| Court File No.: T-3 | T-382-22-1D | 2 | F | FEDDEN | S | FEDDEN | FEDDEN

FEDERAL COURT

BETWEEN:

JEREMIAH JOST, EDWARD CORNELL, VINCENT GIRCYS, and HAROLD RISTAU

Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Respondents

APPLICATION UNDER Sections 18(1), 18.1, and 18.2 of the Federal Courts Act and Rules 301 of the Federal Courts Rules.

AFFIDAVIT OF VINCENT GIRCYS

I, VINCENT GIRCYS, a retired member of the Ontario Provincial Police of the in the Province of Ontario, SWEAR THAT:

Background

- I am one of the named Applicants herein, and as such I have personal knowledge of the facts and matters herein deposed to except where based on information and belief in which case. I believe the same to be verily true.
- 2. I am 60 years old.
- I am a retired member of the Ontario Provincial Police (the "OPP") where I was employed from 1982 to 2014.
- 4. While a member of the OPP, I was a forensic investigator where I estimate that I was involved in over 5,000 investigations during my career.
- 5. As a member of the OPP, I received numerous accolades including an exemplary

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- service medal (the "Exemplary Service Medal"). Attached and marked hereto as Exhibit "A" to this Affidavit is a copy of the Exemplary Service Medal.
- 6. In October of 2012, I was awarded the Auxiliary Liaison Officer of the Year Award by the OPP (the "Officer of the Year Award"). Attached and marked hereto as Exhibit "B" to this Affidavit is a picture of the Officer of the Year Award.

Involvement with the "Freedom Convoy"

- I do not recall when I first heard about the so called "Freedom Convoy". I believe that
 I first heard about it through independent media sources.
- 8. I first began speaking out against what I perceived to be federal and provincial government overreach when the Adamson Barbecue restaurant in Ontario was shut down and its owner arrested in November of 2020, for remaining open to the public.
- 9. When I made the decision to go to Ottawa to attend the Freedom Convoy protests beginning on January 29, 2022 (the "Protests") it was because I believed in the spirit of necessity to do so.
- 10. I became involved in the Protests on the first day. That Saturday afternoon on the first day of the Protests, I met with former Royal Canadian Mounted Police ("RCMP") Corporal, Danny Bulford. He was there working at a setup operations centre as a facilitator between the truckers and the police to ensure the Protests would be done safely and to provide humanitarian aid.
- 11. My role in providing humanitarian aid involved coordinating the placement of additional tollets for the truckers and protestors, providing necessities such as food, water, and gasoline along with other general humanitarian aid (the "Humanitarian Aid").
- 12. I also assisted Danny Bulford, along with other current active and retired police officers to provide what is commonly known in the policing community as "VIP Security".

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- 13. The VIP Security entailed assisting with general security for Dr. Alexander and Dr. Hodkinson who were presenting at a conference at the Sheraton Hotel in Ottawa during the Protests.
- 14. It is my understanding and belief that Dr. Alexander and Dr. Hodkinson had received at least one or more death threats (the "Death Threats").
- 15. Beyond assisting with the Humanitarian Aid and proving VIP Security to protect Dr. Alexander and Dr. Hodkinson from the Death Threats, I also made myself available if necessary to assist Danny Bulford and the other retired and active police officers with general crowd control and security related issues ("Potential Security Issues").
- 16. No Potential Security Issues came to my attention or arose at any time during my attendance at the Protests.
- 17. I remained at the Protests for approximately two to three weeks while providing the VIP Security and Humanitarian Ald.
- 18. My own personal observations of the Protests are that it was the most beautiful, peaceful, and inclusive protest I have ever seen. I personally observed zero animosity between anyone in attendance, the Protests were about airing legitimate grievances by Canadians from all walks of life and backgrounds.
- 19. I personally observed the Protests to be similar to a gathering that is standard at any Canadian exhibition or fair grounds.
- 20. My own personal observations of the Protests were that it was about us as Canadians getting our freedoms back and our constitutional rights upheld.

