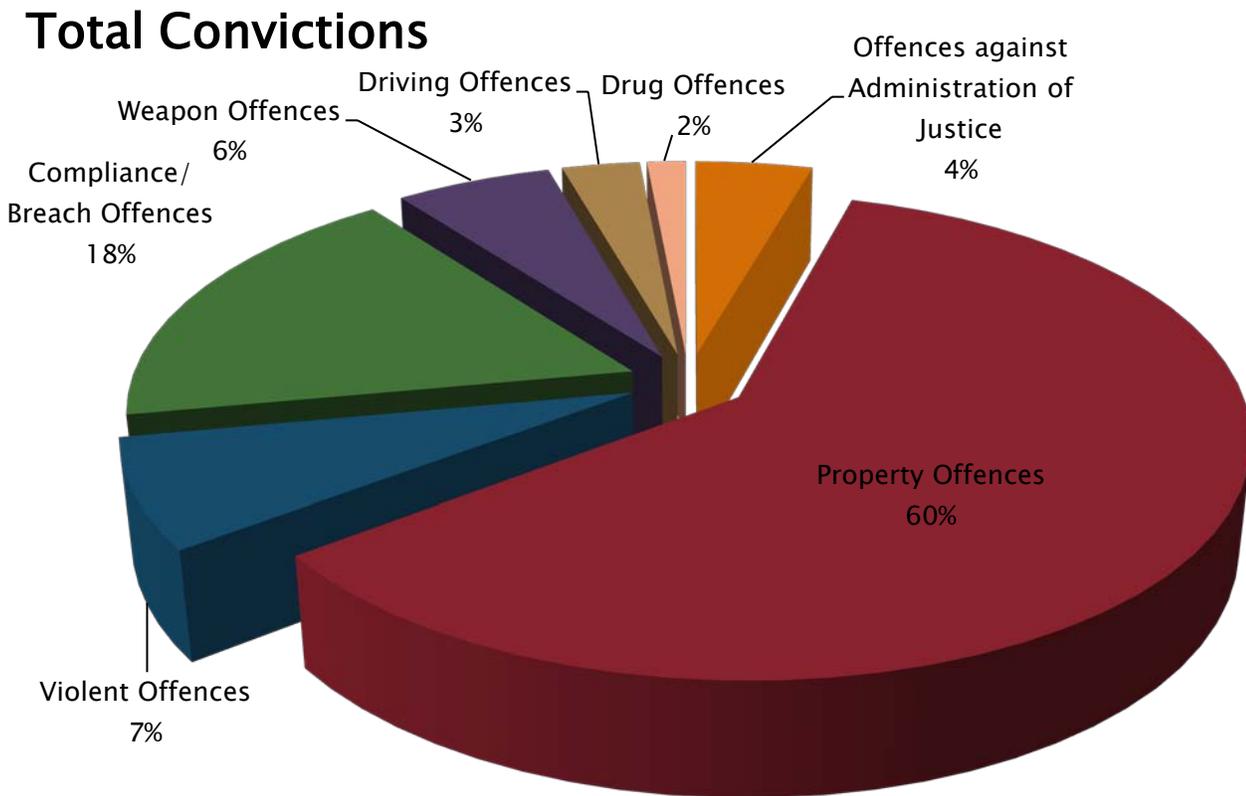


Chart 2 – Total convictions from 1995 to 2013

3. Outstanding Charges

As of January 17, 2015, Rehn had 27 outstanding charges, summarized as follows:

- offences against the administration of justice - 2;
- property offences - 4;
- compliance/Breach offences - 15;
- weapon offences - 2;
- driving offences - 2; and
- drug offences - 2.

In relation to the subcategory of compliance/breach offences, eleven of these outstanding charges were for failing to comply with release conditions, and two were charges of failing to appear in court. In addition, Rehn was facing one charge of failing to comply with a court ordered weapons prohibition, and one charge of failing to comply with a driving prohibition.

Chart 3 below shows the total number of charges laid and convictions entered against Rehn per year, beginning in 1994 and ending in 2014. The chart also shows the number of days in each year during which Rehn was incarcerated.

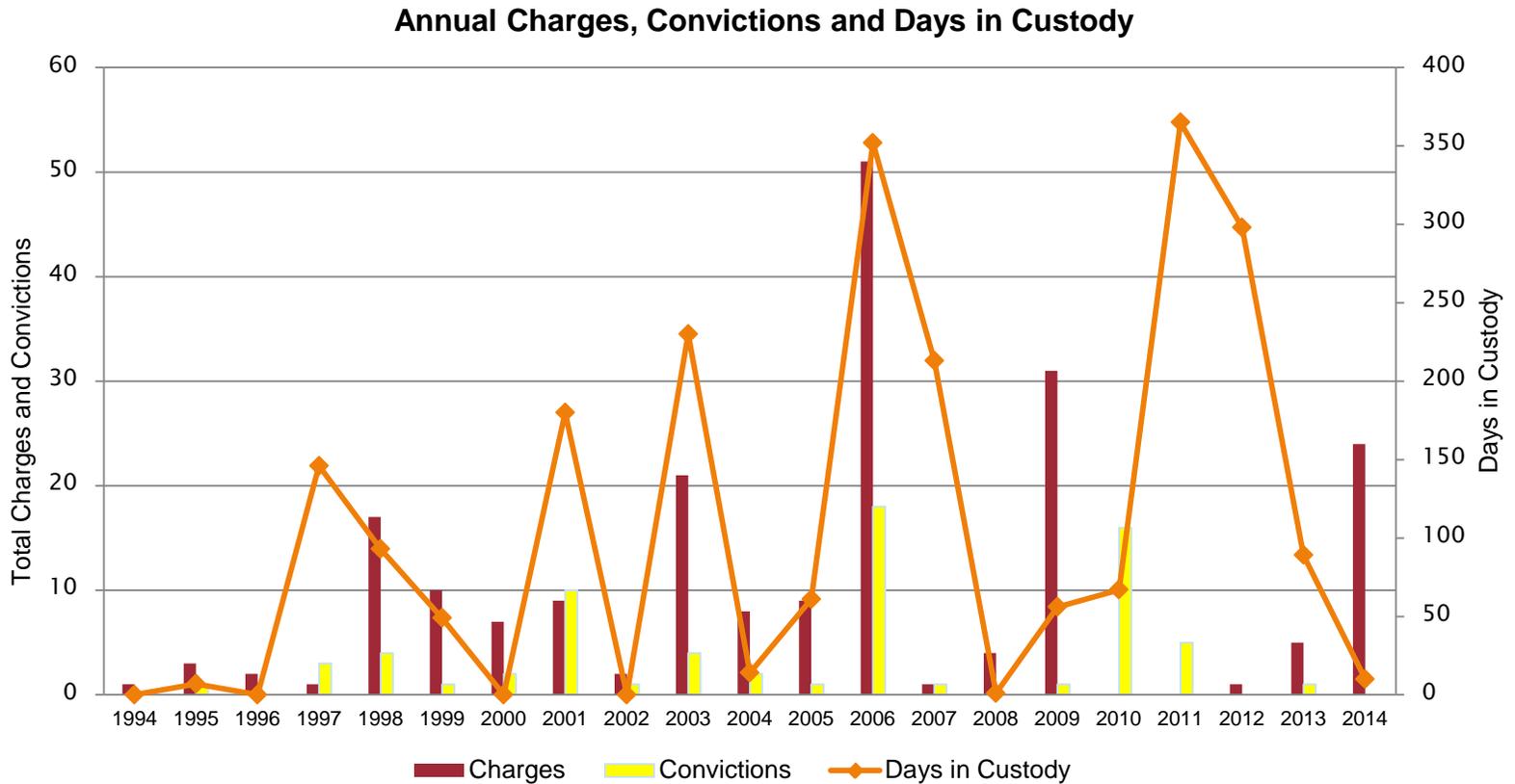


Chart 3 – Total annual charges, convictions and days in custody from 1994 to 2014.

Attached to this report as Appendix “B” is a chart summarizing Rehn’s history of charges and convictions under the *Criminal Code* and the *Controlled Drugs and Substance Act*, arranged by category of offence. Also attached to this report as Appendix “C” is a chart outlining charges and convictions resulting from Rehn’s non-compliance with release orders. Lastly, attached as Appendix “D” is Rehn’s updated criminal record.

A review of Rehn’s prosecution history reveals some clear patterns, most notably that a significant proportion of his offences were property-related crimes (50 percent of all charges laid), and that he habitually breached court orders (22 percent of all charges laid). As reflected above, his attendance in court after being released on bail was particularly poor, leading to 13 charges for failing to appear as required.

It is also apparent that Rehn continued to re-offend despite his ongoing involvement with the criminal justice system. Between 1994 and 2014—in a span of 20 years, he was charged with offences in every year with the exception of 2010 and 2011. It should be noted that he was incarcerated for approximately two months in 2010 and for the entirety of 2011. Similarly, he was convicted of offences in every year between 1995 and

2013, with the exception of 1996, 2008, and 2012. Again, he was incarcerated for a significant portion of 2012.

Lastly, it is apparent from reviewing Rehn’s prosecution history that, as he continued to re-offend, he continued to receive lengthier sentences of incarceration. It appears that, despite the imposition of successively harsher sentences, he was not deterred in his criminal behaviour.

Bail

1. General Information

When a person charged with a crime is on release in the community until his or her charge is dealt with, we generally refer to the person as being on “bail,” despite the fact that the current version of the *Criminal Code* does not make any reference to “bail.” With the enactment of the *Bail Reform Act*,⁷ bail was renamed “judicial interim release.” However, section 11(e) of the *Canadian Charter of Rights and Freedoms* states that:

*s. 11 Any person charged with an offence has the right...
(e) not to be denied reasonable bail without just cause.*

As a result, the terms “bail” and “judicial interim release” are both used throughout the Report.

The *Criminal Code* governs the procedures available to release an individual charged with a crime from custody, pending the outcome of the case. Police can release an individual by way of a summons, an appearance notice or a Promise to Appear. This generally occurs at the scene of the arrest. A police officer in charge can also release an individual charged with a crime on an undertaking or a recognizance. The undertaking requires the person to promise to abide by conditions of release. The recognizance has a dollar amount attached to it in the form of a pledge or a cash deposit. Should the individual breach any of the conditions of the recognizance, he or she may be required to forfeit all or some of the dollar value of the recognizance.

Should an accused person not be released by a police officer or an officer in charge, then he or she must be taken before a justice of the peace or a judge to address bail. This is accomplished by requiring the police to bring a person charged with a crime before a justice within 24 hours of arrest. Once the person is before a justice (generally this is a justice of the peace or Provincial Court judge), then the *Criminal Code* requires that the person be released without conditions unless the prosecutor shows cause why they should be released with conditions or detained in custody. There are some situations in which the *Criminal Code* places the onus upon accused persons to show cause why they should be released on judicial interim release. For example, where an accused breaches his or her release order, or commits an indictable offence while bound by a release order, then that accused must show cause why he or she should be released.

Section 515 of the *Criminal Code* governs bail hearings, and establishes the grounds on which an accused person may be detained. There are three grounds, which are commonly referred to as the first, second and third grounds.

⁷ S.C. 1971-72-73, c. 37

The first ground refers to whether detention is necessary to ensure the accused's attendance in court. In deciding whether to detain on the first ground, a court will consider an accused's criminal history, their connection to the jurisdiction, the type of offence before the court, and any other evidence that is relevant to the issue of whether the accused is a flight risk.

The second ground refers to whether detention is necessary for the protection or safety of the public. In deciding whether to detain on the second ground, a court will consider whether there is a substantial likelihood that the accused will commit a further offence or interfere with the administration of justice if released.

The third ground refers to whether detention is necessary to maintain confidence in the administration of justice. The *Criminal Code* contains four factors to be considered: 1) the apparent strength of the prosecution's case; 2) the gravity or seriousness of the offence; 3) the circumstances surrounding the offence, including whether a firearm was used; and 4) the potential for a lengthy term of imprisonment if the accused is found guilty.

The pre-trial detention of an accused will only be justified where the prosecutor shows cause on one or more of the grounds in section 515. Where detention is ordered, the justice of the peace or judge must state their reasons for making the order.

Currently in Alberta, when an accused appears before a justice of the peace for the first appearance, a police officer appears on behalf of the Crown. As in the case of Rehn, the police officer will deal with the issue of the accused's bail. The police officer may: consent to release the accused, argue for the accused's detention before the justice of the peace, or ask for the matter to be adjourned into court, where a Crown prosecutor will appear before a Provincial Court judge and speak to bail.

