

THE OCTOBER 22, 2014, OTTAWA SHOOTINGS: WHY CANADIANS NEED A PUBLIC INQUIRY



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A REPORT FOR DEMOCRACY PROBE INTERNATIONAL

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PREFACE

When the October 22, 2014, Ottawa shootings took place I had just completed a book on the 2001 anthrax attacks in the United States. I had become aware that in the War on Terror things are not always what they seem. Listening to the evolving explanations of the RCMP, I was unsatisfied. Moreover, as Commissioner Paulson asked Canadian citizens to be patient with his investigation, the Conservative government showed no patience at all. It rapidly passed a series of bills that reduced the civil rights of the population while giving increased powers to security services.

Seeing Parliament intimidated by the shootings, watching the Conservative government take advantage of the situation, noting that there were no plans for a public inquiry into these violent incidents, I decided to look into the matter myself. This report sets forth, as succinctly as possible, the main questions to which we need answers. It is not the public inquiry we need, but it makes the case for such an inquiry.

I wish to thank all those whose work encouraged me to carry out this study: John McMurtry, Anthony Hall, Amy MacPherson, Tony Cartalucci, Barrie Zwicker, Peter Dale Scott and Dario Di Meo. Barrie Zwicker and Dario Di Meo were exceptionally generous in opening their own files to me and taking the time to offer advice, criticism and encouragement. I thank also Herb Jenkins, Gary Purdy and Mark Vorobej for reading and commenting on early drafts of this work.

I have been greatly stimulated by debates and discussions with fellow members of Democracy Probe International, a young nongovernmental organization based in Hamilton, Ontario dedicated to the strengthening of democratic governance. I felt honoured when I was asked to submit my study of the October 22, 2014, events to DPI.

None of the above parties is responsible for my findings, speculations or conclusions.

THE OCTOBER 22, 2014, OTTAWA SHOOTINGS: WHY CANADIANS NEED A PUBLIC INQUIRY

SUMMARY

This 25,000 word report calls for a federal public inquiry into the Ottawa shootings of October 22, 2014.

The October 22 events were used by the Canadian government to justify the passage of several bills—C-51 is the most famous—that reduce the civil rights of Canadians while expanding the powers of security services. Yet there has been no serious investigation into the events of that day.

Security services killed the suspect so there will be no court case.

Police reports released in March, 2015 steer clear of the central questions and are marred by poor methodology and unjustified conclusions.

Journalists have declined to probe questions that beg for answers.

The report makes the case for an inquiry by setting out the important questions as clearly as possible. Among the questions explored are thirty-four listed in the report's Conclusion. Examples (with some editing) are:

- How did Zehaf-Bibeau acquire his rifle, bullets, and knife?
- Did Zehaf-Bibeau have help on October 22 or in the stages of preparation and planning?
- Is there evidence that Zehaf-Bibeau intended to kill and terrorize civilians?
- How precise were the advance warnings received by security services as to the nature, locations, and timing of the attacks?
- Why did the RCMP lie to the Canadian public about the advance warnings?
- Would the soldiers killed on October 20th (in Quebec) and 22nd (in Ottawa) still be alive if the serious nature of the advance warnings had been explained to them?
- Why, if the BC provincial politicians and legislative security staff were well briefed by the Canadian intelligence community, did police in Ottawa, including the RCMP, get taken by surprise?
- Why do none of the four police reports released to the public, at least in the redacted forms available to us, mention the Integrated Terrorism Assessment Centre and Privy Council Office warnings?
- Was the police killing of Zehaf-Bibeau necessary?
- Were security or intelligence forces, Canadian or foreign, complicit in any way or to any degree in the October 22 attacks by Zehaf-Bibeau?
- Why has the Canadian government dealt with poor security on Parliament

Hill by reducing the civil rights of all Canadian citizens?

Until these questions are answered doubts will remain about the political initiatives that have exploited these events.

INTRODUCTION

HAVE THE OCTOBER 22, 2014, OTTAWA SHOOTINGS BEEN SATISFACTORILY INVESTIGATED?

On October 22, 2014, an armed man, having killed a soldier at the War Memorial, ran into Centre Block on Parliament Hill in Canada's capital. His incursion has been called "the most serious security breach on Parliament Hill in history."¹ Canada's Prime Minister Stephen Harper at once began to use the day's events to justify new legislation strengthening intelligence and police powers at the expense of the civil liberties of Canadians and to support acts of war in the Middle East.² The day's events were cited by Harper as an example of the terrorist threat Canada faces.³



*The use of the October 22, 2014, victim's name: Patrol Base Cirillo in Iraq
Credit: Reuters*

Bill C-51, now made law in Canada, was one of three bills expanding intelligence powers (the other two are C-13 and C-44) that had their passages eased by the October 22 events or by the related attack on two soldiers on October 20 in Quebec.

Every Canadian citizen has lost civil rights because of the October 22 event. Every Canadian citizen has a reason to insist on knowing what happened on that day and why it happened.

The October 22 suspect, Michael Zehaf-Bibeau, was killed by police—as was the suspect in the Quebec incident two days earlier—and there will be no trial. A

public trial involves gathering information, presenting evidence, and ascertaining truth. With a public trial Canadian citizens would have heard the arguments of the state and seen its evidence. There would have been the presentation of competing accounts of events by lawyers for the prosecution and the defence. There would have been cross-examination of witnesses. The suspect would have been tried before a jury of his peers, which would have considered, debated, deliberated, and made its decision.

Since security forces killed the suspect how will citizens ever know what happened? Unless a public inquiry is held, civil society will be held captive of the account of events given by police and by government institutions supportive of the police narrative. Citizens may informally grab what scraps of information they can (by talking to eyewitnesses, taking photos and videos on cellphones, collecting media reports, and so on), but police will decide what evidence can be seen and what cannot be seen.

As it happens, neither the police nor the media have given us anything remotely adequate as a substitute for a legal process or formal inquiry.

Police Reports

On June 3, 2015, four police reports related to the October 22 incident were released to the public. (See Appendix A.) Canadian citizens finally had the opportunity to hear the arguments and see the evidence to which they would be permitted access.

The reports contain reasonable recommendations for improving security on Parliament Hill. More precisely, the *House of Commons Incident Response Summary's* recommendations are reasonable, as are the recommendations in the Ontario Provincial Police's *RCMP Security Posture*. It is impossible to comment on the RCMP's recommendations in *External Engagement and Coordination* since they were removed before the document was released to the public.

But the reports have serious defects.

First, there is the issue of unjustified conclusions. For example, the OPP's *RCMP Security Posture* states, "The unfortunate incidents of October 22, 2014, at the Cenotaph and Parliament Hill are a grim reminder that Canada is ill-prepared to prevent and respond to such attacks" (p. 29). This conclusion is completely unsupported by evidence. That certain aspects of security preparations in Ottawa were inadequate on October 22 is clear enough, but this does not mean "Canada" was unprepared, in a way that would justify new national legislation or, in fact, national initiatives of any kind.

Second, there is the matter of poor methodology. Since Canadians will not benefit from the evidence and argument a trial would have provided, they deserve investigations with serious safeguards and standards. Otherwise, why take these reports seriously?

Consider the most weighty of the four released police reports, the *Independent Investigation*.

The report relies mainly on eyewitness evidence. It discusses physical evidence briefly but there is little effort spent reconciling the two forms of evidence or incorporating them into a connected account.

Eyewitness evidence is a valid and important form of evidence, but there are many precautions that have to be taken in gathering it and further precautions to be taken in presenting it to make a case. The report shows no sign of such precautions:

- The names of all eyewitnesses are deleted.
- We are not told if the eyewitnesses gave their testimony under oath.
- The eyewitness accounts are paraphrased, not quoted.
- No information is given as to when, where, or by whom the eyewitnesses were interviewed.
- The interview questions are not given nor are the responses, so we do not know what has been deleted or edited.
- There is little attempt to reconcile contradictory eyewitness accounts or to create a full and detailed account.
- Due to the replacement of all names with indistinguishable rows of asterisks (distinctive letters, numbers or pseudonyms could have been used instead), some of the accounts are simply indecipherable and we cannot tell who did what.

As for the physical evidence, there is surprisingly little attention given to it. Original documents are not given and findings related to gunshots and wounds are paraphrased by anonymous persons. We cannot tell if anything has been omitted or changed. When it is inconvenient for the narrative being told, this evidence is largely ignored.

Furthermore, important facts of the case are relayed with no explanation, even when they may strike members of the public as odd. For example, although we are told Zehaf-Bibeau was dead by about 9:56 a.m. (p. 27), at which time he was found to have no pulse, he was not officially pronounced dead until 11:30 p.m. (p. 33). Why such a wait? No explanation is given.

Later in the present report the matter of shots fired will be examined. The case will serve as a concrete example of the flaws in these police reports.

But of all the deficiencies of the police reports, the central one is that they do not answer—they seldom even address—the truly critical questions about the October 22 event. These unanswered questions will be described in the present report. For convenience, thirty-four of them are listed in the Conclusions.

Media

Can the media take on the investigative job on behalf of civil society, ferreting out the facts and presenting them in the absence of a formal procedure? To some extent, they can. The present report is based largely on media coverage. These sources have been invaluable. On the other hand, the media certainly have not performed functions we would expect of a trial or inquiry.