Types of Police Involved at the Protests

21. I personally observed two different types of police officers at the Protests.

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- 22. The first were regular uniformed officers with standard issued uniforms and shoulder insignias marking which police forces they were employed by (the "Standard Police Units"). I further witnessed police officers wearing tactical gear without shoulder flashes or insignias (the "Tactical Police Units").
- 23. I have personal knowledge and understanding of the differences between the Standard Police Units and the Tactical Police Units that were present. I have this knowledge and understanding based on my background as a retired OPP forensic investigator, and my police training which included training in tactical type police units.
- 24. Prior to February 18, 2022, the presence of the Tactical Police Units was relatively minimal. I would describe it as at most there were two groups of approximately 10 members of the Tactical Police Units throughout the entire area of the Protests. I estimate this area to be approximately 10 city blocks by 3 city blocks around Wellington Street and they were walking together as a group (the "Area").
- 25. Prior to February 18, 2022, the presence of the Standard Police Units was more noticeable than the Tactical Police Units. I estimate that any time prior to February 18, 2022, there would be approximately 100 to 150 officers from the Standard Police Units in the Area at a given time.
- 26. My observations of the interactions I had personally, and what I witnessed with the Standard Police Units prior to February 18, 2022, would be described as positive, friendly, and generally cordial interactions. Several officers from the Standard Police Units told me that they agreed with many of the grievances that were being aired at the Protests.
- 27. Prior to February 18, 2022, despite the positive, friendly, and cordial interactions, I would describe the number of officers in the Standard Police Units as being high given the general peace and tranquility amongst the Protestors, observers, and civilians in the Area.

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- 28. I observed a build up in terms of the presence of the Tactical Police Units beginning on February 18, 2022.
- 29. On February 19th and 20th, 2022, the build up of the Tactical Police Units became even more noticeable.
- 30. By February 19th and 20th, 2022, it was nearly entirely Tactical Police Units present with the Standard Police Units only present in the far outer perimeter of the Area.
- 31. I also further observed that certain areas within the Area specifically around the intersections of Metcalfe Street and Albert Street along with the areas of Wellington Street and Elgin Street were being blocked off by the Tactical Police Units (the "Tactical Police Unit Blockades").
- 32. The Tactical Police Unit Blockades were done by the Tactical Police Units in groups of 200 to 250 officers creating advancing human shield walls supported by officers behind them. These human shield walls entailed members of the Tactical Police Units forming a wall with approximately 150 officers supported by 50 to 100 officers behind them with some facing the other way.
- 33. I observed at least 4 to 6 separate Tactical Police Unit Blockades. I witnessed approximately 1,000 Tactical Police Unit officers on February 19th and 20th, 2022. Based on my observations, I estimate given the number that I personally witnessed, that there would have been approximately 2,000 Tactical Police Unit officers in total. I base this estimate on my knowledge and understanding from my policing experience as it pertains to the number of officers who would need to be on standby and for shift changes.
- 34 I decided to leave the Protests when I began fearing for my life after I observed what I describe as police brutality, particularly from the Tactical Police Units on February 19th

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and 20th, 2022 in the Tactical Police Unit Blockades areas.

- 35. I observed several members of the Tactical Police Units possessing a level of weaponry and displaying a level of aggression that was uncalled for in the circumstances. Specifically, I observed the Tactical Police Units carrying:
 - a. a standard issued sidearm:
 - b. 36-inch-long batons with square unstained natural wood cuts on the edges rather than the typical round edges seen on 24-inch-long black batons (the "Unstained Square Wooden Dowels")
 - c. C8 seml-automatic rifles with high capacity 5.56 x 44mm NATO military standard bullets:
 - d. an abundance of high-capacity 5.56 x 44mm NATO military standard magazines affixed to their body armour; and
 - e. semi-automatic shotguns for firing rubber bullet launchers that I had never seen before.
- 36. The Tactical Police Unit blockades engaged in an aggressive technique towards the Protestors and observers commonly known as "Snatching".
- 37. What Snatching entails is one of the officers in the human wall from the Tactical Police Unit Blockades breaking formation and grabbing a single individual Protestor or observer and pulls them behind the Tactical Police Unit Blockades line before the rest of the human wall reforms (the "Snatched Individual").
- 38. The Snatched Individual is then beaten and arrested by the Tactical Police Unit officers who are behind the human wall in the Tactical Police Unit Blockades.
- 39. I personally observed or understand that on several occasions a Snatched Individual was beaten by the Tactical Police Unit officers with the butt end of their C8 semiautomatic rifles and struck with the Unstained Square Wooden Dowels.