As part of this review, we surveyed provinces and territories across Canada to find out how bail is dealt with in other jurisdictions. Each province and territory addresses bail differently. In some jurisdictions, like in Alberta, police officers have a role in speaking to bail before the justice of the peace. In other jurisdictions, Crown prosecutors speak to bail, whether it is before a justice of the peace or a judge. Sometimes this is done by telephone after normal business hours. In some jurisdictions, a court is convened, staffed by Crown prosecutors, on weekends and statutory holidays to allow accused people to address bail outside of court hours.

Regardless of where a bail hearing is conducted and which parties are participating, the availability of complete, accurate and up-to-date information plays a vital role in the bail process. In order for a Crown prosecutor or a presenting police officer to conduct an effective bail hearing, it is essential that all relevant information related to an accused and their history with the justice system be available in a timely and accessible fashion. Crown prosecutors rely heavily on the efforts of other government departments and law enforcement agencies in ensuring that the necessary material is gathered and provided in order to ground principled decisions in relation to a position on release or detention.

The ACPS works closely with other government departments and law enforcement agencies to implement and improve information sharing processes in order to ensure that accurate, up-to-date information is available to Crown prosecutors for use in bail hearings. In relation to offenders who are responsible for committing a disproportionate amount of crime in our communities, the ACPS is supportive of the work done by the Alberta

Solicitor General's Priority Prolific Offender Program (PPOP)⁸ and the recently announced RCMP Habitual Offender Management (HOM) initiative. Both programs provide invaluable support to the ACPS' goal of creating safer communities by providing vital information about offenders, as well as by working directly with offenders to reduce re-offending behaviour. In particular, offenders in PPOP are flagged to ensure that all government agencies involved in the criminal justice system are aware that the offender has been deemed to be chronic or prolific, and that these agencies have access to a package of current information respecting PPOP offenders for use in, for example, bail hearings. Approximately 80 offenders across the province have been designated by PPOP as being subject to this special scrutiny. As the individuals monitored by PPOP are often active offenders, they require considerable time and significant resources to monitor.

2. Section 524 of the *Criminal Code*

A judge or a justice of the peace may reconsider an accused person's release on bail after he or she is alleged to have committed further crimes. Section 524 of the *Criminal Code* requires the court to cancel the release order of an accused when a judge finds that an accused has contravened or is about to contravene that order, or when the judge has reasonable grounds to believe that the accused has committed an indictable offence while on a judicial interim release (bail). Once the criteria in section 524 are met, the judge has no discretion – the judge must cancel the previously existing release order. The standard of "reasonable grounds" that a judge or justice of the peace must have in order to cancel a bail order is the same standard that a police officer must have in order to charge a person with a crime.

The Crown or the police must trigger the application of section 524 by bringing the previous release orders to the court's attention, arranging to have the paperwork brought into court and make an application to cancel the previous order. The decision to utilize section 524 to apply to cancel previous release orders is left up to Crown prosecutors or police officers who are appearing on bail matters.

Once an existing bail order is cancelled, the accused person is then entitled to a new bail hearing to show cause why his detention in custody is not justified based on the criteria set out in the *Criminal Code*. This means that in appropriate cases, an accused person whose bail has been cancelled or revoked may be released back into the community on bail. The accused would generally be bound by one bail order for all of the charges that he or she faces. This is of benefit to an accused person as it simplifies matters and ensures they are not bound by conflicting conditions of release.

Section 524 also gives police officers the authority to arrest a person without a warrant where the officer believes on reasonable grounds that the person has, or is about to, contravene a release order, or where they have reasonable grounds to believe that the person has committed an indictable offence while bound by a form of release.

The summaries contained in Appendix "A" include Rehn's bail history. A review of that history suggests that section 524 may not have been fully utilized. As detailed previously, at the time that Rehn shot the RCMP officers, he was on bail for a charge of fraud that he was alleged to have committed on October 11, 2013. He then was alleged to have committed more offences in Redwater on December 14, 2013, and then in

⁸ Information about PPOP can be found on the Alberta Justice and Solicitor General website at [Priority Prolific Offender Program](#).

Edmonton on September 3, 2014. He was released on bail on September 4, 2014, by a justice of the peace. At that time, there was no application to cancel his bail pursuant to section 524 of the *Criminal Code*.

3. Rehn's Bail History

Rehn was granted bail pursuant to section 515 of the *Criminal Code* 21 times between 1998 and 2014. On three of these occasions, bail was granted for a second time on the same charges after Rehn was released and subsequently failed to attend in court. Further, on two of these occasions, he was granted bail after previously being ordered detained on the same charges. In addition:

1. Following his release from custody, warrants were issued for Rehn's arrest on 13 different occasions as a result of his failure to appear in court.
2. Between 1998 and 2010, Rehn was ordered detained pursuant to section 515 of the *Criminal Code* on six occasions.
3. Rehn's bail was ordered forfeit⁹ on five occasions between 2000 and 2004.

Due to limitations in the available information, it is impossible to determine how many of the release orders were granted by a justice of the peace, and how many were granted by a Provincial Court judge. Similarly, it is impossible to determine if the majority of the release orders were granted by consent, or if bail was being spoken to by a Crown prosecutor or a presenting police officer.

Where information is available, it can be determined that between 2007 and 2014, the Crown sought Rehn's detention on four separate occasions before a Provincial Court judge. On three of those occasions, Rehn was ordered released on conditions. On the fourth occasion, Rehn was ordered detained.

There is only one apparent use of section 524 of the *Criminal Code* to revoke Rehn's bail, which occurred in February 2010. The application to revoke was brought after Rehn was released on two sets of charges in October 2009, only to subsequently re-offend in December 2009. As a result of the new charges and breaches of his release conditions, Rehn's bail was revoked, and he remained in custody until his matters were concluded in April and October 2010, respectively.

At the time of the shooting, Rehn was bound by bail orders for a number of charges that he faced. The last time he was in custody was after his arrest on September 3, 2014, when his bail was spoken to in respect of two files. As previously noted, he was released on these files by a justice of the peace on September 4, 2014. Following his release from custody, Rehn failed to appear in court as required by those bail orders, resulting in warrants being issued for his arrest. At the time of the shooting, these arrest warrants were outstanding.

⁹ Sections 770 and 771 of the *Criminal Code* govern proceedings when an accused "defaults," or fails to comply with conditions of release. In the case of default, an application can be made for the forfeiture to the Crown of any amounts deposited in order to secure the accused's release.

4. Crown Education respecting Bail

A number of resources and training opportunities are utilized to educate Crown prosecutors regarding bail procedures and processes. The formats used are targeted primarily at junior Crown prosecutors, although existing resources are available to all Crown prosecutors, regardless of experience level.

The Education and Knowledge Management Unit of the ACPS provides an annual week-long training program called New Crown Orientation. During that week, attendees receive training from senior Crown prosecutors, judges and others on a variety of topics. Bail is one of the topics addressed at New Crown Orientation.

Bail has also been taught in the past at a week-long Crown School that is conducted yearly for Crown prosecutors who are in their first three years of practice. Bail will be one of the sessions that will be taught at Crown School 2015.

A comprehensive paper about the law of bail prepared by the Director of Education and Knowledge Management Unit is available to all Crown prosecutors on the ACPS intranet site. The paper is updated yearly, with the most recent update being in July 2014. Other resources about bail are also available to Crown prosecutors on the ACPS intranet site.

5. Crown Policies and Guidelines respecting Bail

There are guidelines for Crown prosecutors respecting their duties regarding bail orders made by the Court.¹⁰ The topic of bail is also addressed in the Domestic Violence Guideline.¹¹ However, there are currently no policies in the *Crown Prosecutors' Manual* that deal strictly with the topic of bail or even more specifically with the factors that would govern the application of section 524.

There are two prosecution services in Alberta: (1) the ACPS which prosecutes *Criminal Code* offences and offences committed contrary to provincial legislation; and (2) the Public Prosecution Service of Canada which prosecutes offences contrary to the *Controlled Drugs and Substances Act*, the *Income Tax Act*, and other federal legislations. Often, offenders are prosecuted by both prosecution services at the same time. Additionally, offenders can move around the province committing offences in different jurisdictions. While Rehn was prosecuted by both prosecution services, it is not clear from the information that is available that there was a failure to communicate between them. However, there are currently no policies or guidelines that ensure effective and timely communication between ACPS offices and between the two prosecution services to ensure coordination of bail proceedings.

File Endorsements and Record-Keeping

Collecting information about the conduct of the files involving Rehn was challenging. In many cases, files were destroyed in accordance with file retention policies. Information was obtained from policing agencies, Justice

¹⁰ See the policy [The Duty of Crown Prosecutors](#) in regard to orders for Judicial Interim Release.

¹¹ See the guideline [Domestic Violence Guideline](#).

Online Information Network (JOIN)¹² and court files where available. Even where there were actual Crown files, information was sometimes difficult to collect. In some cases, Crown prosecutors made little to no notes about what happened in court with a case. In other cases, there was no information recorded about why a charge was withdrawn or stayed. The form, manner and content of any notations on the file were often individualized to the prosecutor making the notations. Forms used by offices often helped to standardize the information recorded, but not always. It was also observed that each Crown prosecutors' office used their own forms and their own way of managing files and the information in files, and there appeared to be little standardization across the province. Because files move amongst staff members, Crown prosecutors, and sometimes between offices, complete and accurate recording of information is necessary to allow for the proper conduct of cases. To be clear, it is not apparent from the review of any of the files that a lack of information recorded on a file had an adverse impact on a prosecution.

It was also observed that with the introduction and development of the Prosecutor Information System Manager program (PRISM¹³) as part of the Court Case Management Program in Alberta¹⁴, the recording of information about the conduct of prosecutions has dramatically improved. A clear record of each court appearance now exists in PRISM, including the preparation of disclosure, and decisions made by Crown prosecutors on files. PRISM can also be used to store correspondence such as emails and the contents of letters, along with instructions given by Crown prosecutors on steps to be taken in court on a file. However, it was observed that the type and manner of information found on PRISM varied depending on the Crown prosecutors' office in which the file was located.

There are currently no ACPS guidelines about the recording of information or the management of files. Further, there are no Law Society of Alberta rules addressing the recording of information and decisions made on files. The Crown Prosecution Service for England and Wales has Casework Quality Standards¹⁵ that set out benchmarks of quality in the delivery of prosecution services. While many of the benchmarks are reflected in the current policies of the ACPS, there are benchmarks around the recording of information that are not currently found in our policies.

Enforcement of Court Orders

As previously noted, Rehn was charged with breaching release orders 34 times. He was also charged with breaching other court orders 12 times. His record reflects that these charges resulted in 12 convictions, 19 were withdrawn, and that 15 of those charges were outstanding at the time of his death. In relation to the breach charges that were withdrawn, it is not always clear from a review of the file why this decision was made. It will generally be in the public interest to proceed with charges related to breaching court orders. Not only is it important that orders of the Court be enforced, but it is also important that an accused's criminal

¹² The Justice Online Information Network (JOIN) system is a province-wide system that provides automated support to Alberta Justice and Solicitor General staff for criminal case tracking, traffic ticket processing, financial court administration, inquiries, witness management, police scheduling and information management.

¹³ PRISM is a file management application available to Alberta Crown Prosecutors. PRISM facilitates file ownership and is an effective tracking tool for file assignments and workload management. PRISM was first introduced in Calgary and Edmonton in 2010, and continues to be successively implemented in other areas of Alberta.

¹⁴ Information about Court Case Management can be found in the report: [Injecting a Sense of Urgency: A New Approach to Delivering Justice in Serious and Violent Criminal Cases](#).

¹⁵ A description of these standards is available at: [Casework Quality Standard](#).

record accurately reflect their ability to abide by conditions of release. An accumulation of these types of charges would also make it more difficult for a repeat offender to be released on any subsequent bail orders.

RECOMMENDATIONS

Based on an assessment of the information gathered during this review, the following recommendations are made:

1. That a comprehensive review of the conduct of bail (judicial interim release) hearings be undertaken. The review should consider:
 - who should conduct bail hearings and in what circumstances;
 - how best to utilize section 524 of the *Criminal Code*;
 - what information should be provided in bail packages prepared by policing agencies and how best to ensure the accuracy and availability of that information;
 - how the PPOP and HOM programs can be utilized effectively to ensure accurate information is available during bail proceedings; and
 - the coordination of bail proceedings between offices of the ACPS and with offices of the Public Prosecution Service of Canada (PPSC), and other areas related to the conduct of bail hearings that are appropriate.