Proneness to mistakes, especially during times of tension, is the media's most obvious weakness. With great confidence CBC's Evan Solomon showed viewers on October 23, 2014, nine precise bullet holes in the wall of Centre Block near the Parliamentary library that, he said, were created by shots fired at Michael Zehaf-Bibeau by security officers.⁴ Unfortunately, a citizen researcher was able to demonstrate promptly that not a single one of those holes had been created on October 22.⁵

Then there is the manipulation of viewers, listeners, and readers through poorly gathered evidence and dramatized presentation. On October 22, Rosemary Barton and Evan Solomon discussed at some length a video that appeared to show Zehaf-Bibeau getting into his car after the shooting at the War Memorial.⁶ As far as I can tell, this is genuine video footage of the perpetrator, but the way it was presented was irresponsible. Solomon told us three times that the video was "chilling" since it appeared to show Zehaf-Bibeau pausing slightly before getting into his car with his rifle, thereby demonstrating his cold-bloodedness in the wake of his killing. Try as I may, I can see no pause except when Solomon's engineer pauses the video. I can imagine a rifle though I cannot say with confidence that I see it. And I find nothing chilling about these blurry images of a man getting into a car.

What about provenance and chain of custody? In other words, where did this video footage come from and who handled it before it was shown on CBC Television? Barton told us the video had been "sent to us anonymously...um...ah...someone that doesn't want to be identified." Solomon added that "this is breaking news video sent anonymously...ah...here...Catherine Cullen, our, our, our...um...colleague here at CBC obtained this for us." What this means is that this piece of evidence, with mysterious provenance and incomplete chain of custody, would never have been allowed into a courtroom. Yet large numbers of Canadians saw it on television at the height of the stress and emotion of October 22 and were told how to feel about these images and what their significance was.

A further failing of Canadian media has been the dearth of genuine investigative journalism. Why were so many crucial images (the car video just mentioned, for example) left uninvestigated? Why did no one follow through with a thorough investigation of threats and warnings received by government and security services in advance of the attack? Why the casual acceptance of police statements that were unaccompanied by evidence or even, in some cases, clearly false? And why the reluctance to mention the possibility of police complicity in the attack?

Some will feel that I am going beyond the pale when I ask whether the RCMP were complicit in the October attacks. But no responsible investigator can avoid this possibility. As explained later in this report, federal police in both Canada and the United States have a record of entrapping unstable or marginalized individuals in jihadi projects.

In a CBC Radio interview on March 7, 2015, RCMP Commissioner Bob Paulson stated that when he watched Zehaf-Bibeau's jihad video, apparently filmed in his car directly before the October 22 attack (see Appendices C and D), he found it "shocking." Well, perhaps Mr. Paulson was shocked. But we must remember that in the previous year the RCMP entrapped a similar bearded young man adrift in Vancouver—caught, like Zehaf-Bibeau, between drug addiction and his personal version of Islam—and *prompted him and his common law wife to make videos taking responsibility for "violence in the name of Allah"*⁷ (my italics). The RCMP moles actively assisted in the jihadi video productions and "even provided the black Islamic flag the two used as a backdrop for a video message urging jihad that they hoped would be released on the Internet if they died or were captured."⁸

If we ask whether similar dynamics were involved in the October 22 operation we are by no means moving beyond acceptable discourse: We are being serious investigators. In failing to ask such questions, Canadian mainstream media have failed to do their job.

Clearly, the October 22 shootings have been satisfactorily investigated neither by the police nor the media in Canada. The present report does not claim to fulfill this need. It is a preliminary study that makes the case for an in-depth inquiry that Canadians need and deserve.

MICHAEL ZEHAF-BIBEAU: HIS CAPACITY AND INTENTIONS

Identity of the Perpetrator

In the mid-afternoon of October 22 Canadian news sources apparently still did not know the perpetrator's name. Shortly before 4 p.m. CBC noted that police would not give any information about the perpetrator, including his name.⁹ At 4:30 p.m. CBC Radio said that a US news station had just identified the suspect as Michael Zehaf-Bibeau,¹⁰ and this was confirmed by the CBC at 5:00 p.m.¹¹

The strangeness of this affair intensifies when we ask when, in fact, US sources first identified the suspect.

On October 23, 2014, Canadian investigative journalist Amy MacPherson wrote an article in which she gave evidence that Zehaf-Bibeau's name had been released by US media by 10:54 a.m. on October 22.¹² She reproduced a screen-grab that suggested American news network CBS News had made this identification, after which it had removed the identification from its website. Her article included an image of the screen-grab, which said, "The gunmen [sic] has been identified by US officials as Michael Zehaf-Bibeau, a Canadian national born in 1982."¹³

In removing this identification from its site, CBS was presumably showing awareness of how awkward it was for this revelation to emerge in the United States while the Canadian public, as well as Canadian Parliamentarians locked down in Centre Block, were still in the dark about the perpetrator's identity. Later on October 22, US media said that the US sources from which they got the name received their information from Canadian authorities.¹⁴ Presumably, at some point in the hour after Zehaf-Bibeau's death the FBI decided to share this information with CBS News.

Did the FBI make a beginner's mistake in violating protocol through its early release of the name or did the agency have a goal in mind? If it had a goal, what was that goal?

While Michael Zehaf-Bibeau was rapidly identified as the person who carried out both the attack at the War Memorial and the attack on Parliament, it took a while for the media to settle on the form of his name, where various forms emerged in early media accounts:

Michael Zehaf-Beaudou¹⁵

Michael Joseph Hall¹⁶

Michael Abdul Zehaf Bibeau¹⁷

Abdul Zehaf Bibeau¹⁸

Michael Joseph Paul Zehaf Bibeau¹⁹

Joseph Paul Michael Bibeau²⁰

Joseph Paul Michael Abdallah Bulgasen Zehaf-Bibeau²¹

Biographical accounts of Zehaf-Bibeau, both short and long, were quickly offered by the media.²² We were told that he had been raised in a good home and had been given plenty of opportunities but had quickly gotten involved in drugs and petty crime. Yet he adopted Islam as his religion and was critical of what he saw as corrupt and materialistic Western civilization. He was critical as well of Western foreign policy, and especially of the killing of Iraqis. He struggled between piety and drug addiction and is reported to have said that he felt the devil was after him.

These basic assertions have been confirmed by his mother.²³ Additional claims should be approached with caution. Had the case come to trial the witnesses would be identified fully and cross-examined, whereas media accounts offered an undifferentiated mixture of hearsay, cherry-picked evidence, and reports on interviews with people of whose identity we are uncertain. We have no idea if some of the people whose words about Zehaf-Bibeau have been quoted are police informants or intelligence assets. For that matter, we do not know if Zehaf-Bibeau himself may have had a special relationship at some point with police or intelligence services.

One of the longest of the early biographical efforts (in *Maclean's Magazine*) tells us that Zehaf-Bibeau “fell off the map for three years.”²⁴ What was he doing during that time?

A troubling aspect of many media accounts is the tendency to distort facts retrospectively to support the image of Zehaf-Bibeau as a dangerous jihadi. The claim that he was “a recent convert” to Islam was common,²⁵ especially in US media, and the implication seemed to be that this was inherently worrisome. (The good Michael Joseph Hall turns suddenly into the anxiety-producing Abdul.) In the case of the crudest Internet sites, the aims of those shaping the narrative are clear enough (“Remove all practicing and religious Muslims from the West...Deport them...”),²⁶ but even mainstream sources were full of coarse and inaccurate statements.

According to Canadian news sources, apparently basing themselves on court records, Zehaf-Bibeau became a Muslim ten years prior to the 2014 events.²⁷ He was not, as reported, “a recent convert.”

Moreover, according to *Maclean's*, again apparently basing itself on Canadian court records, Zehaf-Bibeau's birth name, Joseph Paul Michael Bibeau, was changed by his parents to Joseph Paul Michael Abdallah Bulgasen Zehaf-Bibeau when he was 13 years old.²⁸ The change was made to acknowledge his birth father. If this is true, this name change had nothing to do with his becoming a

Muslim, or converting, or with the jihadi narrative that some media sources seem determined to play up.

The media also suggested that Zehaf-Bibeau's father had travelled to Libya during the violent ouster of Muammar Gaddafi to join in the battle.²⁹ Evidently, this information was considered more useful to the jihadi narrative than the report that this man had owned a café in Montreal.³⁰ Whether or not Zehaf-Bibeau's father actually took part in the Libyan conflict I have not been able to discover. It is troubling that the main source for this claim seems to be an article in *The Washington Times*.³¹ This daily broadsheet, not to be confused with the *Washington Post*, was created by, and is still associated with, the Unification Church founded by the late Reverend Sun Myung Moon. Historian Thomas Frank has called this consistently right-wing paper "a propaganda sheet whose distortions are so obvious and so alien that it puts one in mind of those official party organs one encounters when traveling in authoritarian countries."³²

As the media sought for ways to depict Zehaf-Bibeau, a powerful symbol of his identity emerged.

The Iconic Photograph

On October 22, a photograph, apparently of the perpetrator, appeared and quickly went out to the world. (See Appendix B.) The image brilliantly encapsulates the "terrorism" with which both the government of the United States and the government of Canada have been obsessed in recent years.

The man's scarf or *kaffiyeh* points to Islam.³³ The rifle is held at the ready and the handle of a long knife is suspended in front of his chest. The image conveys the message that this is a violent man, a dangerous and frightening man. With his scarf over his face he is also a man of secrecy and hidden intentions. Little wonder the photograph quickly became associated with the October 22 event, becoming a symbol of Canadian Islamic extremism.

But where did this photograph come from?

On October 23, reporter Judy Trinh, speaking on CBC News, offered her opinion that the photograph was one of several indications that the perpetrator had not been acting alone.³⁴ She implied that the photographer, and the photograph, had been part of the operation. That is, the sending of this visual message had been planned and carried out by more than one person.

Unlike Trinh, most journalists seemed happy to accept the ever-changing claims about the photograph's origin and transmission. They appeared to be more interested in circulating the image and giving it iconic status than in investigating it.