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- 40. I did not witness anyone who was a Snatched Individual display or commit any acts of violence towards the Tactical Police Unit officers or the Tactical Police Unit Blockades.
- 41. Due to my own training, I could not understand why this level of aggression was being taken against non-violent protestors and observers.
- 42. I was a former Emergency Response Team personnel member of the OPP at one point during my service, which can accurately be described as a type of tactical police unit, and as such I understand the importance of crowd control and restraint.
- 43. I personally witnessed Tactical Police Unit officers striking non-violent protestors and observers with their Unstalned Square Wooden Dowels.
- 44. I personally witnessed police horses trampling through crowds of non-violent protestors and observers.
- 45. I tried to reason with the Tactical Police Units on February 19th and 20th. I spoke with the members of the Tactical Police Units about section 52 of the Constitution Act and them being in violation of it. From my perspective, the Tactical Police Units had a clear reason to step back from these altercations on February 19th and 20th (the "Conversations").
- 46. The Conversations were ignored by the Tactical Police Units, and they threatened to arrest me if I continued to express my constitutional rights.
- 47. I did not view myself as a protestor, but rather an observer who was there to provide the Humanitarian Aid and VIP Security.
- 48. I returned to Ottawa on March 5th and 6th, 2022, and I noticed that Wellington Street has a sealed steel fence erected and the streets around it had concrete barriers around all potential entrance points. I further observed that it is a highly controlled area where

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only pedestrians can get through.

49. I personally observed that my movement throughout Ottawa was more difficult on March 5th and 6th, 2022, than it was at any point prior to February 19th, 2022.

Emergencies Act and Frozen Bank Account

- 50. It is my understanding and belief that sometime on or around February 14, 2022, the Federal Government invoked the *Emergencies Act*, RSC, 1985, c. 22 (4th Supp.) (the *Emergencies Act*) in response to the Protests.
- 51. I have been directly and substantially harmed by the *Emergencies Act* for my involvement in the Protests.
- 52. On Saturday, February 19, 2022, I received a voicemail from CIBC stating for me to call back and that there was a problem with my account (the "Voicemail"). I have saved and kept an original copy of the Voicemail. The number that called and left the Voicemail was 1-800-465-2255.
- 53. On Saturday, February 19, 2022, I spoke with an individual from CIBC who stated to me that my accounts were frozen (the "Feb 19. Phone Call") The individual I spoke with was apologetic and stated to me that it was not their doing, and that the request came from the RCMP. The individual I spoke with further informed me that my account would not be unfrozen until the Emergencies Act declaration was over or until the RCMP would allow my account to be unfrozen. Attached and marked hereto as Exhibit "C" to this Affidavit is a screenshot of call log for the Feb. 19 Phone Call
- 54. From February 19, 2022, until February 22, 2022, I was unable to access or use funds from my:
 - a. CIBC credit card;
 - b. CIBC debit card; and
 - c. Simplii Financial debit card.

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(collectively, the "Seized Bank Accounts")

- When I logged into the Seized Bank Accounts on CIBC, what showed up was a screen 55. where all the monetary amounts under my different accounts showed a small dash for each amount without the actual dollar amounts. Regrettably, I did not save a screenshot of this at the time, but I wish I had.
- On February 23, 2022, I once again spoke with an individual from CIBC about the 56. Seized Bank Accounts. I was Informed by this individual that the call was being recorded. She claimed that the RCMP had asked CIBC yesterday to unfreeze the Selzed Bank Accounts and she was giving me notice to that effect (the "Feb. 23 Phone Call"). Attached and marked hereto as Exhibit "D" is a screen shot of the call log for the Feb. 23 Phone Call.

Irreparable Harm and Lasting Effects

- My experience with the Seized Bank Accounts has been traumatic and personally 57. devastating.
- I had, at the time of the Seized Bank Accounts, approximately \$20 in cash with me and 58. I was approximately 6 hours away from home.
- I was forced to reach out to people I did not even know, and who through their own 59. acts of kindness offered me some cash so I could put fuel in my vehicle to get home and have something to eat (the "Kind-hearted Canadians").
- If it was not for the Kind-hearted Canadians, I do not know how I would have been able 60. to get home or feed myself.
- 61. All my bills and accounts from the Seized Bank Accounts were generally paid in full and on time.