It is recommended that a report be made to the Minister of Justice and Solicitor General with recommendations on the conduct of bail hearings.

2. That, pending the receipt of that report:
 - education be reviewed and developed to ensure that it provides effective guidance to Crown prosecutors on their decisions about bail (judicial interim release), and that the education specifically address the use of section 524 of the *Criminal Code*;
 - ACPS consider implementing or enhancing guidelines respecting the recording of information, and the management of files, including the use of PRISM to better record steps taken in a prosecution and to archive this information; and
 - current education programs respecting decisions to prosecute be reviewed to ensure they address the significant public interest in proceeding with compliance and breach charges where there is a reasonable likelihood of conviction.

APPENDIX A – SUMMARY OF CHARGES

As noted in the following summaries, Rehn was not convicted of some of the offences charged. In those cases, any offence descriptions are allegations only and were never proven to be true. They are included to provide the fullest picture possible of the ACPS's dealings with Rehn. Except as noted otherwise, all charges are pursuant to the *Criminal Code*.

Completed Prosecutions: As of January 17, 2015, Rehn had faced the following prosecutions

File number: 941522160Y1 (Youth Court)

Date: October 19, 1994 (offence date)

Location: Edson

Charges: Assault

Disposition: February 16, 1995 - three months probation

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from the Justice Online Information Network (JOIN).

File number: 950456508Y1 (Youth Court)

Date: March 24, 1995

Location: Stony Plain

Charges: Mischief

Disposition: June 9, 1995 - 25 hours community service work

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 950528058Y1 (Youth Court)

Date: March 25 and 26, 1995

Location: Stony Plain

Charges: Assault (two counts)

Disposition: August 18, 1995 – charges dismissed

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from JOIN and from RCMP files.

A report was made to Spruce Grove RCMP alleging that on March 25, 1995, Rehn threatened to "beat up" another individual. It was further alleged that on the following day, March 26, 1995, Rehn threatened the same individual with a folding knife. No physical contact between Rehn and the complainant was alleged on either occasion.

There is no information with respect to bail available for this matter.

Rehn entered pleas of not guilty, and set a trial date of August 18, 1995. RCMP made efforts to serve the complainant with a subpoena with no success, and as a result, on the day of trial, the charges were dismissed.

File number: 961720157Y1 (Youth Court)

Date: October 13, 1996

Location: Edmonton

Charges: Break-and-enter (two counts)

Disposition: July 3, 1997 – four months secure custody, 12 months probation – varied on appeal
September 16, 1997 – two months secure custody, two months open custody, 12 months probation

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 970256052Y1 (Youth Court)

Date: February 20, 1997

Location: Edmonton

Charges: Break-and-enter

Disposition: July 3, 1997 – four months open custody, 12 months probation – varied on appeal
September 16, 1997 - two months secure custody, two months open custody, 12 months probation

The accused was sentenced on July 3, 1997 to a global disposition on the offences that occurred on both October 13, 1996 and February 20, 1997. The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 980428105Y1 (Youth Court)

Date: March 19, 1998

Location: Edmonton

Charges: Unlawfully in a dwelling house and assaulting a peace officer

Disposition: June 26, 1998 - \$100 fine for each respective conviction

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 980931421Y1 (Youth Court)

Date: June 27, 1998

Location: Calgary

Charges: Possession of stolen property over \$5,000, obstruction of a peace officer

Disposition: August 29, 1998 - seven days open custody followed by one year probation

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 981612913P1

Date: September 9, 1998

Location: Edmonton

Charges: Break-and-enter/theft, possession/use of a stolen credit card (10 counts, withdrawn)

Disposition: April 1, 1999 - 60 days jail, 1 year probation, \$921 restitution for break-and-enter/theft

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from Edmonton Police Service (EPS) files and JOIN.

On September 9, 1998, a residential break and enter occurred in Edmonton. A number of items were stolen from the residence, including several credit cards. Later that day, Rehn was identified as using the stolen credit cards at ten different stores in Edmonton, purchasing merchandise valued at \$921.72. Further unsuccessful attempts were made to purchase merchandise valued at \$868.82.

Rehn was charged with one count of residential break and enter, and ten counts of using a stolen credit card. At the time Rehn was charged, he was in custody at the Edmonton Remand Centre on other charges.

On April 1, 1999, Rehn plead guilty to residential break and enter, and was sentenced to 60 days in jail, one year probation and to pay \$921 restitution. The ten counts of use of a stolen credit card were withdrawn.

File number: 981577991P1

Date: October 21, 1998

Location: Edmonton

Charges: Possession of stolen property under \$5,000 (two counts)

Disposition: December 10, 1998 – withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from EPS files and JOIN.

On October 19, 1998, several residential break and enters occurred in Edmonton. A number of items were stolen from the residences, including a TV, a VCR and a number of pieces of jewellery. On October 21, 1998, a search warrant was executed on an apartment by members of the Edmonton Police Service. During the search, officers located Rehn inside a bedroom in the apartment. Property from the October 19 break and enters was also found in the bedroom. Rehn was subsequently charged with possession of stolen property. On December 10, 1998, both charges were withdrawn.

File number: 990864752P1

Date: June 9, 1999

Location: Edmonton

Charges: Attempted break-and-enter, obstruction of a peace officer and impersonation

Disposition: November 19, 2000 - Ordered to stand trial after a preliminary inquiry. The Crown directed a stay of proceedings on October 4, 2001.

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 991036806P1

Date: July 10, 1999

Location: Edmonton

Charges: Possession of a controlled substance for the purpose of trafficking and possession of property obtained by crime

Disposition: March 1, 2000 – withdrawn

This matter was prosecuted by the Federal Prosecution Service (now called the Public Prosecution Service of Canada). The following information is drawn from EPS files and JOIN.

On July 10, 1999, EPS members received information that Rehn would be involved in a drug transaction later that day. As a result of the information received, a vehicle was stopped in which Rehn was a passenger. Rehn was arrested and searched, and a plastic box containing one piece of cocaine was located in his pants pocket. Rehn was also in possession of \$35 in cash. From the other occupants of the vehicle, police seized a wrapped package containing seven individually bagged packages of cocaine along with \$455 in cash. Rehn was charged with possession of cocaine for the purposes of trafficking and possession of proceeds of crime.

On March 1, 2000, both charges were withdrawn.

File number: 991386037P1

Date: August 4, 1999

Location: Edmonton

Charges: Breach of a Young Offender disposition under the *Young Offenders Act*

Disposition: September 29, 1999 - withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 991227983P1

Date: August 12, 1999

Location: Edmonton

Charges: Failure to attend court on file number 991036806P1

Disposition: March 1, 2000 - withdrawn

This matter was prosecuted by the Federal Prosecution Service (now called the Public Prosecution Service of Canada). The preceding information is drawn from JOIN.

File number: 005586862P1

Date: September 28, 1999

Location: Calgary

Charges: Possession of Stolen Property under \$5,000 (two counts, one count withdrawn)

Disposition: May 14, 2001 – 60 days jail

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from Calgary Police Service Police Information Management System (PIMS), JOIN and endorsements on the Information.

Sometime between September 20 and 24, 1999, the victim's Edmonton home was broken into. On September 28, Rehn attended at Top Dollar Pawn Shop in Calgary, where he pawned a camera that had been stolen in the break-and-enter. He retrieved the camera on September 29. On September 30, the same camera was pawned by a female who retrieved it on October 14. On December 15, the same female pawned the camera and some jewellery at the same pawn shop. The items came to the attention of the police. The victim of the break-and-enter identified the jewellery and camera as belonging to her. The female who pawned the items was interviewed by police and told them that she pawned the items for her boyfriend Shawn Rehn. Rehn was charged with two counts of possession of stolen property. On May 14, 2001, Rehn pled guilty to one of the two counts and was sentenced to 60 days in jail. The second count was withdrawn.

File number: 005586862B1

Date: September 28, 1999

Location: Calgary

Charges: Bail forfeiture application

Disposition: November 14, 2001 - Partial forfeiture granted and writ of enforcement issued.

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 005100243P1

Date: November 15, 1999

Location: Calgary

Charges: Break-and-enter

Disposition: May 14, 2001 – 5 months jail

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from PIMS, JOIN and endorsements on the Information.

On November 15, 1999, Rehn broke into a home in Calgary by forcing a bathroom window at the rear of the house. Once inside, Rehn stole a camera and some jewellery, and left through the back kitchen door. Rehn was identified by fingerprints found in the bedroom.

From a review of JOIN, it appears that a warrant in the first instance was issued for Rehn's arrest on January 21, 2000. The warrant was executed, and Rehn was released on bail on February 1, 2000. On February 18, 2000, Rehn failed to appear in court, and a warrant was issued for his arrest. Rehn was arrested and released on September 3, 2000, and on September 20, 2000, a "warrant to hold" was issued. According to JOIN, on September 21, 2000, the warrant was released, and later on the same day, the warrant was recalled. On September 21, 2000, the conditions of Rehn's bail were changed, and on October 2, 2000, a

bail payment was made, again securing Rehn's release. On January 19, 2001, Rehn again failed to appear in court on this charge, and a warrant was again issued for his arrest. On March 17, 2001, the warrant was executed, and Rehn was denied bail. He remained in custody until entering a guilty plea on May 14, 2001.

File number: 015204129B1

Date: November 15, 1999

Location: Calgary

Charges: Bail forfeiture application

Disposition: September 13, 2000 - Forfeiture granted.

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 005163761P1

Date: January 31, 2000

Location: Calgary

Charges: Theft under \$5000

Disposition: May 14, 2001 - withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from PIMS, JOIN and endorsements on the Information.

On January 31, 2000, Rehn was in a Canadian Tire Store in Calgary. He was allegedly observed by store security to remove auto body filler from a shelf and conceal it in the lid of another container that he had purchased. He left the store through the main doors making no attempt to pay for the concealed merchandise. The value of the stolen merchandise was \$15.49. This charge was withdrawn on May 14, 2001.

File number: 005202056P1

Date: February 4, 2000

Location: Edmonton

Charges: Failure to attend court on file 990864752Q1

Disposition: June 21, 2001- 45 days jail

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from JOIN.

Rehn failed to attend court on February 4, 2000. A warrant for his arrest was issued on February 7, 2000. Rehn was arrested on the warrant on September 3, 2000, and was released on bail on September 4, 2000. He then failed to appear on February 13, 2001, and a warrant was again issued for his arrest. Rehn was arrested on the warrant on June 8, 2001, and on June 21, 2001, he was sentenced to 45 days in jail consecutive to another sentence he was serving at the time.

File number: 005708482P1

Date: February 18, 2000

Location: Calgary

Charges: Breach of probation

Disposition: May 14, 2001 – withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 005276985P1

Date: February 18, 2000

Location: Calgary

Charges: Failure to attend court on file 005100243P1

Disposition: May 14, 2001 – withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 015222969B1

Date: September 3, 2000

Location: Fort McMurray

Charges: Bail forfeiture application

Disposition: January 22, 2001 - Forfeiture granted.

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 006373633P1

Date: September 3, 2000

Location: Fort McMurray

Charges: Obstruction of a peace officer

Disposition: May 14, 2001 – 15 days jail

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from JOIN.

Rehn was released on a recognizance in the amount of \$500 on September 4, 2000. He subsequently waived the charges to Calgary for guilty plea. On May 14, 2001, Rehn pled guilty in Calgary. He was sentenced to 15 days in jail concurrent (i.e., served at the same time) to the sentence being served on 005586862P1.

File number: 006567606P1

Date: September 27, 2000
Location: Fort McMurray
Charges: Failure to attend court on file 006373633P1
Disposition: May 14, 2001 – 15 days jail

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from JOIN.

On May 14, 2001, Rehn pled guilty to this charge in Calgary and was sentenced to 15 days in jail concurrent to the sentence imposed on file 006373633P1.

File number: 016502213P1

Date: January 1, 2001
Location: Evansburg
Charges: Break-and-enter
Disposition: October 22, 2001 – withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 015108921P1

Date: January 19, 2001
Location: Calgary
Charges: Failure to attend court on file 005100243P1
Disposition: May 14, 2001 – 15 days jail

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from JOIN.