Only very recently have evidence-based claims been put forth about the origin of this photo. And even as the present report is being completed, serious questions remain. (See Appendix B.)

Zehaf-Bibeau's Capacity

(1) Zehaf-Bibeau's Tools

The term “tools” is used here to indicate the objects carried, used, or worn by the perpetrator that were relevant to his violent acts on October 22. They include his Winchester rifle, .30-30 ammunition, the Toyota he drove, and a knife that he carried. There was also the scarf or *kaffiyeh*.

Let us begin with the *kaffiyeh*. Instead of wrapping the *kaffiyeh* around his head as is traditionally done in the Middle East, Zehaf-Bibeau wrapped it around his neck. It is common in the West for those who wear a *kaffiyeh* to wear it around the neck as a scarf, and it is also common for the *kaffiyeh* to be worn in the West as a symbol of resistance to Western invasion and occupation of Muslim countries. This symbolism would be consistent with the video made by Zehaf-Bibeau and with his mother's statement that he objected to the killing of civilians in Iraq by Western forces.³⁵ And we have evidence (discussed later in this report) that the words he spoke after shooting Corporal Cirillo were “For Iraq!”

On the other hand, it is unusual to wear the *kaffiyeh* in such a way as to cover the lower half of the face. The perpetrator's plan, I will argue, included his own death, and the *Independent Investigation* tells us that identification documents were found on his body. Indeed, it tells us he was carrying his wallet and passport. But if he was carrying his identification and, moreover, intended to die, why wear a mask?

We have been told that the perpetrator had been found, after his death, to have a knife in his possession. In the iconic photograph of the gunman holding his rifle we can clearly discern a handle, presumably of the knife. The *Independent Investigation* says the knife was tied to his wrist with a cord. The cord was cut by police immediately after he was killed (p. 26).

A large knife was also evident at the scene of the October 20, 2014, death of Couture-Rouleau outside St. Jean-sur-Richelieu. Indeed, some news accounts indicated that Couture-Rouleau was shot to death by police because he charged them while wielding this knife.³⁶ These accounts, however, are of doubtful accuracy. An early account in the *Toronto Star* says that police shot him after he got out of his overturned car with his hands in the air. The account, soon altered without notification to readers, did not mention him holding a knife and did not

mention him charging police.³⁷ We can find eyewitness support for the claim that Couture-Rouleau eventually charged police, but I have not found eyewitnesses that mention him charging them with a knife.³⁸

Photographs of the scene show the knife stuck in the ground.³⁹ If Couture-Rouleau charged with this knife how did it end up in the ground? It appears to be too firmly placed in the ground to have been simply dropped there. And why would police stick it in the ground? This is not how evidence at a crime scene is supposed to be treated. The knife of October 20 remains a mystery.



*Knife at the scene of the police killing of Couture-Rouleau
Credit: The Canadian Press/Pascal Marchand*

In any case, the two knives are important because they are among the elements that tie the events of October 20 and 22 together. They may also have been intended, by parties unknown, to tie these crimes to a wider set of “terrorist” scenarios.

We know that populations in the West have been motivated to support Western intervention in Iraq and Syria, in part, by knife beheadings by ISIL members. We will also recall that in an attack in the United Kingdom on British soldier Lee Rigby in 2013 the two attackers first drove their car into Rigby and then

attempted to behead him. This attack was, not surprisingly, referred to as an important precedent by some journalists covering the October 20 and 22 attacks in Canada.⁴⁰ After all, Couture-Rouleau is said to have been inspired by ISIL propaganda and to have run his car into two Canadian soldiers. A beheading would have completed the scenario. Likewise, the RCMP apparently suggested at one point that Zehaf-Bibeau may have had a beheading in mind.⁴¹

In his video, apparently made on October 22, Zehaf-Bibeau made no mention of any aim that necessitated the knife, and in his later actions he made no use of his knife, so attempts to interpret its meaning cannot get beyond speculation. But, whatever its intended function, we need to ask where he acquired it.

So far there seems to be no firm answer to that question. RCMP Commissioner Paulson said quite early in the investigation that Zehaf-Bibeau may have stored it at his aunt's house in Mont Tremblant, retrieving it when he stayed in the house overnight October 21–22 before driving back to Ottawa.⁴² He added another claim in his March 6, 2015, presentation to the Standing Committee on Public Safety and National Security, saying that while Zehaf-Bibeau was in Mont Tremblant on October 21–22 “he was seen with a long knife.”⁴³ The name of the witness has apparently not been released.

The RCMP suggestion that the knife had been stored at Zehaf-Bibeau's aunt's house was quickly treated as fact in some media accounts.⁴⁴ But what is the evidential basis for this claim? Zehaf-Bibeau had apparently once lived at this location, but he seems not to have visited it for ten years.⁴⁵ Did the RCMP find a suitable location on the aunt's property? Does the aunt recall seeing the knife? Or is the RCMP simply speculating that the knife was stored at the aunt's house because he was seen with it while in Mont Tremblant on October 22?

The problem becomes even more important in relation to the rifle. The rifle was the weapon the perpetrator chose to use, and there was an immediate recognition, by police and media alike, that a central challenge in the investigation would be to determine where he got it. Given his criminal record he could not have purchased the rifle legally. Canadian practice in this respect appears to be quite rigorous, and this makes the rifle's acquisition a mystery. Some reports have noted that the aunt's home, visited by Zehaf-Bibeau, is in a rural location where deer-hunting, and therefore hunting rifles such as the Winchester Model 94, is common.⁴⁶ Presumably we are to believe that Zehaf-Bibeau could have acquired the rifle more easily there than in the city. But hunters are unlikely to take the theft of a hunting rifle lightly. Do we have any reports of such a theft? If someone gave the rifle to Zehaf-Bibeau or sold it to him illegally that person is criminally liable. Is there a list of suspects?

Since Zehaf-Bibeau's aunt's house had proved useful as a possible source of the knife, some journalists tried to make use of it as a source of the rifle. Indeed, Mr. Paulson himself speculated early on that the rifle may have been stored on the

aunt's property.⁴⁷ In his March 6, 2015, presentation, he added an important claim, namely that "very early in the morning – October 22nd – he was observed by witnesses placing a rifle in the trunk of his car."⁴⁸ Presumably, these observations were made at the aunt's property in Mont Tremblant where Zehaf-Bibeau spent the night, but we do not know the identity of the witnesses. Mr. Paulson acknowledged on the same occasion that "we have not been able to confirm the origins of the gun."

The truth is that not only do we, the public, not know the origins of the knife and gun, we also have not been given solid evidence that either of them was stored on the aunt's property. Among other possibilities, Zehaf-Bibeau had at least ninety minutes on his way to Mont Tremblant on October 21 during which he could have received the weapons from accomplices.

A person does not usually leave a rifle somewhere for ten years and then pick it up and load it, hoping it will work during a crucial operation. The rifle will typically be stored in a dry location, then cleaned and oiled before being fired. Is there evidence that the perpetrator carried out these actions?

Did the perpetrator purchase his bullets shortly before October 22? Do we have a list of places where he might have bought them and has a seller identified Zehaf-Bibeau? Are we going to be told that the bullets too were stored on the aunt's property? Is there evidence of this?

We were quickly told after the events of October 22, 2014, that the perpetrator had used a car—a second-hand Toyota—to help him commit his crime. Commissioner Paulson made mysterious comments about Zehaf-Bibeau's intentions with respect to the car—intentions Paulson said he would not share with us.⁴⁹ Does the Commissioner have evidence that Zehaf-Bibeau wished to drive his car into his victims like other assailants mentioned above?

In any case, Zehaf-Bibeau had apparently used this car to drive to his aunt's house in Mont Tremblant on October 21, and it was soon suggested that he may have acquired his weapons and ammunition during that trip. He used the car to drive to the National War Memorial on October 22 and then from the scene of the killing to the Elgin Street entrance to Parliament Hill. The media noted the importance of figuring out how this homeless man had gotten hold of a car, and the RCMP assured us that sorting this out would be high on their agenda.

Soon we were told the outlines of a solution were in place. Zehaf-Bibeau was said to have bought the Toyota on October 21, the day before his crime, by answering an advertisement on Kijiji. He had paid \$650 for the car but had been unable to obtain license plates for it because he did not have the necessary identification.⁵⁰ More recently we have been told it was not identification he lacked but car insurance (*Independent Investigation*, p. 4).

Three questions arise at once: (1) When and how did he obtain \$650? (2) Did he have help obtaining this car? and (3) Why did he buy a car when he knew he would not be able to obtain plates?

The RCMP reported promptly that they had an answer to the first question, and in March of 2015 Mr. Paulson confirmed that “we have a full understanding of his finances and the disbursements he made prior to the attack.”⁵¹ Zehaf-Bibeau, we are told, had worked in the oil patch in Alberta and had saved considerable funds. Although this seems like a promising suggestion, we have apparently been shown no evidence to support it. The *Financial Post* published an article shortly after the October 22, 2014, events noting that it would have been very difficult for Zehaf-Bibeau to have obtained work in the tar sands/oil sands sector because applications for work there are vetted carefully and a man with his criminal record would face serious obstacles.⁵² In which sector, then, did Zehaf-Bibeau work? When did he work there and how much money did he save? We want answers supported by evidence.

As for the second question, there were reports that Zehaf-Bibeau had, indeed, received assistance in buying the car. But hints that he had received help at the Ottawa Mission were discounted by the RCMP, who said there was no solid evidence he had received assistance from people there.⁵³

Finally, why did Zehaf-Bibeau buy a car knowing he was unable to get insurance and to obtain plates? Surely he must have known this would put his entire plan at risk? He was, it seems, forced to drive without plates not only on busy streets to the War Memorial but for three hours on highways on October 21 and 22 to and from his aunt’s house. It was only through good luck, presumably, that no one picked up a cellphone during this journey and reported him. This was an odd lapse for a man who appears cogent in his video message and who seems to have engaged in careful advance planning of this attack.

