



Written by [Raven Clabough](#) on July 2, 2013

Canadian Police Seize Firearms From Evacuated Homes

Canadians in the High River area of southern Alberta found out the hard way that no right is fundamental to the Royal Canadian Mounted Police. When the police evacuated residents' homes as a result of massive flooding June 20 and told homeowners that they would have to wait for permission to return, residents were angry enough. But to make matters worse, many of them have discovered that the RCMP has [seized](#) a "large quantity of firearms" from the evacuated homes.



And it's unlikely that the police's explanation for the confiscation will assuage their concerns.

According to RCMP Sergeant Patricia Neely, "Firearms that were unsafely stored in plain sight were [seized for safekeeping](#)." But Sergeant Brian Topham reported that officers forced their way into many of the homes because of "urgent need." "We just want to make sure that all of those things are in a spot that we control, simply because of what they are," he said. "People have a significant amount of money invested in firearms ... so we put them in a place that we control and that they're safe."

Some observers noted that the word "control" would not have the most positive of connotations to these homeowners.

Andrew McGrath, spokesman for the Ministry of Public Safety, admits that the firearms were seized from homes that were already evacuated. "We have been advised that during the course of searching for individuals unable to make their way to safety, the RCMP discovered firearms that were insecurely stored. Those firearms will be held safely by the RCMP and will be returned to their owners as soon as possible."

Residents in the area have been under a mandatory evacuation order for over a week. They are being told that they will get their firearms back after the order is lifted, as long as they can present proof of ownership.

Unsurprisingly, an angry and frustrated crowd formed around the blockade police set to keep residents out of the evacuation area.

Business owner Brenda Lackey [told the *Globe and Mail*](#), "Now what they're doing is looking for firearms and ammunition. How do they have the right to do that? What does that have to do with the disaster? ... This is martial law. What has happened to our country? [It's] absolutely incredible."

Others in the crowd voiced similar sentiments, and frustration over the government's refusal to allow them to return to their homes. One even drew parallels to Hurricane Katrina. "We don't want our town to turn into another New Orleans," resident Jeff Langford told the *National Post*. "The longer that the water stays in our houses the worse it's going to be. We'll either be bulldozing them or burning them down because we've got an incompetent government."

A woman agreed, insisting, "[We] can do more there than we can out here."



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One officer attempted to calm the crowd by saying, "Imagine if something happens to you [if I let you in]," but a homeowner responded angrily, "Are we children? We're adults!"

Meanwhile, Ontario lawyer Ed Burlew [asserted](#) that the RCMP's confiscation of weapons is a violation of civil rights. "This is without precedent; this is unreasonable search and seizure," he declared. "The entry was illegal. It's against the charter; it was unreasonable search and seizure. There's no judge that would uphold the evidence obtained through an illegal entry into a person's home."

One political leader disagreed, noting that certain [extenuating circumstances](#) should permit police to do whatever they feel is necessary. "These are exceptional circumstances; in an emergency situation we have to have our police ensuring that there is law and order," said Premier Alison Redford late Thursday.

Redford believes hindsight will prove the police were right and that "we'll find the system has run smoothly. At the end of the day, when we're through all of this, people are going to be able to return to exactly their life and deal with these issues through the RCMP."

But Solomon Friedman, a lawyer and firearms specialist in Ottawa, asserts that it is not the case. "There is no special provision in the Criminal Code that allows the police to enter the homes of gun owners during a time of an emergency," he said. "The firearms act is often used by police as a pretext to gain access to private residences that they would not [otherwise] be able to gain access to. The ironic thing here is that if these people were convicted pedophiles the police would not be allowed to enter their homes without warrant. It's kind of sad that gun owners have to fight for the same rights as any convicted criminals."

The Canadian prime minister told the *National Post* that the firearms will be returned as soon as possible, and that the RCMP "should focus on more important tasks such as protecting lives and private property."

Assistant Commissioner Marianne Ryan stated that the guns were tagged with the necessary information to ensure that they will be returned to their lawful owners "as soon as is practically possible."

"The last thing any gun owner wants is to have their guns fall into the wrong hands," she continued, adding, "Gun owners will also be provided the option of having the RCMP keep the guns until they are able to store them safely."



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