Rehn was required to attend court on January 19, 2001, and failed to do so. A warrant in the public interest¹⁶ was issued on January 22, 2001. Rehn first appeared in custody on March 20, 2001 on this matter from the Edmonton Remand Centre. He appeared several more times in custody until May 14, 2001 when he pled guilty to the charge and was sentenced to 15 days in jail concurrent to the sentence on file 6567606P1.

¹⁶ A “public interest warrant” is an arrest warrant issued by a judge in circumstances in which the judge has reasonable and probable grounds to believe a warrant ought to issue even though there is no requirement for the accused to appear in court. Usually the reason for a public interest warrant is that there is an error on the document compelling the accused to appear. As such, while the accused knows about the court appearance, the error in the documents precluded a warrant being issued.

File number: 016088676P1

Date: February 13, 2001

Location: Edmonton

Charges: Failure to attend court on file 990864752Q1

Disposition: June 21, 2001 - 45 days jail

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from JOIN.

Rehn failed to attend court on February 13, 2001. A warrant was issued for his arrest the same day. Rehn was arrested on the warrant on June 8, 2001, and on June 21, 2001 he was sentenced to 45 days jail consecutive to another sentence he was serving at the time.

File number: 016194987P1

Date: March 16, 2001

Location: Evansburg

Charges: Dangerous operation of a motor vehicle (two counts, one count withdrawn), and possession of a weapon for a dangerous purpose (two counts, both withdrawn) and assault

Disposition: April 9, 2001 - six months jail, three-year driving prohibition, \$200 fine

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 016195000P1

Date: March 16, 2001

Location: Evansburg

Charges: Possession of a controlled substance contrary to the *Controlled Drug and Substances Act*

Disposition: June 18, 2001 - Dismissed at trial.

This matter was prosecuted by the Federal Prosecution Service (now called the Public Prosecution Service of Canada). The preceding information is drawn from JOIN.

File number: 990864752B1

Date: January 11, 2002

Location: Edmonton

Charges: Bail forfeiture application

Disposition: March 21, 2002 - Forfeiture granted.

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 021012810P1

Date: July 3, 2002
Location: Stony Plain
Charges: Driving while disqualified
Disposition: September 11, 2007 - \$400 fine

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 021326574P1

Date: July 3, 2002
Location: Stony Plain
Charges: Failure to attend court on file 021012810P1
Disposition: March 4, 2003 – withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File Number: 110905031P1

Date: January 3, 2003
Location: Kitchener, Ontario
Charges: Possession of a prohibited weapon and possession of stolen property under \$5,000
Disposition: August 19, 2011 – three months jail and five-year weapons prohibition

On January 3, 2003, Rehn was operating a motor vehicle in Kitchener, Ontario, when he was stopped by police. It was determined that the Saskatchewan licence plates attached to the vehicle he was driving were stolen. Rehn was also unable to provide valid insurance or ownership documents for the vehicle. Before placing Rehn in the back of the police car, he was asked if he had anything on him. Rehn removed a knife from his pants pocket. The blade of the knife sprang open with minimal pressure to the rear of the knife, making the knife a prohibited weapon. Rehn was arrested and charged with possession of a prohibited weapon and possession of stolen property.

Rehn was released on a recognizance with a cash deposit in Ontario. He waived the charges to Alberta and pled guilty to them on August 19, 2011. He was sentenced to three months concurrent on each count, and concurrent to the sentence he was serving at the time of the guilty plea. Additionally, the knife was forfeited and a five-year weapons prohibition was imposed by the judge pursuant to section 110 of the *Criminal Code*.

File number: 110905080P1

Date: January 20, 2003
Location: Kitchener, Ontario
Charges: Failure to comply with recognizance
Disposition: August 19, 2011 – three months jail

Rehn was released on a recognizance that required him to report to, and be under the supervision of, *Youth in Conflict with the Law*. He failed to report as required. Rehn waived the charges to Alberta and on August 19, 2011, he was sentenced to three months in jail concurrent to other sentences imposed that day to the sentence he was serving.

File number: 110905106P1

Date: January 24, 2003

Location: Waterloo, Ontario

Charges: Failure to attend court on file 110905031P1

Disposition: August 19, 2011 – three month jail

Rehn was released on a recognizance for charges of possession of a prohibited weapon and possession of stolen property. He was to appear in court in Waterloo, Ontario, on January 24, 2003. He failed to appear.

Rehn waived the charges to Alberta and on August 19, 2011, he was sentenced to three months in jail concurrent to other sentences imposed on that date.

File number: 030355242P1

Date: March 26, 2003

Location: Edmonton

Charges: Possession of Stolen Property over \$5,000 (withdrawn), possession of a weapon for a dangerous purpose (withdrawn) and driving while disqualified

Disposition: August 4, 2004 - 60 days jail and credit given for 60 days pre-trial custody

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from EPS files and JOIN.

Between the dates of March 6 and 8, 2003, a residential break and enter occurred in Edmonton. A number of items were stolen from the residence, including coins and hockey cards. On March 26, 2003, Rehn was operating a motor vehicle that was stopped by members of the Edmonton Police Service. Located in the vehicle were a number of items that had been taken from the break and enter. At the time, Rehn was prohibited from driving.

On August 4, 2004, Rehn plead guilty to driving while disqualified and was sentenced to 60 days in jail. He was given credit for 60 days of pre-sentence custody, and was ordered released the same day. The charges of possession of stolen property and possession of a weapon were withdrawn.

File number: 030520860P1

Date: March 31, 2003

Location: Edmonton

Charges: Fail to comply with recognizance

Disposition: August 4, 2004 – withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 030547020P1

Date: May 8, 2003

Location: Edmonton

Charges: Failure to attend court on file 030355242P1

Disposition: August 4, 2004 – withdrawn

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 030569438P1

Date: May 17, 2003

Location: Edmonton

Charges: Assault with a weapon, careless use/storage of a firearm (two counts).

Driving while disqualified (withdrawn), failure to comply with recognizance (two counts, withdrawn), unauthorized possession of a prohibited or restricted weapon (two counts, withdrawn), possession of prohibited or restricted firearm with ammunition (withdrawn) and possession of a stolen weapon (two counts, withdrawn), possession of Stolen Property over \$5,000 (withdrawn).

Disposition: December 15, 2003 - seven months pre-trial custody, one-day jail and weapons prohibition pursuant to section 109 of the *Criminal Code*

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from EPS files and JOIN.

On May 17, 2003, Rehn was engaged in an argument during which he produced a handgun, which he pointed directly at the other individual. Rehn then stated, "I am going to come back with some friends in 20 minutes," at which point he left. He drove away in a 2001 Audi which had been reported stolen from a break and enter that occurred in April 2003. At the time of the incident, Rehn was a disqualified driver. He was also bound by a recognizance prohibiting him from driving. A search warrant was executed at Rehn's residence leading to the recovery of two stolen handguns. Rehn was arrested and taken into custody.

On June 20, 2003, a show cause hearing was held, and Rehn was ordered detained on the first, second and third grounds.

On December 15, 2003, Rehn plead guilty to assault with a weapon and to two counts of careless use/storage of a firearm. The remaining charges were withdrawn. He was sentenced to one day in jail after being given credit for seven months of pre-sentence custody. A weapons prohibition was also imposed.

File number: 030355242B1

Date: June 2, 2003

Location: Edmonton

Charges: Bail forfeiture application

Disposition: March 18, 2004 - Forfeiture granted.

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The preceding information is drawn from JOIN.

File number: 041005638P1

Date: August 20, 2004

Location: Edmonton

Charges: Carry a concealed weapon (meat cleaver) and possession of methamphetamine pursuant to the *Controlled Drug and Substances Act*.

Disposition: April 8, 2005 – charges dismissed

On August 20, 2004, at approximately 1:50 a.m., Rehn was at an Edmonton bar. Two EPS officers entered the premises on routine rounds, and observed Rehn stand up from a table and immediately walk toward the door. The officers thought that Rehn was leaving the licensed premises with alcohol. Rehn showed the officers that he had two unopened bottles of "Mike's Hard Lemonade."

The officers asked Rehn to identify himself, which he refused to do. Rehn was arrested for obstruction, and was searched incident to arrest. During the search, a meat cleaver was located concealed inside his jacket pocket. During a strip search of Rehn conducted at the police station, a small bag containing what was thought to be methamphetamine was located on Rehn.

Rehn was released by the arresting officer on a Promise to Appear with an Undertaking, with a court date of September 24th, 2004.

The Undertaking contained the following conditions:

1. Do not attend the Edmonton bar.
2. To abstain from the consumption of alcohol or non-prescription drugs.

The matter proceeded to trial on April 8, 2005. Both charges against Rehn were dismissed.

Note: At trial, no evidence was called on the drug charge. It appears that the Crown did not have a certificate of analysis for the alleged methamphetamine found on Rehn. Such a certificate is required in order to prove that a substance is a prohibited drug. While it is not known why there was no certificate in this case, there are numerous reasons that the Crown may be unable to rely on the certificate to prove something is a drug prohibited by the *Controlled Drug and Substances Act*. The problems can range from the police failing to send the drugs to the laboratory; the laboratory not processing the drugs in time; a failure to give notice and serve the certificate on the accused; or a failure to ensure that the Crown has a copy of the certificate.

File number: 050417666P1

Date: December 30, 2004

Location: Edmonton

Charges: Break-and-enter/robbery, possession of a weapon for a dangerous purpose, assault with a weapon, unlawful confinement, uttering threats, use of an imitation firearm.

Disposition: October 2, 2006 – discharged at preliminary inquiry

At approximately 2:30 p.m. on December 30, 2004, Rehn allegedly broke open the door of the complainant's residence, and pointed what appeared to be a silver/brass coloured .44 caliber revolver at the complainant's face, threatening to shoot him. Rehn entered and kicked the complainant in the lower back demanding that he give Rehn money. Earlier, the complainant had been at a party with Rehn, and during the party, drugs were consumed. Rehn told the

complainant that the drugs were his, and that he expected the complainant to pay for the drugs he had used. When the complainant told the accused that he did not have any money, Rehn took the complainant's Sony Play Station and games.

Rehn then forced the complainant to retrieve his wallet and vehicle keys. Rehn forced the complainant to get into his vehicle and drive to a nearby bank. On the way to the bank, the complainant provided Rehn with his PIN, and advised him he could access funds in his account. Upon arrival at the bank, Rehn took the complainant's bank card and threatened the complainant to remain until he returned to the vehicle. The complainant waited until Rehn was out of sight, and then drove to the nearby police station and reported the matter.

A warrant was issued on December 31, 2004, for the arrest of Rehn. The warrant was executed on February 26, 2005, and Rehn remained in custody until April 29, 2005, at which time he was released on a recognizance with \$1,000 cash deposit and the following conditions:

1. Keep the peace and be of good behaviour.
2. Attend before the court when required to do so.
3. No contact with complainant.
4. Not to go within a five block radius of the complainant's residence.
5. Report to probation on a weekly basis.

It is not clear whether the Crown prosecutor opposed release.

Rehn was discharged at the preliminary inquiry of this matter on October 2, 2006. The complainant in this matter did not attend court on that day and, despite attempts to locate and serve the complainant, according to JOIN he was never served with a subpoena. The matter was peremptory on the Crown, meaning that the Crown had to proceed on that day.

The matter had previously been set for preliminary inquiry on February 9, 2006. On that date, the Crown requested an adjournment because one of the required police officers was undergoing surgery. The adjournment request was granted. The complainant did not appear on that occasion either.

A subpoena had been sent to the RCMP to serve on the complainant on February 8, 2006. Previous attempts had been made to serve the complainant at an address in Edmonton, but this was unsuccessful as the complainant had moved outside of Edmonton. The affidavit outlining this fact was sworn on January 24, 2006. The subpoena was sent to the RCMP on a rush basis as the preliminary inquiry was set for February 9, 2006. It also appears that Witness Central (the unit of the Crown prosecutors' office responsible for issuing subpoenas) in Edmonton spoke with a relative of the complainant who indicated that the complainant would be present in court the following day. There is a subpoena on the file for the complainant for the October 2, 2006 date. The affidavit of service is unsigned. There are no notations on the file about attempts to serve the subpoena on the complainant.

File number: 050238377P1

Date: February 26, 2005

Location: Calgary

Charges: Possession of stolen property over \$5,000 and possession of a break-in instrument (withdrawn)

Disposition: April 13, 2005 – one day jail (47 days pre-sentence custody)

The Crown prosecution file in this matter has been destroyed in accordance with file retention policies. The following information is drawn from PIMS, JOIN and endorsements on the information.