None of the four police reports addresses the acquisition of the perpetrator’s tools. Yet these acquisitions raise serious questions, including the questions of whether he received help from others.

(2) Zehaf-Bibeau’s Possible Accomplices

Although the story that Zehaf-Bibeau was alone in his crime of October 22 would be promoted in the days following the events, this was not the dominant message during most of the day of October 22. Moreover, even when the lone wolf story became the official narrative (from October 23 onward) the language used by police and media did not always make the degree of aloneness clear. We would hear at one point that Zehaf-Bibeau acted alone on Parliament Hill, at one point that he had acted alone in all his actions on October 22, on another

that although he received inspiration from others he appeared to have had no assistance in his planning and preparation.

On October 22 itself reports that several individuals might have been directly involved were common. I do not assume these reports are accurate. In the chaos of events such as the October killings there are many mistakes, rumours, and falsehoods that circulate. However, there are also sometimes important truths in circulation in the early hours of an event that are nudged down the memory hole as time passes and as an official narrative is put forward.

In the RCMP's report, *External Engagement and Coordination*, a table is presented (pp. 6–7) from which the following notes have been excerpted:

- 10:22 Unconfirmed reports of two (2) other suspects and armed subject on the roof of Centre Block
- 10:41 Suspect is down in the Library; Centre Block suspect may be armed and on the roof of Centre Block; reports of people on roofs and in windows
- 10:52 ERT reports shots fired at 366 North
- 10:59 ERT reports shooting at 131 Queen Street
- 11:00 Shots fired at Metcalfe and Sparks Street
- 11:06 ***** [redacted]
- 11:09 Reports of an unidentified boat behind the Supreme Court of Canada
- 11:18 Upon investigation, OPS confirm that the reports of a shooting at 131 Queen Street were unfounded
- 11:20 Possible suspect in the back of Parliament Hill roof (not confirmed); Gatineau Police are checking a suspicious boat behind Parliament Hill
- 12:02 OCC reports shots fired at Rideau Centre
- 12:03 ***** [redacted]
- 12:05 OPS confirms that no shots were fired at Rideau Centre
- 12:14 ***** [redacted]
- 12:30 Incident Commander (IC)/OPS/PMPD hear possible shots at Centre Block on the 3rd floor

[multiple redactions follow]

- 18:02 OPS provide an update that as they were going to start releasing the perimeters they received information from a witness that there is a possibility that there are two (2) other individuals possibly involved. Therefore, the perimeter will not be released at this time.

This RCMP table helps explain media reports that by about 11:21 a.m., Ottawa police were “investigating several shooting incidents in downtown Ottawa.”⁵⁴ The OPP's *RCMP Security Posture* notes that “up to 13 different suspects had been

reported in the vicinity of Parliament Hill” (p. 13). And again “there were several reports of multiple active shooters” (p. 21).

The RCMP table, however, leaves a great deal unexplained. The reports at 131 Queen Street and at the Rideau Centre are said to have been quickly disconfirmed—although neither here nor elsewhere in the document are the errors explained. Other reports, such as the shootings at 366 North and Metcalfe and Sparks, are neither explained nor said to have been disconfirmed, either in the table or elsewhere in the RCMP document.

As for the Rideau Centre incident, a reader of the RCMP table might conclude that the shooting was first reported at 12:02 p.m. and then disconfirmed three minutes later. This is certainly not true.

The Rideau incident seems to have started in mid-morning.⁵⁵ CBC Ottawa Reporter Giacomo Panico tweeted: “Shot at Rideau Centre. Police rush us away.”⁵⁶ CTV Ottawa carried video footage of police officers hustling civilians from the scene and crouching with guns drawn.⁵⁷

Subsequent media statements and witness accounts noted:

“At 11:40 a.m. there’s word of yet another shooting from police—this one a seven minute walk from Parliament near Ottawa’s Rideau Centre Mall.”⁵⁸

“A third shooting took place in Ottawa, Canada, on Wednesday morning at the Rideau Centre, police say.”⁵⁹

“It appeared that the shots exchanged in or near the Rideau Centre may have been between police officers and a shooting suspect.”⁶⁰

“The nature of the shooting at Rideau Centre is unclear *but Ottawa police confirmed it.*”⁶¹ (my italics)

The RCMP table notes that suspicions of multiple shooters continued until at least 6:02 p.m. Indeed, as late as 9 p.m. CBC Television was still reporting: “Officials declined to say whether gunman acted alone.”⁶² On CTV evening news, we were told that Ottawa police were still searching to see whether Zehaf-Bibeau had been acting alone.⁶³

Somehow, doubts had been put to rest by the afternoon of October 23, at which time RCMP Commissioner Paulson gave a statement:

There were concerns at the initial stage of the emergency response that there may have been more than one individual involved. Our partners at the Ottawa Police Service and the RCMP agree that yesterday Zehaf-

Bibeau acted alone and that he is the same person that perpetrated the attacks at both the National War Memorial and on Parliament Hill. The investigation is ongoing and will rapidly determine if Zehaf-Bibeau received any support in the planning of his attack.⁶⁴

Mr. Paulson's statement was useful in distinguishing between acting alone on October 22 and receiving support in previous stages. But how did he arrive at the conclusion that Zehaf-Bibeau had been acting alone on October 22, a conclusion that was quickly adopted as the truth by most of the media? (The CBC's *The National*, for example, reported on the evening of October 23 that "we now know with certainty he was acting alone.")

What would constitute solid evidence that someone had been acting alone? A reporter noted insightfully that the police, in searching Ottawa, were attempting "to prove a negative."⁶⁵ Quite so, and it is notoriously difficult to prove a negative. Did police expect to find the additional suspects by charging down Ottawa streets in tight formations, with vests and automatic weapons, looking fearsome and wearing masks? Perhaps these clumps of security personnel were attempting to respond to visible dangers, not to terrorists intent on hiding, but the fact remains that there is no kind of search of Ottawa possible in such a short space of time that would have allowed the RCMP Commissioner to say with confidence that Zehaf-Bibeau had acted alone.



Police on Metcalfe Street in Ottawa, Oct. 22, 2014
Credit: Tyrone Drummond

It would be more convincing if the police could explain in some detail the reasons for their mistaken confidence on October 22 that after Zehaf-Bibeau's death a perpetrator, or several perpetrators, were on the loose. Commissioner Paulson

avoided acknowledging this confidence when he said “there were concerns” that more than one person had been involved. Actually, police said with certainty on more than one occasion on October 22 that there was more than one person involved. For example, the *Toronto Star* constructed an October 22 timeline, which says that at 4:20 p.m. on October 22, “Ottawa police confirm to CNN that investigators believe there was ‘definitely’ more than one person involved in the Ottawa shooting.”⁶⁶ And recall the previously quoted statement: “The nature of the shooting at Rideau Centre is unclear but Ottawa police confirmed it.”

Of the various reports of multiple perpetrators, among the most interesting are those involving the War Memorial.

Construction worker Scott Walsh, who was present at the War Memorial during that incident, appears to have been a careful and thoughtful witness. He was working nearby, and it seems the shooting was already in progress when he emerged from a manhole. He says the gunman at one point was five feet from him. Here are three statements that Walsh made on October 22:

(A)

Walsh: “When I came back over the fence here I saw another gentleman leaning up against the fence here . . . he had the same type of scarf, but he didn’t have a weapon on him that I could see, but before I could really get a good, like, see what he was wearing and stuff, I hopped back over the fence because someone was screaming that he was involved, and then that was the last time I saw him.”

Interviewer: “Did you see two persons . . . ”

Walsh: “I don’t know if he was involved but he was wearing the same type of scarf, not the same colour but the same design.”

Walsh said that the first shooter, presumably Zehaf-Bibeau, was “the only guy I saw that was armed” but added that the second man had “the same sort of floral design on his scarf. He was just standing by the fence here . . . he wasn’t doing anything really.”⁶⁷

(B)

Interviewer: “You saw two people?”

Walsh: “Yeah, but I don’t know if the second guy I saw was involved, and I don’t know if he was armed. He was just wearing a similar scarf. But the other guy’s was out and covering his whole face. This guy had it tucked in [gestures] and it covered his mouth, so . . . ”⁶⁸

(C)

“I hopped the fence and looked over to my right. And there was a man with a somewhat similar scarf, kind of tucked in and covering a bit of his mouth, and while everyone else was freaking out and running away, he was just leaning up against the fence with his hands in his pocket.”⁶⁹

It is impossible to know from the Walsh interviews whether or not this “second man” was involved in the shooting at the War Memorial. *Kaffiyehs*, worn as scarves, are common enough in the West these days, and there is nothing suspect about people who wear them. But Walsh’s account piques our interest. Why did someone scream at Walsh that the “second man” was involved? Who was the witness who screamed and why did this man or woman draw this conclusion? Who was the “second man” and why did he apparently flee the scene (“that was the last time I saw him”)?

Police appear to have gathered eyewitnesses and taken them to the station to interview them.⁷⁰ Did they clear up the matter of the “second man”? Witness statements about this man may have been responsible for media reports such as this:

“At 11:22 a.m. police tell CNN there may have been two or three shooters at the War Memorial.” “They do believe there’s another gunman at large at the moment. He may be on the run.”⁷¹

Were there connections between the “second man” and the reports of shots at other locations or are these reports unconnected?

We have been led to believe that, whatever doubts the police had about Zehaf-Bibeau having acted alone, these doubts were resolved by the afternoon of October 23. How, precisely, did police resolve these doubts—both with respect to the War Memorial and with respect to other locations?