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- 62. What happened to me was that the federal government locked me out of putting food in my mouth, gas in my vehicle, and my ability to pay for my hotel.
- 63. I could not at the time understand why this happened to me. I still do not understand why the Seized Bank Accounts happened to me.
- 64. I attended the Protests to provide the Humanitarian Aid and VIP Security. My only explanation for why the Selzed Bank Accounts happened to me is because I was speaking out about my constitutional rights.
- 65. I view the Seized Bank Accounts as an act by the federal government in conjunction with our police agencies and banking institutions to punish and target myself personally.
- 66. The Seized Bank Accounts and my experiences from this has me terrified. I do not know what will happen to me next.
- 67. I have lost my faith in our banking system, our policing system, and our federal government. I am contemplating selling my home and leaving Canada permanently, but I do not know if I can sell my home. I worry that my accounts will be frozen again like they were during the time of the Selzed Bank Accounts.
- 68. I do not believe I did anything to warrant the Seized Bank Accounts and the federal government needs to be held accountable for what they did to me.
- 69. I am not a criminal.
- 70. I am not a terrorist.
- 71. I am a retired Canadian citizen who honourably served his country as a police officer and member of the OPP.

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As a former forensic investigator with the OPP, I conducted hundreds of death 72. investigations and homicides. This included dealing with and investigating cases where

bodies were dismembered.

Nothing in my experience as a member of the OPP, including my role as a former 73.

forensic investigator, has ever caused me the level of fear and psychological trauma

that my experiences with the Seized Bank Accounts has.

My ongoing fear as a direct result of the Seized Bank Account is detrimentally affecting 74.

my sleep. This trauma is ongoing, and I do not know if it will ever subside.

I have served my country well, and the citizens of this country are where my loyalty is. 75.

I do not lean towards any political party. My attendance at the Protests was not political.

I just wanted to provide Humanitarian Ald, VIP Security, and my freedoms back which

I am continuing to see a complete erosion of.

I believe that I was personally targeted by the federal government and knowing that I 76.

was targeted by the federal government is harming my well being.

I hope that no Canadian in the future goes through what I have gone through and am 77

continuing to go through as a result the Seized Bank Accounts.

I make this affidavit in support of an application under sections 18(1), 18.1, and 18.2 78.

of the Federal Courts Act and Rule 301 of the Federal Courts Rules and for no improper

purpose.

Swom before me in the City of Calgary in the Province of Alberta on March 8th 2022

Student-at-Law **Notary Public** A Commissioner for Oaths in and for the Province of Alberta