Sometime between 5:00 p.m. and 9:30 p.m. on February 26, 2005, a truck and car were stolen from the owner's home. The home was broken into and the keys for both vehicles were taken. Entry to the home was gained by kicking a hole in the front door. Other items stolen in the home included a couch, electronics, a wedding ring, passports and other identification with a total approximate value of \$35,000.

On February 28, 2005, police were notified that the stolen car had been in front of a house with the engine running for over three hours. Police attended and found Rehn sitting in the driver's seat asleep. Other items that appeared to be stolen were found in the car, along with a bent flathead screwdriver. Police also found a CO₂ BB Gun.

On April 13, 2005, Rehn pled guilty to possession of stolen property over \$5,000. The charge of possession of a break-in instrument was withdrawn. Rehn had served 47 days of pretrial custody as of the date of his guilty plea. He was sentenced to one day in jail.

File number: 110107976P1

Date: June 24, 2005

Location: Edmonton

Charges: Break-and-enter and theft under \$5,000

Disposition: June 6, 2011 – two years jail, DNA sample

On June 24, 2005, the victims left on holidays and secured their home prior to departure. Sometime between June 24 and 25, someone entered the home by a rear basement window. He or she loaded a car found in the garage with property from the home, but were apparently unable to start the car and all those items were recovered. The intruder left the residence with a duffle bag filled with items from the house including jewellery, watches and various pieces of crystal. Total value of the items stolen was approximately \$4,600. During their investigation, police found a cigarette butt inside the home. The cigarette butt was submitted to the National DNA Data Bank and came back as a match to Rehn. At the time of the match, Rehn was an inmate at Drumheller Institution serving a sentence for possession of a prohibited weapon, possession of a weapon contrary to a court order, possession of stolen property, escape from lawful custody and breach of recognizance conditions.

Rehn first appeared on these charges on January 27, 2011, and on June 6, 2011, Rehn plead guilty to the charge of break-and-enter. He was sentenced to two years jail concurrent to the sentence he was serving. The theft under charge was withdrawn. He was also ordered to provide a DNA sample.

Rehn was an inmate at Drumheller Institution, and so a judge's order was obtained to transfer Rehn to Edmonton to allow him to plead guilty to the charges. Rehn had applied to waive the charges to Drumheller for guilty plea, but the Crown did not agree to the waiver, so Rehn was returned to Edmonton to appear before the court there.

File number: 050881481P1

Date: July 12, 2005

Location: Edmonton

Charges: Possession of stolen property over \$5,000 (motor vehicle), possession of stolen property under \$5,000 (licence plate) (withdrawn) and drive while disqualified.

Disposition: March 27, 2006 – one day jail (five months pre-sentence custody)

On July 12, 2005, Rehn was driving a stolen car, which was bearing a stolen licence plate. At the time, Rehn's driver's licence was suspended. EPS stopped the vehicle and Rehn was arrested.

Rehn was initially released on a Promise to Appear with an Undertaking, with a first appearance date of August 30, 2005. On August 30, Rehn did not appear in court, and a warrant was issued, to be held until September 13, 2005. On September 13, 2005, Rehn did not appear, and the warrant was released.

On January 13, 2006, the accused was arrested in Calgary for a number of new offences, at which time the warrant was executed. Rehn's Undertaking was cancelled and he was remanded in custody pending a bail hearing. On February 16, 2006, a bail hearing was held during which the Crown opposed release. The accused was ordered detained on the second (i.e., risk of reoffending) and third (i.e., administration of justice) grounds of section 515 of the *Criminal Code*.

On March 27, 2006, Rehn pled guilty to possession of stolen property over \$5,000 and driving while disqualified. The charge of possession of the stolen licence plate was withdrawn. On the charge of possession of the stolen vehicle, Rehn was sentenced to one day in jail in addition to five months of pre-trial custody for which he received 2:1 credit. On the charge of driving while disqualified, he was sentenced to 30 days in jail and given an 18-month driving prohibition.

File number: 051077154P1

Date: August 30, 2005

Location: Edmonton

Charges: Failure to attend court on file 050881481P1

Disposition: March 27, 2006 - withdrawn

Rehn was released on a Promise to Appear on file 050881481P1 with a first appearance date of August 30, 2005. On that day he failed to appear in court, and a warrant was issued for his arrest. Rehn was arrested on January 13, 2006, and on February 16, 2006, he was ordered detained. On March 27, 2006, this charge was withdrawn.

File number: 051217313P1

Date: September 9, 2005

Location: Calgary

Charges: Fail to comply with recognizance

Disposition: March 15, 2006 - withdrawn

On April 30, 2005, Rehn was released on bail on file 050417669P1. One of the conditions of that release order was that Rehn report to probation at least weekly. Rehn failed to report between the dates of September 9 and October 13, 2005.

An arrest warrant was issued on October 17, 2005, and Rehn was arrested on January 13, 2006. Bail was never spoken to, and the charges were withdrawn on March 15, 2006.

File number: 060252582P1

Date: January 4, 2006

Location: Calgary

Charges: Possession of stolen property under \$5,000 and possession of stolen property over \$5,000 (total of 47 counts) (31 counts withdrawn)

Disposition: March 15, 2006 – two years jail (two months pre-sentence custody)

The following information is drawn from PIMS and JOIN. All of these matters arise as a result of a large investigation into break-and-enters and car prowling that occurred in Calgary. Police obtained information about the suspected culprits of these crimes and the location of the stolen property. Police obtained a warrant to search a residence in northwest Calgary where Rehn lived with a roommate. On January 4, 2006, police executed this warrant and located a large amount of stolen property. Further investigation led police to the home of Rehn's girlfriend's grandmother, where more stolen property was given to the police by the occupants. Police could not find Rehn at the time the search warrant was executed, and so they applied for a warrant for his arrest. Rehn was arrested on January 13, 2006.

Upon his arrest, Rehn provided police with a statement. He admitted that he lived in the residence in which all the stolen property was found. He told police that he was using up to half an ounce of methamphetamine per week.

On March 15, 2006, Rehn plead guilty to 16 counts of possession of stolen property and was sentenced to two years in jail on each of the charges, to be served concurrently. Rehn spent two months in pre-trial custody before pleading guilty.

File number: 060055316P1

Date: January 4 and 13, 2006

Location: Calgary

Charges: Carry a concealed weapon, unauthorized possession of a weapon, possession of a weapon contrary to order and possession of stolen property under \$5,000

Disposition: March 15, 2006 - withdrawn

On December 19, 2005, an unknown male entered the rear office of the Bootlegger store located in the West Edmonton Mall, and removed a Telus cell phone from the personal belongings of one of the employees. On January 4, 2006, officers with the Calgary Police Service executed a search warrant at Rehn's home. The stolen cell phone was located and seized as evidence during the search.

On January 13, 2006, Rehn was arrested. On December 15, 2003, Rehn had been prohibited from the possession of a variety of weapons for ten years. When arrested on January 13, 2006, Rehn had a 3-inch switchblade in his front right pocket. At the time of his arrest, Rehn had warrants outstanding from Calgary and Edmonton for a variety of charges.

Rehn remained in custody on the charges after arrest. There are no notes on the file regarding any application for bail by Rehn.

On March 15, 2006, the charges against Rehn were withdrawn.

File number: 071305890P1

Date: October 17, 2007

Location: Calgary

Charges: Theft under \$5,000

Disposition: November 8, 2007 – one day jail (21 days pre-sentence custody)

On October 17, 2007, at approximately 5:00 p.m., two young males entered a shoe repair store in northwest Calgary. Staff observed one of the men emerge from an aisle with a large object concealed in his jacket. Both men fled on foot, pursued by store staff. The staff member caught one of the men, and brought him back to the store and called police. That person had no merchandise in his possession and agreed to provide a statement against the second person, Rehn. Missing from the store was two pairs of Harley Davidson boots valued at \$333.90. Later that day, police arrested Rehn for theft under \$5,000.00. Rehn took police to his home where they recovered one pair of Harley Davidson leather boots. Rehn told police the other person who entered the store with him stole the boots.

The Crown opposed Rehn's release at a bail hearing before a Provincial Court judge. He was released on a recognizance with \$500 cash deposit and conditions. It appears that he was unable to meet the cash requirement in order to secure his release. At this time, there was a warrant outstanding for the arrest of Rehn issued by the Calgary Urban Parole office.

Rehn pled guilty to this charge on November 8, 2007. On that day, he had 21 days of pre-trial custody. He was given credit for 42 days in custody and was sentenced to one day in jail, with no warrant of committal.

File number: 080960743P1

Dates: July 19, 2008

Location: Edmonton

Charges: Assault

Disposition: March 12, 2009 - withdrawn

On July 19, 2008, at approximately 9:25 a.m., EPS members were called in response to an apparent domestic dispute. Upon arrival, officers spoke with an individual identified as Rehn's girlfriend. She reported that earlier in the morning, she had awoken to find that Rehn had consumed a bottle of scotch whiskey that she had purchased for her father's birthday, valued at approximately \$70. She had asked Rehn to replace the bottle, using \$100 that he had in his pants pocket. Rehn refused, stating that it was his last \$100.

Rehn's girlfriend then picked up his pants from the floor and took the money out of his pocket. She proceeded toward the front door, intending to leave the residence to purchase a new bottle of scotch. Rehn pursued her to the front door, and pinned her against the closed door. He then grabbed her wrist and began squeezing it until she let go of the money. While grabbing her wrist, Rehn shouted, "I'm done!" and "That's my money!" After obtaining the money, Rehn got dressed and left the residence.

Police were unable to locate Rehn on that day. The following day, Rehn's girlfriend recanted her earlier version of events, and indicated that she did not want to proceed with charges against Rehn. The police obtained a warrant for Rehn's arrest.

Rehn was arrested on the outstanding warrant on November 1, 2008, and was released on November 2, 2008, on a recognizance, with \$400 cash bail, and the following conditions:

1. Keep the peace and be of good behaviour.
2. Abstain from possession or consumption of alcohol or non-prescription drugs.

It appears that this order was imposed by a justice of the peace. There is no indication of whether it was a contested bail hearing, or a consent release.

On March 12, 2009, the charge was withdrawn.

Observations: This file has a very clear endorsement explaining why the charge was withdrawn and why the prosecutor believed that there was no reasonable likelihood of conviction.

File number: 081621153P1

Date: December 24, 2008

Location: Edmonton

Charges: Possession of Stolen Property Under \$5,000 (withdrawn), Breach of recognizance (two counts, one count withdrawn).

Disposition: August 14, 2009 - \$200 fine

At approximately 12:50 p.m. on December 24, 2008, an EPS member observed Rehn operating a motor vehicle in Edmonton. The EPS member checked the licence plate on the Canadian Police Information Centre's database (CPIC), which returned information that the plate had been reported stolen. A traffic stop was conducted, and Rehn was placed under arrest for possession of stolen property. The EPS member could smell the odour of marijuana inside the vehicle, and a marijuana pipe was located under the driver's seat. Rehn stated to the EPS member that he had smoked marijuana earlier in the day. It was determined that Rehn was bound by conditions of a recognizance (see file 080960743P1), including conditions to keep the peace and be of good behaviour, as well as to abstain from the possession or consumption of alcohol and non-prescription drugs.

Rehn was released on a recognizance, \$1,000 cash deposit, with the following conditions:

1. Keep the peace and be of good behaviour.
2. Abstain from use or possession of alcohol or non-prescription drugs.

3. Not to be in any motor vehicle unless you have valid insurance registered and the proper plate and a plate affixed to the car and the written dated permission of the registered owner.
4. Report to adult probation within five business days of release and thereafter as directed.

This was a consent release before a justice of the peace with an EPS officer acting as prosecutor.

On August 14, 2009, Rehn pled guilty to breaching his recognizance and was fined \$200. The charges of possessing stolen property and the other breach of recognizance were withdrawn.

Observations: Rehn was already on a form of release at the time of this incident. He was bound by a Recognizance dating from November 17, 2008, and was charged with breaching the only two conditions found on that Recognizance. Further, Rehn was wanted on an outstanding warrant for possession of a prohibited weapon originating in Waterloo, Ontario. The provisions of section 524 of the *Criminal Code* authorizing bail revocation were not invoked in this case.