I am not claiming that Zehaf-Bibeau had help on October 22. I do not know if he had help or not. My point is that the police have not made a case to the public for Zehaf-Bibeau having acted alone. Affirmations and reassurances are not the same as making a case.

Zehaf-Bibeau’s Intentions

The Video Message

A video recording of Zehaf-Bibeau explaining the reasons for his October 22 attacks was described early on by the RCMP but was not shared with the public at that time. Commissioner Paulson said, as reported in the *National Post* on

October 26, that the video was shot shortly before the attack on Corporal Cirillo and that it gave “persuasive evidence that Michael Zehaf-Bibeau’s attack was driven by ideological and political motives.” Mr. Paulson added that it was not possible to share the video at that time and said, “We ask for your patience.”

Mr. Paulson soon began to show even greater caution, indicating that he hoped “someday” to make the video available. He added that the recording was broadly related to Canadian foreign policy and contained a reference to Allah. He said the recording appeared to have been made on Zehaf-Bibeau’s “own device.” He added that RCMP were constructing a detailed timeline to make sure no one else was involved in the attacks.⁷²

On Monday, December 1, Mr. Paulson further “backtracked” (to use *Globe and Mail* reporter Josh Wingrove’s term). He now said that the RCMP might release “some aspects of a transcript” but that he was unsure whether the video itself would be released. He gave no coherent explanation for the changed decision. He said “the intensity of the investigation” was responsible for the shift. He also said that “having regard for the nature of the investigation is what has changed.” Neither statement had useful content. He also said the RCMP were “looking at presenting evidence for some sort of court process.”⁷³ Wingrove expressed puzzlement at this, noting that since the suspect was dead there seemed to be no court process at issue.

As the Conservative government pushed for the passage of Bill C-51 the RCMP suddenly decided to release the Zehaf-Bibeau video. The videotape was played by Mr. Paulson on March 6, 2015, during his appearance before the Standing Committee on Public Safety and National Security. Indeed, Mr. Paulson suddenly felt that the Canadian public not only *could* see it but *should* see it. He requested that the video, shown as part of his presentation, be broadcast live for the benefit of all Canadians.⁷⁴

This video (See Appendix C for a transcript) is important as evidence bearing on the events of October 22 and especially as evidence of Zehaf-Bibeau’s intentions. As Mr. Paulson had noted in October of 2014, Zehaf-Bibeau appears “lucid” and “purposeful.”

The *Independent Investigation* is the only one of the four police reports to make use of this video. After misquoting a statement from the video, the report makes a brief comment and moves on.

We can learn a good deal about Zehaf-Bibeau’s perceptions and intentions from the video. (See Appendix D for a fuller version of these comments.)

Zehaf-Bibeau exhibits piety in the video, and this is coupled with disgust at the killing of innocents in Muslim countries. Canada’s actions in Afghanistan and Iraq are mentioned as part of this aggression, and Canada’s current prime minister,

Stephen Harper, is explicitly named. "Terror" is mentioned explicitly by Zehaf-Bibeau, but not as what he wants to create but as what the West has brought to Muslim countries.

Zehaf-Bibeau presents himself as a religious conservative: He wants a return to traditional Islamic law for Muslim countries. He also sees himself as part of a collective: "We . . . the Mujahidin of this world." Within this collective he views himself as a warrior, fighting simultaneously on an earthly and on a cosmic plane. (This is typical of actors in religiously inspired operations of this sort.)⁷⁵ In this spirit, Zehaf-Bibeau shows no interest in killing civilians. As a warrior, he wants to engage other warriors. He says his aim is to "hit some soldiers."

It is not clear whether or not Zehaf-Bibeau wants to frighten the Canadian public. His statement ("just aiming to hit some soldiers just to show that you're not even safe in your own land, and you gotta be careful") could mean he wants to create general fear in the population, but it seems to me more reasonable to interpret this to mean he wants to create fear among *soldiers*.

Although the distinctions I am making here may seem over-precise or even irrelevant, they are actually very important to the issue—briefly discussed later in this report—of whether Zehaf-Bibeau was a "terrorist."

There is evidence in the video that Zehaf-Bibeau was preparing himself for a suicide or martyrdom operation: "May Allah accept from us." As we shall see, this is supported by an analysis of his actions.

Commissioner Paulson explained during an interview with Evan Solomon on March 7 that he had concluded that Zehaf-Bibeau received crucial assistance from others at some point.⁷⁶

Mr. Paulson did not say who the other parties might be.

Zehaf-Bibeau's Shots on October 22, 2014

The *Independent Investigation* does not account for all of the shots Zehaf-Bibeau fired, nor does it account for shots he declined to fire. It therefore does not adequately help sort out either his intentions or his capacity.

The authors of the *Independent Investigation* describe Zehaf-Bibeau shooting Corporal Cirillo in the back three times, two of these shots being fired after Cirillo had collapsed. While the claim that Corporal Cirillo had been shot in the back three times is presumably based on forensic evidence, the report gives no source for its statement. The considerable detail in the description of the shooting would also have required eyewitnesses, but, again, no source is referred to (pp. 1, 4). This leaves us with no way to verify the report's account of events. There were

numerous reports on October 22 of Corporal Cirillo having been shot *twice* in the back.⁷⁷

The report goes on to say that after shooting Corporal Cirillo, Zehaf-Bibeau, “who at this point was immediately in front of the National War Memorial, turned to his right, raised his right hand and yelled something similar to ‘Iraq’” (p. 4).

This statement does have corroboration in the public record. Hayden Trenholm, a credible and well-positioned eyewitness, has said that the perpetrator held his rifle in the air after the shooting of Corporal Cirillo, and said, “For Iraq!”⁷⁸ This fits with what Zehaf-Bibeau’s mother and several of his acquaintances have alleged, namely that he was angry about the treatment of Iraq by the West. And it also fits with what Zehaf-Bibeau says in his video.

However, the treatment of Zehaf-Bibeau’s shots themselves by the authors of the *Independent Investigation* is at times misleading, with serious implications. The report implies Zehaf-Bibeau left for Centre Block after firing three shots. This accords with what police have been saying for some time, namely that there were three shots fired at the War Memorial.⁷⁹ But the evidence has always been against this. There are many eyewitnesses on record—some of the best eyewitnesses—who say they heard more than three shots.⁸⁰ At least one of these extra shots—probably more—was fired at Branden Stevenson, the honour guard who was Cirillo’s friend and who was on duty with him at the War Memorial. Stevenson is described clearly by eyewitnesses (the *Independent Investigation* does not mention any of this) as having taken evasive action when fired upon.⁸¹

To our surprise, we find that the *Independent Investigation*, within its brief account of physical evidence toward the end of the report, records that six spent .30-30 casings were found at the War Memorial by the forensic team (p. 36). The report makes no attempt to reconcile this with its previous description of three shots fired. Was Zehaf-Bibeau scattering spent casings on the ground by hand? Was there a second shooter also firing with .30-30 cartridges? No evidence has been brought forward to support either of these ideas. Surely this is an instance where physical evidence must carry the day. So Zehaf-Bibeau did not shoot three times at the War Memorial. He shot six times. It is likely, based on eyewitness reports, that he fired about half of these shots at Corporal Cirillo and half at Corporal Stevenson.

Zehaf-Bibeau said in his video statement that he was “just aiming to hit some soldiers.” He did not say “a soldier,” but “some soldiers.” Does it not make perfect sense that he should aim at both men? He had no personal grudge against Cirillo. He saw himself as a warrior fighting other warriors. Soldiers were his target.

But the *Independent Investigation* also fails to explain shots not fired. Despite the claim of a journalist at the time that Zehaf-Bibeau was on “a shooting spree,”⁸² in his actions at the War Memorial he does not appear to have attempted at any point to shoot civilians. The *Independent Investigation* neglects to mention this or to offer comments. Zehaf-Bibeau repeatedly ignored civilians that he could have killed. He ran right past a woman and her baby at the War Memorial.⁸³ He passed five feet from Scott Walsh.⁸⁴ As he ran toward the car he wished to hijack on Parliament Hill he passed very close to a person who was walking in the direction of Centre Block. (This can be seen clearly on the security video.)⁸⁵ He paid this person no attention and attempted no violence. He could have shot the driver of the hijacked car but did not do so. And, just as there was a group of civilians present at the War Memorial, so were there civilians present when he arrived at Centre Block: He was not interested in them. The *Independent Investigation* mentions some of these civilians scattering (p. 9)—we can see it all on the security video in any case—but the report does not remark on the fact that Zehaf-Bibeau declined to fire at them. Or, again, Greta Levy, NDP press attaché, says she was close to Zehaf-Bibeau as he walked past. He made no attempt to injure her.⁸⁶

We do not know what his intentions were within Centre Block since his video statement does not illuminate that part of his attack. Did Zehaf-Bibeau consider the various security officers in Centre Block to be “soldiers” or warriors? Did he enter Centre Block to kill them? to kill someone else? Or simply to fire and die? We do not know.

His actions once he entered Centre Block do not clarify his intentions. The shot that apparently ricocheted into Samearn Son was fired during a struggle, but we do not know if Zehaf-Bibeau even intended to pull the trigger. Directly after this incident he pointed his rifle at the chest of a second guard at close range but did not shoot, choosing instead to run up the stairs and further into the building (*Independent Investigation*, p. 10). His two subsequent shots were fired in the general direction of security persons who were firing at him (pp. 10ff.) but we do not know whether he considered these guards in the same category as the soldiers he deliberately targeted at the War Memorial or whether he had a desire to kill them.