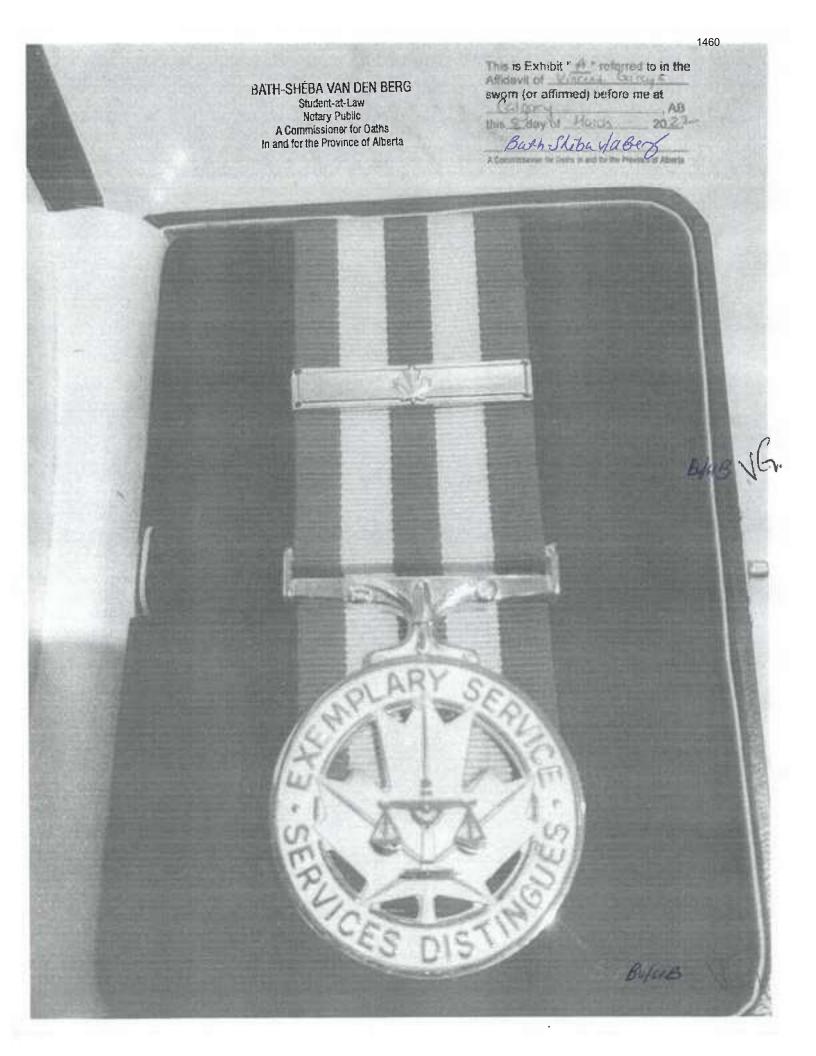
(Signature o Deponent)
VINCENT A GIRCYS

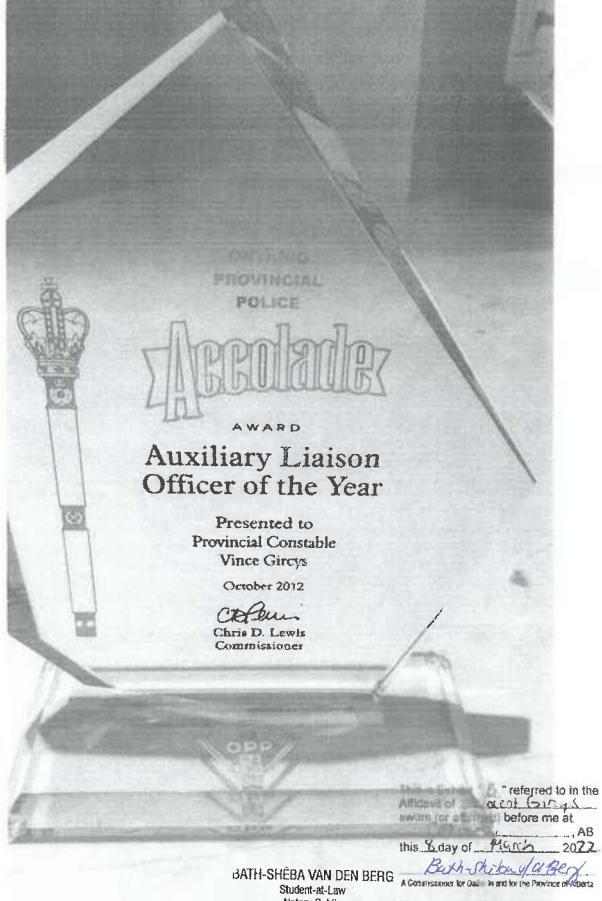
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Description of Exhibits	Exhibit
Copy of the Exemplary Service Medal	-#- A
Picture of the Officer of the Year Award	В
Screenshot of the call log for the Feb 19 Phone Call	С
Screenshot of the call log for the Feb 23 Phone Call	D

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Notary Public A Commissioner for Oaths In and for the Province of Alberta

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× Call details



- Outgoing call 2m 46s
 Saturday, February 19, 2022, 2:42 PM
 - Copy number
 - Edit number before call
 - Delete

This is Exhibit "C" referred to in the Affidavit of Virto L Gurys sworn (or affirmed) before me at

this & day of Hursin 2022

Bath Shirbs Vallers
A Commissioner for Classes for and for the Province & Atheria

BATH-SHÉBA VAN DEN BERG

Student-at-Law Notary Public A Commissioner for Oaths In and for the Province of Alberta

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Incoming call 3m 36s Wednesday, February 23, 2022, 11:25 AM

- Copy number
- Edit number before call
- Delete

This is Exhibit "O" referred to in the Affidavit of Vin 804 Carry sworn (or affirmed) before me at (algary AB) this 8 day of Hurch 2027

Buth Shekawagery

A Commissioner for Oalth in and for the Province of Alberta

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Student-at-Law Notary Public A Commissioner for Oaths In and for the Province of Alberta

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Court File No.: T-382-22

FEDERAL COURT

BETWEEN:

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Applicants

- and -

GOVERNOR IN COUNCIL, HER MAJESTY IN RIGHT OF CANADA, and ATTORNEY GENERAL OF CANADA, and MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Respondents

APPLICATION UNDER Sections 18(1), 18.1, and 18.2 of the Federal Courts Act and Rules 301 of the Federal Courts Rules.