File number: 090126368P1

Date: January 29, 2009

Location: Edmonton

Charges: Failure to attend court on file 081621153P1

Disposition: February 27, 2009 - withdrawn

This charge was issued when the accused failed to appear on January 29, 2009. However, a review of file 081621153P1 contains a letter from defence counsel, indicating that Legal Aid had provided the wrong information when appointing counsel. As a result, counsel appeared at 2:00 p.m. on January 29, despite the correct scheduled appearance time being 9:30 a.m. Consequently, this file was brought forward to February 27, 2009 and withdrawn, as the failure to appear was not the fault of the accused.

File number: 091149807P1

Date: September 8, 2009

Location: Edmonton

Charges: Assault with a weapon.

Disposition: April 20, 2010 – charge dismissed

At approximately 9:00 a.m. on September 8, 2009, Rehn was sleeping when his girlfriend entered the room looking for an item. Rehn jumped out of bed, forcefully pushing her against the bedroom wall, while shouting, "Get out or I will hurt you!" Rehn continued to push and shout at the complainant as she left the bedroom. The complainant left the residence where she obtained a crow bar, and threatened to smash Rehn's truck. Rehn obtained a metal spatula from the kitchen and struck his girlfriend twice on the left shoulder. The spatula broke the second time that he struck her with it. She left the scene and reported the assault to the police.

Rehn made a first appearance on these charges on September 17, 2009. He appeared several times in custody until October 1, 2009, at which time he was ordered released on a recognizance with \$500 cash deposit, and the following conditions:

1. Keep the peace and be of good behaviour.
2. Report in person to a supervisor within two working days of release, and thereafter as directed. Reside where approved by supervisor.
3. Notify court or supervisor of change of name, address or employment/occupation.
4. Reside at a specific address.
5. Attend for assessment and counselling as directed, including for domestic violence, and provide proof of completion to supervisor.
6. Sign releases or waivers as required.

There is no indication as to whether this was a consent release or a contested hearing.

On February 25, 2010, Rehn's bail was revoked under section 524 of the *Criminal Code* as the result of new charges arising on December 24, 2009 (see file 091576140P1 below).

There are handwritten notes on the file by an unknown author that suggest that the complainant no longer wanted to participate in the prosecution of this matter. On April 20, 2010, the complainant failed to show for trial and the Crown called no evidence. The charge was dismissed.

File number: 091149773P1

Date: September 8, 2009

Location: Edmonton

Charges: Possession of stolen property over \$5,000, careless use of a firearm; unauthorized possession of prohibited or restricted weapon, possession of a firearm knowing its possession was unauthorized, possession of a prohibited or restricted firearm with ammunition, possession of a weapon contrary to order, and careless use of a firearm

Disposition: October 26, 2010 – three years jail (possession of prohibited weapon), 1.5 years jail consecutive (possession of weapon contrary to order), DNA order, lifetime weapons prohibition (one year pre-sentence custody)

These matters are related to file 091149807P1. When Rehn's girlfriend reported the assault to the police she also told them that he had a sawed-off shotgun in his residence, as well as two stolen handguns and a stolen vehicle. Police obtained a search warrant and located a loaded shotgun and a stolen vehicle. The firearm was found under Rehn's bed in an unlocked case. The home in question was rented by Rehn and had two bedrooms. There was another individual living in the second bedroom. The roommate was detained by police as he left the home prior to the search warrant being granted.

On October 21, 2009, a bail hearing was conducted before a Provincial Court judge. The Crown opposed Rehn's release on all three grounds under section 515 of the *Criminal Code*. At the time of the bail hearing, Rehn had 46 previous convictions in the last 14 years and was bound by an order prohibiting him from having weapons. He had forfeited his bail on four previous occasions.

Rehn was released on a recognizance with a \$3,000 cash deposit. He was bound by the following conditions:

1. Keep the peace and be of good behaviour.
2. Report as required.

3. Not to change name, address or employment without notifying the bail supervisor.
4. Remain in the province of Alberta.
5. Reside at an approved address.
6. Seek or maintain employment.
7. Sign a waiver for proper supervision by bail supervisor.
8. Agree to permit the police to search his residence at any reasonable time for the purpose of locating firearms.

The matter was adjourned several times to allow the Crown to prepare disclosure. On January 8, 2010, when the matter was again in court the Crown learned that Rehn had been arrested on new charges (file 091576140P1). The Crown asked the court to cancel Rehn's release on these charges pursuant to section 524 of the *Criminal Code*. The matter was adjourned several times for the Crown's application for bail revocation. In the interim, the matter was set for trial for October 26-27, 2010. On February 25, 2010, defence counsel consented to the revocation of Rehn's bail on this file and on file 091149807P1.

On the day of the trial, all witnesses were present and prepared to testify. After his lawyer spoke to one of the civilian witnesses, Rehn decided to plead guilty. Rehn was sentenced as follows:

1. Count 5 (possession of a restricted/ prohibited weapon with ammunition): three years jail.
2. Count 6 (possession of a weapon contrary to order): 1.5 years jail consecutive to the three year jail sentence.

Rehn also pled guilty to the charges in file 091576140P1.

His total sentence was five years in jail. He received credit for two years of pre-trial custody (one year at 2:1 credit).

The Court also granted a DNA order and a mandatory weapons prohibition order pursuant to sections 109(3) of the *Criminal Code*.

File number: 091576140P1
Date: December 24, 2009
Location: Edmonton
Charges: Impaired care and control of motor vehicle, failure/refusal to comply with demand to provide sample of bodily substance, assault police officer, escape from lawful custody, possession of a controlled substance, possession of stolen property under \$5000, possession of stolen credit card, possession of break in instrument and failure to comply with recognizance
Disposition: October 26, 2010 – 18 months jail concurrent to file 091149773P1, six months jail consecutive, \$1000 fine, \$500 fine and one year driving prohibition

At approximately 7:53 p.m. on December 24, 2009, EPS members responded to a report of a male slumped over the steering wheel of a parked vehicle. When police arrived, paramedics were already on scene. Paramedics had located Rehn slumped over the steering wheel of a vehicle which was running. They entered the vehicle, and Rehn was startled but cooperative.

Rehn did not smell of alcohol, but was showing signs of "not being right." Rehn was examined in the back of the ambulance, and when he spoke to paramedics, he spoke slowly with slurred speech. He had difficulty remembering his own personal information such as his address.

Police located a large round glass pipe commonly used to smoke methamphetamine in plain view in the car's centre console. One of the members returned to the ambulance and observed that Rehn had small pupils and that his eyes appeared "vacant." Rehn was arrested for impaired care or control of a motor vehicle.

Police escorted Rehn from the ambulance, but when members attempted to place Rehn into handcuffs, he attempted to elbow one of the members, narrowly missing his head. Rehn then broke free from officers, and began to flee on foot. Following a short foot chase, Rehn was taken into custody. Search incident to arrest revealed that Rehn was in possession of a knife, and small amounts of both hash oil and methamphetamine.

Further investigation revealed that both the vehicle Rehn was found in, as well as the licence plate on the vehicle, had been reported as stolen. A search of the vehicle located a number of items of stolen property, including a cell phone, wallet, a brief case, personal identification, a Petro Canada points card, an out of province driver's licence and a harness racing licence. Police also located a number of items suitable for use as break-in instruments, including gloves, vice grips, pliers, screw drivers, a flashlight and a torque bar in the back seat of the vehicle. When Rehn's wallet was searched, a number of stolen credit cards and a stolen bank card were found.

At the time of his arrest, Rehn was bound by recognizances that had been imposed on November 2, 2009, on files 091149807P1 and 091149773P1. Rehn was in breach of a number of the conditions of his outstanding recognizances, including conditions to keep the peace and be of good behaviour, and to abstain from the consumption of intoxicants.

Rehn first appeared in court on December 29, 2009. He made several appearances in custody until February 25, 2010, when he consented to revocation of bail on file 091149773P1. This matter was then adjourned for a bail hearing. On March 5, 2010, the bail hearing was conducted and Rehn was detained on the first (i.e., attend court) and second (i.e., risk of reoffending) grounds of section 515 of the *Criminal Code*. A trial date of December 3, 2010, was set on this matter. On October 26, 2010, Rehn pled guilty to these charges and was sentenced as follows:

1. Counts 7 – 17 (Possession of stolen property): 18 months jail concurrent to the sentence on file 091149773P1.
2. Count 2 (Refuse to provide sample): \$1,000 fine, no time to pay, one year driving prohibition.
3. Count 5 (Possession of cannabis resin): \$500 fine, no time to pay.
4. Count 4 (Escape lawful custody): six months consecutive to counts 7-17.
5. Count 21 (Breach of recognizance): six months consecutive to counts 7-17, but concurrent to count 4.

File number: 091576140U1

Date: July 28, 2010

Location: Edmonton

Charges: QB bail review

Disposition: August 19, 2010 - Application denied.

File number: 091149773B1

Date: December 8, 2010
Location: Edmonton
Charges: Bail forfeiture hearing
Disposition: April 21, 2011 - Bail forfeiture disposed.

File number: 121404743P1

Date: September 16, 2012
Location: Drumheller
Charges: Assault causing bodily harm
Disposition: August 7, 2013 – one day jail (12 days pre-sentence custody)

This offence occurred while Rehn was an inmate at Drumheller Institution. The victim was walking to supper when he was ambushed by three people and hit numerous times. Video surveillance showed Rehn pushing the victim up against a wall. The victim was then punched numerous times by two other inmates. He suffered swelling and bruising, cuts to the face, a black eye, double vision and a swollen collar bone.

A warrant for Rehn's arrest was issued on November 22, 2012. Rehn appeared on August 7, 2013. The Crown proceeded summarily and Rehn pled guilty to assault. Rehn was sentenced to one day in jail with no warrant of committal, after credit for 12 days pre-trial custody.

File number: 130875446P1

Date: July 27, 2013
Location: Edmonton
Charges: Possession of a weapon contrary to order and possession of a weapon for a dangerous purpose
Disposition: June 2, 2014 - withdrawn

On July 27, 2013, Police were called to a McDonald's restaurant in Edmonton for report of a suspicious vehicle as someone was apparently trying to spray paint the licence plate of an orange camper van. On the way to the scene, police discovered that Rehn was the registered owner of the vehicle. When they arrived, police arrested Rehn for outstanding warrants. A warrantless search incident to arrest was conducted. Police found and seized from the vehicle a BB gun and knives. Another person was detained at the scene and was charged with these offences as well.

Prior to trial, Rehn's girlfriend provided a written statement indicating that the weapons found in the camper van were hers, and she had borrowed the van to go camping prior to the police search.

At the time of his arrest, Rehn had an outstanding warrant for assault causing bodily harm from Drumheller. EPS contacted Correctional Service Canada's National Monitoring Centre and advised them of Rehn's offence. The CSC National Monitoring Centre immediately issued a Canada wide warrant for his apprehension, revoking his parole.

On July 30, 2013, Rehn appeared in court by Closed Circuit TV. The Crown elected to proceed summarily on these charges and opposed his release. The matter was adjourned to August 6, 2013. On August 6, Rehn's counsel advised the court that he was seeking disclosure before speaking to bail and the matter was adjourned to August 19, 2013. On August 13, 2013, disclosure was prepared for Rehn's counsel. A supplemental disclosure package was prepared on August 22, 2013. Rehn appeared in court on August 22 and the matter was adjourned to August 26 for bail hearing. On that day, the bail hearing did not proceed.

On September 20, 2013, the Crown consented to Rehn's release. Bail was next spoken to in Queen's Bench where the matter was set for a curfew variation. Defence had a letter regarding the accused's employment. Based on the information in the letter, the Crown did not feel this was a genuine letter and the variation hearing was adjourned.

On June 2, 2014, the Crown was ready to proceed to trial. The trial Crown spoke with the investigating officer who indicated that he had concerns about the legality of the search. Additionally, Rehn's girlfriend was present and prepared to provide the same evidence as in the written statement that she had provided earlier. As a result, the Crown concluded that there was no longer a reasonable likelihood of conviction and did not proceed with the charges.

Ongoing Prosecutions: As of January 17, 2015, Rehn faced the following prosecutions

File number: 131237851P1

Date: October 11, 2013

Location: Fort Saskatchewan

Charges: Fraud over \$5,000 and failure to comply with recognizance (breach of curfew condition and keep the peace and be of good behaviour).