The only things about Zehaf-Bibeau’s intentions in Centre Block that we can say with confidence, after studying both his actions and his words, are that he intended to fire his rifle and he intended to die. We know he intended to fire his rifle because an eyewitness notes that he racked his rifle (operated the lever, moving a cartridge from the magazine to the chamber for firing) directly before entering Centre Block.⁸⁷ The suggestion that he intended to die comes not only from his video statement (“May Allah accept . . .”), which suggests a sacrificial act, but from careful consideration of all the shots he fired that morning.

I will now attempt a task the police reports neglect, namely to account for all of the shots Zehaf-Bibeau fired on October 22.

I will hypothesize that he began his operation at the War Memorial with fourteen bullets, eight in his rifle and six in his pocket. (The Model 94 is usually loaded with seven bullets but it can take eight—seven in the magazine and one in the chamber. I will assume it was loaded with the maximum of eight bullets.)

He fired six shots at the War Memorial. This left him with two bullets in the rifle.

After shooting Corporal Cirillo, Zehaf-Bibeau ran back to his car; drove down Wellington Street to the Elgin Street entrance to Parliament Hill; ran across the grass in front of the East Block; hijacked a car; drove past two RCMP vehicles to Centre Block; got out of his car and proceeded through the door to the Centre Block of Parliament—and managed all this in 3 minutes and 45 seconds. (*External Engagement*, pp. 4-5). Not surprisingly, no one appears to have reported seeing him load his rifle during this mad rush. The Model 94 is not especially fast or convenient to load. The assumption of most commentators has been that he did not reload between the War Memorial and Centre Block.⁸⁸

In this case, Zehaf-Bibeau made his assault on Centre Block with two bullets in his rifle. This hypothesis receives support from CBC cameraman, Jean Brousseau, who was on the scene on October 22 and indicated in an interview that the gunman had two bullets in his rifle, which he used up shortly after entering Centre Block.⁸⁹

Zehaf-Bibeau had, we are told, toured Centre Block on October 4,⁹⁰ so he would have been aware of the presence of guards. He would surely know that the chances of his surviving an assault were slim if he was armed with a hunting rifle designed in 1894 and containing two bullets.

Zehaf-Bibeau fired a shot—whether intentionally or not—shortly after entering the building, as he was struggling with a security guard. (This has been caught on video, apparently, but we are not permitted to see the footage.) This left him with one bullet in his rifle. His next shot appears to have been made while he was in the rotunda, after climbing the stairs into Centre Block. He appears to have returned the fire of one of the House of Common guards. (*Independent Investigation*, p 15). He then ran down the Hall of Honour. He did not fire at this time even though he was fired upon many times (same document, pp. 15ff.).

He found a niche by the door of the Library of Parliament. By this time he had almost certainly been struck several times. He may have been gravely wounded.

Although the *Independent Investigation* notes that there was a first volley of shots in Centre Block followed by a second volley, we can be more precise than that. As can be determined from video- and audiotapes from Centre Block, and as is

confirmed by eyewitnesses, there were about 65 seconds in the gap between the two volleys during which no shots were fired by anyone.⁹¹ This is when Zehaf-Bibeau was in the niche by the library and when the formation of four or five RCMP officers was walking down the middle of the Hall of Honour. The officers had their 9mm handguns drawn and they walked towards where Zehaf-Bibeau was hiding behind a pillar.⁹²

In theory, Zehaf-Bibeau could have fully reloaded his rifle during this lull. A Model 94 Winchester can be completely loaded in 30-60 seconds in normal conditions.⁹³ But conditions were not normal. Zehaf-Bibeau was in the middle of a gunfight, could have been rushed at any time, and was wounded. The competence required for reloading a Model 94 was just not there. He tried to reload but managed to get only one bullet in the rifle. He fumbled with other bullets, dropping three of them.

My hypothesis has Zehaf-Bibeau starting the day with six bullets in his pocket. According to the *Independent Investigation*, three spent .30-30 cartridges were found in Centre Block (p. 36), while two live .30-30 rounds were found in Centre Block and two more live rounds were found in his pocket (p. 36). We are not told where the live rounds in Centre Block were found: I will assume they were found on the floor near his body and that they were dropped during his attempt to reload. The *Independent Investigation* adds that one damaged round was found in Zehaf-Bibeau's clothing—I will assume this too was taken from his pocket during his attempt to reload (p. 36).

Shortly before his death, as security services were closing in, Zehaf-Bibeau is said to have fired his third and last shot, hitting no one (*Independent Investigation*, p. 26 and elsewhere). According to my hypothesis this is the only bullet he had succeeded in loading during the break in the shooting. This implies that when he was killed his rifle was empty. The *Independent Investigation* is silent on this point, perhaps because it does little to further the project of justifying his killing by police.

There are several assumptions in the above hypothesis, but it seems to me that it must be close to the truth. Hopefully, the authors of the *Independent Investigation* will make the required corrections.

Why does this bullet-counting matter? It bears on motive and capacity.

The way Zehaf-Bibeau used his bullets reinforces what is implied in other evidence. He did not intend to kill a great many people—and he was not in a position to do so—and was not interested in killing civilians. He intended to carry out a symbolically dramatic attack, warrior on warrior, and to give his life in the operation.

I am not suggesting that the officers who brought him down in Centre Block knew of his limited aims and capacity. Whether or not these officers were justified in killing Zehaf-Bibeau is a separate issue, which will be taken up later. But one thing ought to be emphasized. Many statements made in the press and by public figures after the events in Centre Block were wildly off base in their representation of Zehaf-Bibeau's intentions and capacity.

A CBC report in the evening of October 22 claimed that the suspect may have fired thirty shots in Centre Block.⁹⁴ As the above analysis and the *Independent Investigation* suggest, the number of shots he actually fired is almost certainly three.⁹⁵ The discrepancy is large. The danger Zehaf-Bibeau posed to Parliament was misrepresented to Canadians, and it is possible many Canadians, when told of the need for legislation such as Bill C-51, continued to harbor this misconception.

Flawed accounts were not restricted to media. Government authorities made their own contributions. On Anderson Cooper's television show in the United States on October 23, John Baird, then Minister of Foreign Affairs, said that without Kevin Vickers' intervention a dozen people could have been killed.⁹⁶ Zehaf-Bibeau was in no position to kill that many people even if he had wanted to. How such a serious error could have been made by Mr. Baird is a mystery. Did no one brief the Minister before his Anderson Cooper appearance?

The cumulative effect of these errors was both to exaggerate the danger to which Parliament had been exposed and to underestimate the rapidity of the response by security services.

CANADIAN SECURITY SERVICES: WHAT WARNINGS DID THEY RECEIVE AND WERE THEY JUSTIFIED IN KILLING ZEHAF-BIBEAU?

Terrorism Warnings

Were authorities caught unawares by the October 22 attacks? They at once said so. RCMP Commissioner Paulson assured the Canadian public that the attacks “were carried out with no advance warning.”⁹⁷ Peter Mansbridge passed on this assurance on CBC’s *The National*: “Police say the attack caught them entirely by surprise.”⁹⁸

These reassurances had to contend with indications to the contrary that were noted quickly, publicly, and repeatedly in the mainstream media.

During CBC live coverage in the afternoon of October 22, viewers witnessed Mansbridge, together with Evan Solomon, puzzling over the rapidity of the armed response on Parliament Hill.⁹⁹ Solomon claimed (he had been at the scene quickly) that there were fully outfitted tactical units rolling onto Parliament Hill in heavy vehicles by 10:11 a.m.¹⁰⁰ The shooting in Centre Block had started at about 9:54 a.m. Mansbridge remarked on the speed of the response. Did the rapid response, he wondered, come from a heightened threat level, an awareness that an attack of some sort might have been imminent?¹⁰¹

Journalists were speculating because they had been receiving reports that warnings of a possible terrorist attack had, in fact, been issued.

Mansbridge first noted that journalists had been told the previous week that the terrorist threat level in Canada had been raised.¹⁰² There seemed initially to have been considerable openness about this raising of the threat level. For example, the *Toronto Star* reported (video presentation on Thestar.com) on October 22, 2014: “The act comes just after Canada’s threat level had been elevated to medium for the first time since 2010.”

CBC’s *The National* added that the warning had come from the Integrated Terrorism Assessment Centre (ITAC) housed in CSIS.¹⁰³ But, a frustrated Peter Mansbridge noted on October 22, when his team had tried to look more deeply into this warning they “were told that absolutely it was not true.”¹⁰⁴

All reports of a raised “threat level” in the country raised two questions. First, why had the Canadian public not been aware of the existence of formal threat levels previously? The US colour code scheme for indicating threat level was well known but, insisted a CBC Radio journalist on October 22, journalists in Canada had been told by the government that “*Canada had no terrorist threat level rating system.*”¹⁰⁵ The journalist claimed that only recently they had learned such a system existed. The second question was why, if a threat level rating system

existed and if warnings had actually been issued, the threat level at Parliament in Ottawa had not been raised. Gilles Michaud, RCMP Assistant Commissioner, said on October 22 that the threat level at Parliament had been stable for years at “medium.” “The threat level on Parliament Hill, we’ve been operating at the ‘medium’ level for the past number of years, and that’s the level that we’re operating at right now.”

Presumably, we were supposed to believe that elsewhere in Canada the threat level may have been raised to “medium,” but it was not necessary to raise the threat level on Parliament Hill since it was already at “medium.”