- I, BATH-SHEBA VAN DEN BERG, of the City of Calgary, in the Province of Alberta, CERTIFY:
- 1. That I am a Commissioner of Oaths in and for Alberta, and I am satisfied that the process under NPP#2020-02 and the Federal Court Practice Direction (COVID-19): Update #7 (January 18, 2021) paragraphs 19 and 20 was necessary to swear the Affidavit of Vincent Gircys, Applicant, in the herein proceedings on March 8th, 2022, because it was impossible or unsafe, for reasons of provincial border lockdowns, location, and health, for Vincent Gircys, Applicant, and myself to by physically present together.
- 2. The two copies of the Affidavits are attached hereto as required by paragraph 8 of the NPP#2020-02.

Dated on March 8th, 2022, at Calgary, Alberta.

Bath-Shelow V/allers.
BATH-SHEBA VAN DEN BERG

Court File No.: T-382-22

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I, VINCENT GIRCYS, a retired member of the Ontario Provincial Police of the in the Province of Ontario, SWEAR THAT:

Background

- I am one of the named Applicants herein, and as such I have personal knowledge of the facts and matters herein deposed to except where based on information and belief in which case, I believe the same to be verily true.
- 2. I am 60 years old.
- 3. I am a retired member of the Ontario Provincial Police (the "OPP") where I was employed from 1982 to 2014.
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- 50. It is my understanding and belief that sometime on or around February 14, 2022, the Federal Government invoked the *Emergencies Act*, RSC, 1985, c. 22 (4th Supp.) (the "*Emergencies Act*") in response to the Protests.
- 51. I have been directly and substantially harmed by the *Emergencies Act* for my involvement in the Protests.
- 52. On Saturday, February 19, 2022, I received a voicemail from CIBC stating for me to call back and that there was a problem with my account (the "Voicemail"). I have saved and kept an original copy of the Voicemail. The number that called and left the Voicemail was 1-800-465-2255.
- 53. On Saturday, February 19, 2022, I spoke with an individual from CIBC who stated to me that my accounts were frozen (the "Feb 19. Phone Call"). The individual I spoke with was apologetic and stated to me that it was not their doing, and that the request came from the RCMP. The individual I spoke with further informed me that my account would not be unfrozen until the *Emergencies Act* declaration was over or until the RCMP would allow my account to be unfrozen. Attached and marked hereto as Exhibit "C" to this Affidavit is a screenshot of call log for the Feb. 19 Phone Call.
- 54. From February 19, 2022, until February 22, 2022, I was unable to access or use funds from my:
 - a. CIBC credit card:
 - b. CIBC debit card; and
 - c. Simplii Financial debit card.

BYAB

(collectively, the "Seized Bank Accounts").

- 55. When I logged into the Seized Bank Accounts on CIBC, what showed up was a screen where all the monetary amounts under my different accounts showed a small dash for each amount without the actual dollar amounts. Regrettably, I did not save a screenshot of this at the time, but I wish I had.
- 56. On February 23, 2022, I once again spoke with an individual from CIBC about the Seized Bank Accounts. I was informed by this individual that the call was being recorded. She claimed that the RCMP had asked CIBC yesterday to unfreeze the Seized Bank Accounts and she was giving me notice to that effect (the "Feb. 23 Phone Cail"). Attached and marked hereto as Exhibit "D" is a screen shot of the call log for the Feb. 23 Phone Call.