Summary: Between October 11 and 15, 2013, Rehn was alleged to have deposited three empty envelopes into his own Bank of Montreal account. The fraudulent deposit amounts were for \$4,910, \$3,200 and \$3,000 for a total of \$11,110. Approximately \$8,197 was subsequently withdrawn from the account. On these dates, Rehn was bound by a recognizance that required him to be in his home from 9:00 p.m. to 6:00 a.m. One of the "deposits" occurred at 5:02 a.m. on October 13, 2013. Staff at the bank requested that Rehn attend at the bank for a meeting. When he arrived, he was arrested by the EPS. At the time of these offences, Rehn was on parole after being released on October 26, 2012. When he was arrested by police, he did not have his parole release certificate and identity card in his possession, as required. EPS contacted parole authorities who advised that Rehn's parole was being revoked and a warrant was issued for his arrest.

Bail was not spoken to at first instance. Rehn was released on these charges on November 14, 2013, on a recognizance in the amount of \$2,000 cash deposit with eight conditions. The Crown opposed Rehn's release on the second ground of section 515 of the *Criminal Code* (i.e., risk of reoffending), but he was released by the Provincial Court judge after a contested hearing.

This matter was set for trial for November 28, 2014.

The matter was set for judicial interim release application or review on April 2, 2014, but this was adjourned for Rehn to obtain an employment letter. Rehn was seeking to review his curfew condition. The form completed by his counsel indicated that Rehn was working full time in Fort McMurray, and this work required him to work nights.

The matter was brought forward to August 15, 2014, to allow Rehn's lawyer to make application to be removed as counsel of record. Counsel of record was removed and a new counsel went on record as representing Rehn. On August 22, 2014, an agent for Rehn's lawyer confirmed that he was available on the trial date.

On September 18, 2014, the matter was brought forward for "bail revocation." There is no indication what happened on this day and the matter was returned to the trial date of November 28, 2014.

On November 14, 2014, the Crown completed a form to cancel the witnesses for this trial and the matter was brought forward to be spoken to on November 21, 2014, for an application by Rehn's lawyer to be removed as counsel of record. An email in the file indicates that the judge did not allow the lawyer to get off record and the trial date of November 28 remained.

Subpoenas were issued for the trial of this matter, and a *Canada Evidence Act* affidavit for the banking records was completed. On November 28, 2014, Rehn failed to appear for his trial and a warrant for his arrest was issued.

File number: 140903576P1

Date: December 14, 2013

Location: Fort Saskatchewan

Charges: Failure to comply with a recognizance (three counts); possession of a stolen rifle; possession of marijuana; and use of an imitation firearm during flight from an Indictable offence.

Summary: On December 14, 2013, RCMP in Redwater was conducting a checkstop. At 11:08 p.m., a green Jeep Cherokee approached and was stopped by an RCMP officer. The Jeep had four occupants, two men and two women. A second officer approached the passenger side of the vehicle and noticed a rifle between the driver seat and the front passenger seat. The constable grabbed the rifle and started giving directions to the driver. Suddenly, the driver started driving away from the police officers, almost running them over. Police pursued the Jeep and observed a man jump out of the back of the vehicle and run away. As he was running, the male threw a baseball cap, a pellet gun, a pouch and some marijuana away. Police pursued the male, but lost track of him. Officers seized the items and determined that the pellet gun was stolen. The baseball cap was sent to the laboratory for possible DNA analysis. DNA was found on the cap and was found to match a known sample from Rehn. Police then obtained a DNA warrant in order to obtain a blood sample from Rehn.

Rehn was arrested and was cooperative in providing a blood sample. The DNA from that sample matched the DNA found in the baseball cap.

On December 14, 2013, Rehn was bound by a recognizance that included conditions that he keep the peace and be of good behaviour, that he obey a curfew from 9:00 p.m. to 6:00 a.m., and that he not be in possession of any firearm or other weapons.

Police contacted Rehn's probation officer in an attempt to find him in order to arrest him. That same day Rehn's lawyer contacted police asking why they needed to see his client. Police explained the charges to Rehn's lawyer and advised him that if Rehn did not attend the

Redwater RCMP detachment, police would request warrants for his arrest. The lawyer said Rehn would attend the detachment on Friday August 8, 2014. Rehn called on that day and said he was unable to attend the office. Police obtained a warrant for Rehn's arrest. Rehn was arrested in Edmonton on file 141013185P1 and was released on September 4, 2014, on these charges by the justice of the peace with a cash deposit and conditions with the consent of the EPS presenting officer.

The matter was adjourned to September 25, 2014. Rehn was not present in court, but his lawyer appeared for him. A warrant to hold was issued, and the matter was adjourned to October 23, 2014. On that day, Rehn was again not present, and the matter was adjourned to November 13, 2014. On November 13, 2014, Rehn did not appear, and the warrant was released. Rehn was never arrested on the warrant, and the matter was brought back into court at the request of the Crown on January 22, 2015, at which time the charges were withdrawn.

File number: 141013185P1

Date: September 3, 2014

Location: Edmonton

Charges: Possession of prohibited weapon knowing its possession is prohibited; Escape lawful custody, possession of stolen property under \$5,000; Possession of controlled substance; possession of break-in instruments; possession of weapon contrary to order; and fail to comply with recognizance.

Summary: On September 3, 2014, a male whose motorcycle had earlier been stolen found the bike parked at a Walmart in Edmonton. While the owner was on the telephone with police providing them with information, he saw a male wearing a motor bike jacket and helmet return to the bike and drive away. Police arrived and found Rehn and the bike parked a short distance away. The officer activated his emergency equipment and attempted to place Rehn under arrest. Rehn was able to start the bike in an attempt to flee, but then fell to his side while the officer was holding onto him. Rehn and the officer struggled and he was able to escape the officer's grip and run away from the scene, despite the officer telling him multiple times that he was under arrest.

After a short foot pursuit, another EPS officer arrived on scene in a vehicle and was able to cut Rehn off, allowing the original officer to tackle Rehn and place him in hand cuffs. Rehn was carrying a shoulder bag around his neck.

Police searched Rehn incident to the arrest, and found a spring loaded four-inch black folding knife inside his front jean pocket. They also found a small amount of what was believed to be methamphetamine and marijuana in his left jacket pocket. Police also found a screw driver and two sets of motor cycle keys inside the bag Rehn was carrying. The owner of this motor cycle was still in possession of the keys for it. Later inspection of the motorcycle revealed that the ignition had been damaged in order to start it.

A check of police computer systems indicated that Rehn was a provincially suspended driver and wanted on seven warrants out of Redwater. At the time of these offences, Rehn was bound by a recognizance for file 130875446P1 dated September 20, 2013. As a result of the outstanding warrants, Redwater police were advised of Rehn's arrest and asked that Rehn attend court for a bail hearing, and that his release be opposed.

Rehn was released by the justice of the peace on these charges and the charges from Redwater on September 4, 2014. On both sets of charges, he was released on a recognizance with a cash deposit and conditions with the consent of the EPS presenting officer.

The matter was in court on September 18, 2014. The Crown elected to proceed summarily. The matter was adjourned to October 2, 2014, at the Case Management Office. On October 2, 2014, the matter was moved into court. Rehn was not present, but his lawyer was. His lawyer indicated that he was trying to be retained by Rehn, and the matter was adjourned to October 30, 2014, to allow for that to occur. Rehn was ordered to attend in person unless a designation of counsel was filed. On October 30, Rehn was again not present in court, and yet the matter was again adjourned because his lawyer said he was trying to be retained, and a warrant was not issued for Rehn's arrest. His lawyer indicated that Rehn was working out of town and he needed more time to speak with him about the matter, but that he had been in touch with Rehn and had a designation¹⁷ signed. His lawyer was not prepared to file the designation. The matter was adjourned to November 12, 2014. On November 12, Rehn did not appear in court, his lawyer got off the record, and a warrant was issued for Rehn's arrest. The warrant was outstanding at the time of his death.

File number: 150014215P1

Date: October 28, 2014

Location: Edmonton

Charges: Fail to stop for police officer; Dangerous driving; driving while disqualified; breach of recognizance x 4; drive without insurance (*Traffic Safety Act*), drive with unauthorized licence plates (*Traffic Safety Act*)

Summary: On October 28, 2014, police observed a minivan driving on Stony Plain Road in Edmonton. Police were driving in the opposite direction to the vehicle and had an opportunity to see the driver. They queried the minivan's licence plate and learned that the plate was not registered to any vehicle. The owner of the plate was Rehn. Police turned around to stop the minivan. It was stopped at a red light. Before police could activate their emergency equipment, the minivan went through the red light narrowly missing vehicles traveling in the opposite direction. Police tried to stop the minivan, but it accelerated rapidly away from police, making several unsignalled lane changes and sharp turns. Police did not pursue the minivan for public safety reasons. Police obtained a photograph of Rehn from the police computer system and confirmed that he was the person driving the minivan.

At the time of this offence, Rehn was bound by two recognizances that required him to live at an approved address and comply with a curfew from 10:00 p.m. to 6:00 a.m. He was also prohibited from being found in a motor vehicle without the presence of, or written permission from, the registered owner.

On October 29, police attempted to locate Rehn at his approved address after 10:00 p.m. They were told by Rehn's mother that he no longer lived there. Rehn's probation officer told police that Rehn did not have permission to live elsewhere. On November 27, Rehn's girlfriend told the police that Rehn was living with her, but was not home. On January 6, 2015, a warrant was issued for his arrest. The warrant was outstanding at the time of his death.

¹⁷ A "designation" refers to a form by which an accused's lawyer is authorized (i.e., designated) to appear in court on behalf of his client. The client does not have to personally appear in court. This is authorized by section 650.01 of the *Criminal Code of Canada*.

File number: 141314500P1

Date: November 12, 2014

Location: Edmonton

Charges: Failure to attend court on file 141013185P1

Summary: Rehn failed to attend court as required on November 12, 2014. A warrant was issued for his arrest, and was outstanding at the time of his death.

File number: 141387456P1

Date: November 28, 2014

Location: Edmonton

Charges: Failure to attend court on file 131237851P1

Summary: Rehn failed to attend court for a scheduled trial on November 28, 2014. A warrant was issued for his arrest, and was outstanding at the time of his death.

APPENDIX B – SUMMARY OF CHARGES AND CONVICTIONS BY CATEGORY OF OFFENCE

Legend	Outstanding charges at the time of death	Convictions	Stayed/Withdrawn/Dismissed	Charges under the YCJA or the YOA		
Offences against Administration of Justice	Property Offences	Violent Offences	Compliance/Breach Offences	Weapon Offences	Driving Offences	Drug Offences
Obstruct peace officer	Mischief	Assault (dismissed)	Breach of a Young Offender disposition	Possession of a weapon for a dangerous purpose (2 Counts)	Impaired driving	Possession of a controlled substance for the purpose of trafficking
Obstruct peace officer	Break and enter/Theft (2 Counts)	Assault with a weapon (dismissed)	Failure to appear in court	Possession of prohibited or restricted firearm with ammunition	Dangerous driving	Possession of a controlled substance
Impersonation	Break and enter/Theft	Assault	Failure to appear in court	Unauthorized possession of prohibited or restricted weapon (2 Counts)	Dangerous driving	Possession of a controlled substance
Obstruct peace officer	Unlawfully in a dwelling house	Assault peace officer	Breach of probation	Possession of a stolen weapon (2 Counts)	Failure/refusal to comply with breath/blood demand	Possession of a controlled substance
Escape from lawful custody	Possession of stolen property over \$5000	Assault with a weapon	Failure to appear in court	Possession of a weapon for a dangerous purpose	Failure to stop vehicle/evading peace officer	Possession of a controlled substance
Obstruct peace officer	Possession of stolen property under \$5000 (2 Counts)	Forcible confinement	Driving while disqualified	Carrying a concealed weapon	Dangerous driving	Possession of a controlled substance
Escape lawful custody	Possession/use of stolen credit card (10 Counts)	Uttering threats	Failure to comply with recognizance (2 Counts)	Carrying a concealed weapon		Possession of controlled substance
	Possession of property obtained by crime	Assault	Failure to appear in court	Unauthorized possession of a firearm		
	Attempted break and enter	Assault with a weapon	Failure to comply with recognizance	Possession of a weapon for a dangerous purpose		
	Theft under \$5000	Assault peace officer	Failure to comply with recognizance	Use of imitation firearm in the commission of an offence		
	Possession of stolen property under \$5000	Assault	Failure to appear in court	Careless use of a firearm		
	Break and enter/Theft	Assault with a weapon	Possession of a weapon contrary to court order	Unauthorized possession of prohibited or restricted weapon		
	Possession of stolen property over \$5000	Assault	Failure to appear in court	Possession of a firearm knowing its possession is unauthorized		
	Possession of stolen property over \$5000		Failure to comply with recognizance	Possession of a weapon for a dangerous purpose		
	Possession of break-in instruments		Failure to comply with recognizance (2 Counts)	Careless use of a firearm		
	Possession of stolen property under \$5000 (27 Counts)		Possession of a weapon contrary to court order	Careless use of a firearm (2 Counts)		
	Possession of stolen property over \$5000 (4 Counts)		Possession of weapon contrary to court order	Possession of a prohibited or restricted firearm with ammunition		
	Possession of stolen property under \$5000		Failure to appear in court	Unauthorized possession of prohibited or restricted weapon		
	Possession of stolen property under \$5000		Failure to appear in court	Use of imitation firearm during flight		
	Break and enter/Robbery		Failure to appear in court	Possession of prohibited weapon knowing its possession is unauthorized		
	Possession of stolen property under \$5000		Failure to appear in court			
	Possession of break-in instruments		Driving while disqualified			
	Possession of stolen property over \$5000		Driving while disqualified			
	Theft under \$5000		Driving while disqualified			
	Break and enter/Theft		Failure to comply with recognizance			
	Break and enter/Theft		Possession of a weapon contrary to court order			
	Possession of stolen property under \$5000		Failure to comply with recognizance			
	Possession of stolen property over \$5000		Failure to comply with recognizance			
	Possession of stolen property under \$5000 (16 Counts)		Failure to appear in court			
	Possession of stolen property over \$5000		Failure to comply with recognizance (2 Counts)			
	Theft under \$5000		Failure to comply with recognizance (3 Counts)			
	Possession of stolen property under \$5000 (2 Counts)		Possession of weapon contrary to court order			
	Possession of stolen credit card		Failure to comply with recognizance (2 Counts)			
	Possession of stolen property under \$5000 (8 Counts)		Failure to appear in court			
	Break and enter/Theft		Failure to appear in court			
	Possession of stolen property under \$5000		Failure to comply with recognizance (4 Counts)			
	Fraud over \$5000		Operating motor vehicle while disqualified			
	Possession of stolen property					
	Possession of stolen property under \$5000					
	Possession of break-in instruments					