A spokesperson for Public Safety Minister Blaney further suggested that Canada “had raised its domestic terror threat level from low to medium” due to “an increase in general chatter from radical Islamist organizations.”¹⁰⁶

General “chatter” picked up by intelligence agencies also figured in a US warning around the same time that concerned threats to military personnel and police in the US. CNN reported on October 22 that the FBI and the Department of Homeland Security had sent a warning bulletin “in the past week or so” and “after intelligence picked up chatter from ISIS members, urging attacks against government officials in the US, including law enforcement and military personnel.”¹⁰⁷

But there was more information to come. Peter Mansbridge noted, again on October 22, that “within the last week to ten days NBC led one of their newscasts with a pretty firm report in terms of how sure they were of it, of potential terror threats inside Canada.”¹⁰⁸ Indeed, as early as October 8, NBC claimed to have been told by US intelligence officials “that Canadian authorities have heard would-be terrorists discussing potential ISIS-inspired ‘knife and gun’ attacks” inside Canada.¹⁰⁹

Both the October 20 and 22 events in Canada involved suspects with knives, and in the second case there was a gun as well. This warning sounds more specific than the “general chatter” spoken of by Mr. Blaney’s office. What was the basis of the warnings? Who was, and who was not, informed of these threats? Why was the threat level at Parliament not raised?

But there was more news. On the morning of October 22, Craig James, a Clerk of the British Columbia legislature, said,

We are aware and have been aware of a heightened concern from entities in Ottawa for at least a few days. We . . . received information that there may be a problem this week. We had discussions with certain members of the assembly to be prudent . . .¹¹⁰

It soon became clear that Mr. James was not the only one to have received a warning. In British Columbia, various individuals, including the Attorney General and the Finance Minister, acknowledged they had received recent warnings (ranging from a week before the Ottawa attacks to as recent as Monday, Oct 20). Journalist Michael Smyth of *The Province* asked the obvious question: “So our provincial politicians [in B.C.] and legislative security staff were well-briefed by the feds here, but the RCMP in Ottawa got taken by surprise? What is wrong with this picture?”¹¹¹

The warnings, it turned out, had not been restricted to British Columbia. Those “in charge of security at Canadian parliaments” across Canada had received the warnings.¹¹²

On November 24, 2014, a story broke in the media that added new fuel to the fire of controversy. The story raised questions about the actions of some agencies and the inaction of others.

It turned out that the Privy Council Office (PCO), which acts as advisor to the Prime Minister, had issued a warning on October 17, 2014, three days before the Quebec events and five days before those in Ottawa.¹¹³ The memo (see Appendix E) warned of a potential “violent act of terrorism” in Canada. It had been circulated Friday evening, October 17, but some relevant parties appear not to have received it until Monday, October 20, the day of the Quebec attack.

The heading of the Privy Council memo is “HEIGHTENED STATE OF ALERTNESS.” The memo portrays the warning as having originated with the threat notice issued by the Integrated Threat Assessment Centre (ITAC), which is housed in CSIS and has numerous federal partners including the RCMP. In addition to general statements about the need for vigilance, the memo from the PCO contains instructions such as “validate communications and notification protocols—e.g., internal communications to staff, emergency phone line, emergency notification system.”

The memo also says “first responders” will be notified of the warning.

Context is important in assessing the significance of such warnings. Are these warnings regular occurrences that provoke nothing but yawns? Apparently not. CBC’s Terry Milewski noted:

The raising of the threat level to medium on October 17 was not routine—it was the first time that happened in more than four years, since August 2010. In raising it, ITAC reported that ‘intelligence indicates that an individual or group within Canada or abroad has the intent and capability to commit an act of terrorism. ITAC assesses that a violent act of terrorism could occur.’¹¹⁴

The discovery of this memo in late November 2014 was immediately accompanied by questions as to why the relevant agencies, including the RCMP, had not been better prepared for the October 22 events. Steve Day, former commander of Canada's special forces, and Garry Clement, former RCMP superintendent, were quoted in the media to this effect.¹¹⁵

Milewski added that the emails accompanying the memo had recommended that the warnings not be passed on to the public or the media.¹¹⁶

When queried about the memo and the warnings, Mr. Blaney (Minister of Public Safety) and a spokesperson for the RCMP refused to comment.¹¹⁷ Apparently, the Canadian public was neither to be warned in advance of the danger of a terrorist attack nor to be told after the fact why the response to the warning had been deficient.

Instead of offering mild criticisms of the weak preparations on Parliament Hill, why are we not asking whether the two soldiers killed on October 20 and 22 would still be alive if the warning had been shared more widely?

Peter Mansbridge's question about the state of readiness near Parliament Hill could, after the release of the PCO warning, be acknowledged as a good question. It is likely that the tactical units that almost immediately made their appearance on Parliament Hill had, indeed, been in a state of heightened preparation after receiving the PCO memo or the preceding ITAC warning. In addition, the Prime Minister's smug pronouncements, immediately after both October incidents, that Canada was facing terrorism are more understandable. Staff in the PCO directly advising him had issued the October 17 terrorism warning.

How specific was the timing in the warning? In the PCO memo we are told that, "there is no information indicating that an attack is imminent," but we will remember that Craig James was under the impression that "there may be a problem this week." Was the information James received contained in the email accompanying the PCO warning or had he received it through other channels?

Many questions remain. What, for example, was the relation between the ITAC information and the warnings of an imminent terrorist incident in Canada announced in the United States (for example, the Oct. 8 NBC warning)? And what was the state of preparation on Parliament Hill? On the one hand, the tactical units showed up quickly. On the other hand, in crucial respects security services seemed to have been appallingly unprepared. House of Commons security guards were apparently not warned of Zehaf-Bibeau by the 911 service, although numerous calls about the War Memorial shooting were received immediately; nor by the Ottawa police who were responding to the War Memorial shooting; nor even by the RCMP, two of whose vehicles were passed by Zehaf-Bibeau after he hijacked a vehicle on Parliament Hill and drove to Centre

Block.¹¹⁸ The RCMP report on its response on Parliament Hill notes poor radio communication as one of the causes of faulty coordination (*External Engagement*, p. 16). But the PCO memo issued on October 17 specifically says to “validate communications and notification protocols—e.g., internal communications to staff, emergency phone line, emergency notification system.”

Why were these instructions not followed on Parliament Hill when legislatures elsewhere in the country were apparently acting on the warnings?

And why does not a single one of the four police reports released to the public, at least in the redacted forms available to us, even mention the ITAC and PCO warnings? How can the quality of the response of any of the relevant agencies be assessed if the warnings are not acknowledged and taken into account?

Moreover, is it actually true that the threat level at Parliament had not been raised in recent years (that it had been at “medium” for years, as Mr. Michaud said on October 22)? If so, what are we to make of the fragmentary statement in the OPP report, *RCMP Security Posture*, completed in March 2015:

“In January 2013, the RCMP’s threat assessment of Parliament Hill was determined to be at a *****. This proved to be even more challenging in maintaining the level of resources required for this area” (p. 8).

Despite the redaction, the statement clearly implies that in January 2013 the threat assessment at Parliament was raised. This, we are to understand, put an additional strain on RCMP resources. Later in the document we are told that the January 2013 threat assessment was sufficiently worrisome that the RCMP was “not prepared to deal with this type of threat due to lack of planning, training and resources” (p. 20).

And how odd it is that the RCMP, the agency that most emphatically ignored the warnings and failed to make preparations, was, in February 2015, given increased authority in the House of Commons, the institution its failures on October 22 had put at risk (see *House of Commons Incident Response*, p. 8).

To sum up: Three days prior to the first of two successful acts of “jihadi” violence in Canada, a warning of terrorism was issued by the Prime Minister’s advisory body based on advice from the Canadian intelligence community as represented by ITAC. The warning was interpreted by at least some who received it as referring to “this week,” the week of the two attacks. Both the type of attack and the type of warning were, and are, extremely rare in Canada. The warning called for concrete preparations, which, if implemented—and especially if shared with the public—might have frustrated both attacks. The concrete preparations recommended were largely ignored where they were most needed, on Parliament Hill. Police reports have declined to discuss the warning and have therefore been grossly inadequate. The main body punished for the failures to

heed the terrorism warning has been the Canadian public, whose civil rights have been reduced through a series of bills passed in the wake of the attacks.

There are strongly grounded conclusions we can formulate on the basis of this information. One conclusion is that Commissioner Paulson was lying when he said that the RCMP had received no warning. The RCMP is one of the federal partners in ITAC and would have been immediately given relevant information. Another conclusion is that Assistant Commissioner Michaud, who said the threat level at Parliament had not been raised in recent years, was also not telling the truth. A third conclusion is that while some police were apparently prepared (the tactical units), others acted so slowly it is hard to believe they had been given the warnings.

On October 22, Peter Mansbridge assured his audience that, given its importance, the question of advance warning would be pursued assertively by Members of Parliament in both the House of Commons and parliamentary committees, as well as by journalists from coast to coast.¹¹⁹ Has it been pursued assertively? No evidence of this could be seen when Mr. Paulson made his appearance before the Standing Committee on Public Safety and National Security on March 6, 2015. Why have Parliamentarians and newspaper editors not called for Mr. Paulson's resignation?

The Killing of Zehaf-Bibeau

The stated task of the *Independent Investigation* was look into “the shooting death of Michael ZEHAF-BIBEAU that occurred on October 22, 2014” (p. 3). The Ontario Provincial Police conducted this investigation at the request of the RCMP.

After considering the evidence set forth in their report, the investigators reached the conclusion that the use of lethal force was justified. More specifically, “the OPP has concluded that the six involved officers acted reasonably and that their conduct is entitled to the protection of section 34 of the Criminal Code. The force was justifiable and there are no reasonable and probable grounds for any Criminal Code charges in relation to the death of Michael ZEHAF-BIBEAU” (p. 40).

Several of the weaknesses of this report have already been listed. Clearly, no attempt was made to approach the standards that would have been in force in a trial. But there are further weaknesses that combine to undermine the reader's faith in the investigators' conclusions.