Irreparable Harm and Lasting Effects

- 57. My experience with the Seized Bank Accounts has been traumatic and personally devastating.
- 58. I had, at the time of the Seized Bank Accounts, approximately \$20 in cash with me and I was approximately 6 hours away from home.
- 59. I was forced to reach out to people I did not even know, and who through their own acts of kindness offered me some cash so I could put fuel in my vehicle to get home and have something to eat (the "Kind-hearted Canadians").
- 60. If it was not for the Kind-hearted Canadians, I do not know how I would have been able to get home or feed myself.
- 61. All my bills and accounts from the Seized Bank Accounts were generally paid in full and on time.

BU/aB

- 62. What happened to me was that the federal government locked me out of putting food in my mouth, gas in my vehicle, and my ability to pay for my hotel.
- 63. I could not at the time understand why this happened to me. I still do not understand why the Seized Bank Accounts happened to me.
- 64. I attended the Protests to provide the Humanitarian Aid and VIP Security. My only explanation for why the Seized Bank Accounts happened to me is because I was speaking out about my constitutional rights.
- 65. I view the Seized Bank Accounts as an act by the federal government in conjunction with our police agencies and banking institutions to punish and target myself personally.
- 66. The Seized Bank Accounts and my experiences from this has me terrified. I do not know what will happen to me next.
- 67. I have lost my faith in our banking system, our policing system, and our federal government. I am contemplating selling my home and leaving Canada permanently, but I do not know if I can sell my home. I worry that my accounts will be frozen again like they were during the time of the Seized Bank Accounts.
- 68. I do not believe I did anything to warrant the Seized Bank Accounts and the federal government needs to be held accountable for what they did to me.
- 69. I am not a criminal.
- 70. I am not a terrorist.
- 71. I am a retired Canadian citizen who honourably served his country as a police officer and member of the OPP.

BYAB

- 72. As a former forensic investigator with the OPP, I conducted hundreds of death investigations and homicides. This included dealing with and investigating cases where bodies were dismembered.
- 73. Nothing in my experience as a member of the OPP, including my role as a former forensic investigator, has ever caused me the level of fear and psychological trauma that my experiences with the Seized Bank Accounts has.
- 74. My ongoing fear as a direct result of the Seized Bank Account is detrimentally affecting my sleep. This trauma is ongoing, and I do not know if it will ever subside.
- 75. I have served my country well, and the citizens of this country are where my loyalty is. I do not lean towards any political party. My attendance at the Protests was not political. I just wanted to provide Humanitarian Aid, VIP Security, and my freedoms back which I am continuing to see a complete erosion of.
- 76. I believe that I was personally targeted by the federal government and knowing that I was targeted by the federal government is harming my well being.
- 77. I hope that no Canadian in the future goes through what I have gone through and am continuing to go through as a result the Seized Bank Accounts.
- 78. I make this affidavit in support of an application under sections 18(1), 18.1, and 18.2 of the *Federal Courts Act* and Rule 301 of the *Federal Courts Rules* and for no improper purpose.

Sworn before me in the City of Calgary in the Province of Alberta on March 8th 20		
Commissioner for Taking Affidavits (or as the case may be)	(Signature of Deponent)	

Index

Description of Exhibits	Exhibit #
Copy of the Exemplary Service Medal	А
Picture of the Officer of the Year Award	В
Screenshot of the call log for the Feb 19 Phone Call	С
Screenshot of the call log for the Feb 23 Phone Call	D





AWARD

Auxiliary Liaison Officer of the Year

OMINARIO PROVINCIAL POLICE

Presented to Provincial Constable Vince Gircys

October 2012

Chris D. Lewis Commissioner

Allidave of Rent Girays

Sworn (or an immed) before me at

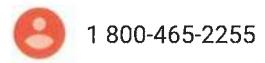
this___day of_

A'Commissioner for Oaths in and for the Province of Alberta

BVBB

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× Call details



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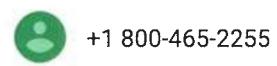
This is Exhibit " c" referred to in the Affidavit of Vincent Gircx sworn (or affirmed) before me at

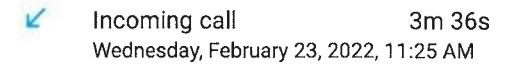
A Commissioner for Oaths in and for the Province of Alberta

this & day of March 2022

BU/aB.

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This is Exhibit "O" referred to in the Affidavit of Vincent Calcus sworn (or affirmed) before me at Calcus, AB this 8 ay of Harch 2027

A Commissioner for Oaths in and for the Province of Alberta

BV103.