APPENDIX C – OUTLINE OF COMPLIANCE WITH RELEASE ORDERS

<u>Legend</u>				
Outstanding charges at the time of death				
Convictions				
Info.	CC	Offence Date	Further Breach	Sentenced
140903576P1	145(3)x3	December 14, 2013	November 13, 2014- Warrant released	
150014215P1	145(3)x4	October 28, 2014		
131237851P1	145(3)x2	October 15, 2013	November 28, 2014 - Warrant for arrest	
141387456P1	145(2)(a)	November 28, 2014		
141013185P1	145(3)x2	September 3, 2014	November 12, 2014- Warrant released	
141314500P1		November 12, 2014		
110905080P1	145(3)	January 20, 2003		August 19, 2011
110905106P1	145(2)(b)	January 24, 2003		August 19, 2011
091576140P1	145(3)	December 24, 2009		October 26, 2010
	145(3)x2	December 24, 2009		
081621153P1	145(3)	December 24, 2008	January 29, 2009 - Warrant for arrest	August 19, 2009
	145(3)	December 24, 2008		
090126368P1	145(2)(a)	January 29, 2009		
051077154P1	145(5)	August 30, 2005		
051217313P1	145(3)	September 9, 2005		
030520860P1	145(3)	March 31, 2003		
030547020P1	145(2)(a)	May 8, 2003		
030569438P1	145(3)x2	May 17, 2003		
021326574P1	145(4)	October 30, 2002		
005202056P1	145(2)(a)	February 4, 2000	February 13, 2001 - Warrant for arrest	June 21, 2001
016088676P1	145(2)(a)	February 13, 2001		June 21, 2001
005276985P1	145(2)(a)	February 18, 2000	January 19, 2001 -Warrant for arrest	
006567606P1	145(2)(a)	September 27, 2000		May 14, 2001
015108921P1	145(2)(a)	January 19, 2001		May 14, 2001
991227983P1	145(2)(a)	August 12, 1999		

APPENDIX D – UPDATED CRIMINAL RECORD

The following record was compiled using information obtained from JOIN and CPIC.

REHN, SHAWN MAXWELL

*CRIMINAL CONVICTIONS CONDITIONAL AND ABSOLUTE DISCHARGES
*AND RELATED INFORMATION

***** THIS CRIMINAL HISTORY CONTAINS YOUTH COURT ENTRIES
WHICH ARE RETAINABLE AS PER SECTION 45.01 OF THE
YOUNG OFFENDER'S ACT (1996) *****

1995-02-16 EDSON ALTA (YOUTH COURT)	ASSAULT SEC 266 CC	3 MONTHS PROBATION
1995-06-09 STONY PLAIN ALTA (YOUTH COURT)	MISCHIEF UNDER \$5000 SEC 430(4) CC	25 HOURS COMMUNITY SERVICE WORK
1997-07-03 STONY PLAIN ALTA (YOUTH COURT)	BREAK & ENTER/THEFT SEC 348(1)(B) CC (3 CHGS)	4 MONTHS SECURE CUSTODY & PROBATION 12 MOS - APPEALED
1997-09-16		SENT DATED 1997-07-03 VARIED ON APPEAL TO 2 MONTHS SECURE CUSTODY FOLLOWED BY 2 MONTHS OPEN CUSTODY & PROBATION ORDER AFFIRMED
1998-06-26 EDMONTON ALTA (YOUTH COURT)	(1) UNLAWFULLY IN A DWELLING HOUSE SEC 349(1) CC (2) ASSAULT PEACE OFFICER SEC 270(1)(A) CC	(1) \$100 FINE (2) \$100 FINE
1998-08-19 CALGARY ALTA (YOUTH COURT)	(1) POSSESSION OF PROPERTY OBTAINED BY CRIME OVER \$5000 SEC 355(A) CC (2) OBSTRUCTION OF PEACE OFFICER SEC 129(A) CC	(1-2) 7 DAYS OPEN CUSTODY & 1 YEAR PROBATION ON EACH CHARGE
1999-04-01 EDMONTON ALTA 2001-04-09 EVANSBURG ALTA	BREAK & ENTER/THEFT SEC 348(1)(B) CC DANGEROUS OPERATION OF MOTOR VEHICLE SEC 249(1)(A) CC	60 DAYS JAIL & 1 YEAR PROBATION 6 MONTHS JAIL & 3 YEAR DRIVING PROHIBITION

2001-05-14 CALGARY ALTA	(1) BREAK & ENTER/THEFT SEC 348(1)(B) CC (2) POSSESSION OF PROPERTY OBTAINED BY CRIME UNDER \$5000 SEC 355(B) CC (3) FAIL TO ATTEND COURT SEC 145(2)(A) CC (2 CHGS) (4) OBSTRUCTION OF PEACE OFFICER SEC 129(A) CC	(1) 5 MONTHS JAIL (2) 60 DAYS JAIL (3-4) 15 DAYS JAIL
2001-06-21 EDMONTON ALTA	FAIL TO ATTEND COURT SEC 145(2)(A) CC (2 CHGS)	45 DAYS JAIL ON EACH CHARGE CONSECUTIVE
2001-08-27 EVANSBURG ALTA	ASSAULT SEC 266 CC	\$200 FINE IN DEFAULT 3 DAYS JAIL
2003-03-04 STONY PLAIN ALTA	DRIVING WHILE DISQUALIFIED SEC 259(4) CC	\$400 FINE
2003-12-15 EDMONTON	(1) ASSAULT WITH A WEAPON SEC 267(A) CC (2) CARELESS USE OF FIREARM, WEAPON, PROHIBITED DEVICE OR AMMUNITION SEC 86(1) CC (2 CHGS)	(1-2) 1 DAY JAIL ON EACH CHARGE & DISCRETIONARY WEAPONS PROHIBITION ORDER SEC 110 CC FOR 10 YRS
2004-08-04 EDMONTON ALTA	DRIVING WHILE DISQUALIFIED SEC 259(4) CC	60 DAYS JAIL
2005-04-13 CALGARY ALTA	POSSESSION OF PROPERTY OBTAINED BY CRIME OVER \$5000 SEC 355(A) CC	1 DAY JAIL
2006-03-15 CALGARY ALTA	POSSESSION OF PROPERTY OBTAINED BY CRIME UNDER \$5000 SEC 355(B) CC (16 CHGS)	2 YEARS JAIL ON EACH CHARGE CONCURRENT
2006-03-27 EDMONTON ALTA	(1) POSSESSION OF PROPERTY OBTAINED	(1) 1 DAY JAIL (WITH CREDIT GIVEN FOR 5 MONTHS PRE-SENTENCE

	BY CRIME OVER \$5000 SEC 355(A) CC (2) DRIVING WHILE DISQUALIFIED SEC 259(4)	CUSTODY) (2) 1 DAY JAIL (WITH CREDIT GIVEN FOR 30 DAYS PRE-SENTENCE CUSTODY & 18 MONTH DRIVING PROHIBITION
2007-11-08 CALGARY ALTA	THEFT UNDER \$5000 SEC 334(B) CC	1 DAY JAIL (WITH CREDIT GIVEN FOR 21 DAYS PRE-SENTENCE CUSTODY AT 2:1 – 42 DAYS)
2009-08-14 EDMONTON ALTA	FAIL TO COMPLY WITH RECOGNIZANCE SEC 145(3) CC	\$200 FINE IN DEFAULT 2 DAYS JAIL
2010-10-26 EDMONTON ALTA	(1) POSSESSION OF A PROHIBITED OR RESTRICTED FIREARM WITH AMMUNITION SEC 95 CC (2) POSSESSION OF FIREARM OR AMMUNITION CONTRARY TO PROHIBITION ORDER SEC 177.01(1) CC (3) ESCAPE LAWFUL CUSTODY 145(1)(A) CC (4) FAIL TO COMPLY WITH RECOGNIZANCE SEC 145(3) CC (5) POSSESSION OF PROPERTY OBTAINED BY CRIME UNDER \$5000 SEC 355(B) CC (10 CHGS) (6) POSSESSION OF STOLEN CREDIT CARD SEC 342(1)(C) CC (7) FAIL OR REFUSE TO PROVIDE SAMPLE SEC 254(5) CC (8) POSSESSION OF A CONTROLLED SUBSTANCE SEC 4(1) CDSA	(1) 3 YEARS JAIL (WITH CREDIT FOR THE EQUIVALENT OF 2 YEARS PRE-SENTENCE CUSTODY) & MANDATORY WEAPONS PROHIBITION ORDER SEC 109 CC (2) 1 YEAR & 6 MONTHS JAIL CONSECUTIVE (3-4) 6 MONTHS JAIL ON EACH CHARGE CONCURRENT BUT CONSECUTIVE (5-6) 18 MONTHS JAIL ON EACH CHARGE (7) \$1000 FINE IN DEFAULT 14 DAYS JAIL & 1 YEAR DRIVING PROHIBITION (8) \$500 FINE IN DEFAULT 7 DAYS JAIL
2011-06-06 EDMONTON ALTA	BREAK & ENTER/THEFT SEC 348(1)(B) CC	2 YEARS JAIL
2011-08-19 DRUMHELLER ALTA	(1) UNAUTHORIZED POSSESSION OF A PROHIBITED OR RESTRICTED WEAPON	(1) 3 MONTHS JAIL CONCURRENT WITH SENTENCE SERVING & DISCRETIONARY WEAPONS PROHIBITION ORDER SEC 110 CC FOR 5 YEARS

SEC 91(2) CC
(2) POSSESSION OF
PROPERTY OBTAINED
BY CRIME UNDER \$5000
SEC 355(B) CC
(3) FAIL TO COMPLY WITH
RECOGNIZANCE
SEC 145(3) CC
(4) FAIL TO ATTEND COURT
SEC 145(2)(B) CC

(2-4) 3 MONTHS JAIL ON EACH CHARGE
CONCURRENT TO EACH OTHER &
CONCURRENT TO SENTENCE
CURRENTLY SERVING

2012-10-24

STATUTORY RELEASE

2013-08-20
DRUMHELLER ALTA

ASSAULT
SEC 266 CC

1 DAY JAIL (WITH CREDIT GIVEN FOR
12 DAYS PRE-SENTENCE CUSTODY)

2013-09-12

STATUTORY RELEASE
VIOLATOR

RECOMMITTED