Political Framing of the Investigation

As will be explained later, the great majority of weapons-related “terrorism” cases that come before the courts in North America involve *state security agencies assisting the perpetrators*. This astonishing fact makes it especially important that investigations of the killing of suspects be handled scrupulously.

Kevin Vickers, sergeant-at-arms and head of House of Commons security on October 22, was an active participant in the killing of the suspect. So was RCMP Constable Curtis Barrett. Both men were widely praised for their actions. Barrett was given a standing ovation by the NDP on October 22.¹²⁰ The following day Vickers received a prolonged standing ovation from all parties in the House of Commons when he made his usual ceremonial entrance carrying the mace.¹²¹

At what point does spontaneous appreciation of acts of courage and selflessness become interference with a police investigation? In Vickers’ case the line was crossed quickly. Vickers went to Israel three weeks after the October 22 events, where he “was invited to meet Israel’s Prime Minister and other high-ranking government officials and was honoured by the Israeli parliament, the Knesset.”

Prime Minister Netanyahu informed the world that “this terror attack in Ottawa proves, once again, that Islamic radical terrorism has no limits and respects no borders.” He added that “Israel and Canada stand side-by-side in the international effort to eliminate terrorism.”¹²²

Why on earth did the government of Canada permit Vickers to take this trip? Vickers was under investigation for a killing, while Israel had just carried out a violent assault on Gaza (“Operation Protective Edge,” July 7–Aug. 28, 2014) and was responsible for many acts the United Nations Human Rights Council says may qualify as war crimes.¹²³ Eager for international support during a time of widespread condemnation, Mr. Netanyahu clasped Vickers to his bosom.

As if this were not bad enough, the Prime Minister of Canada then appointed Mr. Vickers ambassador to Ireland, effective January 19, 2015. Mr. Harper, commenting on the appointment, noted Vickers’ “tremendous acts of heroism.”¹²⁴ All this took place while Vickers was under investigation.

Whatever the purity of the aims of the OPP investigators, they were obviously operating in a context of political commitments and expectations. How embarrassing it would have been, to the Prime Minister and to the government of Canada, if the new and much praised ambassador to Ireland were found to have engaged in unlawful killing!

Was the Killing of Zehaf-Bibeau Justified?

Many Canadians view Kevin Vickers and Curtis Barrett, the two men most directly responsible for Zehaf-Bibeau’s death, as heroes, who risked their lives to

protect Parliament. They may well be right. But in this case the *Independent Investigation* does these men a disfavor. By avoiding the real questions it leaves us with doubts.

According to the *Independent Investigation* the total number of shots fired at Zehaf-Bibeau in Centre Block was 56. This seems to be a solid figure since it was determined by counting spent casings in the building (pp. 36, 40). Of the 56 bullets, it appears that approximately 27 were fired in the first volley and approximately 29 in the second (pp. 1-2). The number of shots that wounded Zehaf-Bibeau was 31, based on an examination of his body. Of these 31 shots, 4 to 8 shots were classified as “potentially fatal,” meaning that any one of them could have led to his death if he had not received prompt medical attention. Another 2 shots were classed as “rapidly fatal,” meaning either one of them was capable of ending his life immediately (pp. 3-4).

Six 9mm handguns were fired during the exchange (p. 36). These included the main handguns that ended Zehaf-Bibeau’s life, which were wielded by House of Commons security head Kevin Vickers and RCMP Constable Curtis Barrett—neither is named in the redacted report but we know their names from elsewhere.

Zehaf-Bibeau’s refusal to go down during the first volley seemed at one point to support the hypothesis that he was wearing body armour. (See Appendix F.) But the *Independent Investigation* does not mention body armour, and surely its authors would not deceive the public by omitting such an important fact? Assuming this is so, it seems that Zehaf-Bibeau was still standing after 27 shots not because he was wearing body armour but because only about 6 of these shots actually hit him, and none was immediately fatal. (Again, see Appendix D.) The *Independent Investigation*, surprisingly, has no comment on this issue.

The two officers most intimately involved in the killing of Zehaf-Bibeau fired at him at very close range during the second major volley. Zehaf-Bibeau was already wounded and had fired his third and final shot. As suggested earlier, his rifle was likely empty after that third shot. According to the *Independent Investigation*, Officer Barrett then started firing at Zehaf-Bibeau from four metres distance and kept firing as he walked directly toward the suspect. He ended up firing from “within feet,” presumably meaning from less than two metres. Altogether he fired 15 (or 14—the report is inconsistent) shots during this period and in his view every one of them hit the suspect (pp. 26, 36). Shortly before this Kevin Vickers jumped or rolled from his hiding place and began firing at the suspect at very close range. Zehaf-Bibeau, we are told in the report, collapsed to his knees as soon as he was hit by Vickers’ first shots. Although we are not given a detailed timeline, Zehaf-Bibeau, as he continued to absorb shots, collapsed further into a prone position. At some point in this process Vickers moved into a sitting position and continued emptying his handgun into Zehaf-Bibeau from a distance of about one metre (pp. 21-22; 37).

How many shots were fired into Zehaf-Bibeau after he had collapsed, either partly or completely? The OPP investigators do not seem interested in the question and do even not raise it. What we do know is that several shots, including the two “rapidly fatal” ones, appear to have been delivered after at least partial, and probably total, collapse. Although Zehaf-Bibeau was initially facing his last two attackers, neither of the rapidly fatal shots hit him in the front. One hit him in the back of the neck and penetrated his brain and one hit him in the upper back and penetrated his heart (pp. 33-34).

Most, if not all, of the four-to-eight “potentially fatal” shots also hit Zehaf-Bibeau in the back (p. 34). How many were fired during the last seconds of the engagement when the suspect was already down? The investigators do not say and do not seem to care.

A 2010 study of a RCMP killing by the Police Policy Studies Council in the United States notes that “RCMP policy pertaining to the use of force affords its constables a reasonable degree of situational latitude in determining what level of force is most applicable.” The study also notes, however,

“For at least two decades, the police firearms training community has stressed two prevailing engagement principles in deadly force encounters. They are

‘Fire until your foe falls.’

‘Aim for the center mass of the target available.’”¹²⁵

The first of these principles is certainly relevant to the killing of Zehaf-Bibeau, but the OPP authors of the *Independent Investigation* do not directly refer to it. The closest they come is when they say “it is reasonable to believe that these officers perceived a continuing threat up to the point where ZEHAF-BIBEAU was felled and the gunfire went silent” (p. 40). But what does this mean? As far as we can determine Zehaf-Bibeau was felled first and then killed. As for the gunfire going silent, Zehaf-Bibeau had stopped shooting well before he was killed. Were the security officers allowed to keep shooting until their own gunfire fell silent?

The authors make an indirect attempt to justify the continued shooting of the suspect by claiming that Officer Barrett was worried Zehaf-Bibeau might have been wearing an explosive belt and by claiming that the officers needed tangible evidence the suspect was no longer a threat (pp. 26, 40).

The problem with concerns about an explosive belt is that this argument could be used to justify the killing of any alleged terrorist. As for the second claim, surely the principle quoted above (stop firing when the suspect falls) is meant to establish, quite precisely, a criterion for tangible evidence. Why were the officers in this case justified in rejecting this criterion?

The fact is that the authors of the *Independent Investigation* make only a very general argument for the justifiability of the killing. Essentially, they say that the officers had a right to shoot the suspect given his actions at the War Memorial and in Centre Block, and given the clear risk he represented to the officers and to others, including Members of Parliament, in the building. But does anyone question this basic claim? The question that must be asked is much more specific: Were the officers justified in killing Zehaf-Bibeau with repeated shots at very close range after he had collapsed?

The OPP investigators do not raise this question. Moreover, they also mislead the reader during their project of exonerating the officers who killed Zehaf-Bibeau by telling a half-truth and by giving irrelevant information.

In establishing the danger Zehaf-Bibeau represented to security officers, the OPP authors support their argument by saying he had already shot one officer in Centre Block. They are referring to Samearn Son. But the police have made it clear Son was hit by a ricochet during a struggle.¹²⁶ Zehaf-Bibeau's intentions are not clear. We do not even know if he intended to pull the trigger. We do know he declined to shoot a second officer immediately after this incident although he could have done so (p. 10).

Samearn Son did not even know he was wounded until after he exited Centre Block,¹²⁷ so it is hard to see how the officers who killed Zehaf-Bibeau could have known he was wounded. And if they did not know he was wounded, how does the wounding justify their killing of the suspect?

In a similar vein, the authors tell us the story of the shooting of Cirillo in some detail, making clear Zehaf-Bibeau's intent to kill and painting a vivid picture of Corporal Cirillo's death. But they do not establish—and they do not even try to establish—that any of the officers who shot Zehaf-Bibeau in Centre Block were aware of these facts about the War Memorial shooting at the time they killed Zehaf-Bibeau. So how are the War Memorial facts relevant to the justifiability of the shooting?

If Zehaf-Bibeau's killing of Cirillo at the War Memorial is relevant as a proof, after the fact, of his *intent* to kill, why are his (presumably) empty rifle, his multiple wounds, and his lack of a bomb or suicide belt—all discovered after his death—not relevant as evidence of his *incapacity* for further lethal action?

It is not acceptable to refer to facts unknown to the officers in the one case and to refuse to do so in the other case.

WAS ZEHAF-BIBEAU A TERRORIST—IF SO, WHAT KIND?

RCMP Commissioner Paulson told the Canadian public in March 2015 that Zehaf-Bibeau, had he lived, would have been charged by the RCMP with terrorism. (In fact, although Mr. Paulson insisted in his appearance in the C-51 hearings that he was not supporting any political agenda, he managed to use the word “terrorist” nine times in his brief remarks.) Mr. Paulson reminded us on the same occasion that he must work with the definition of terrorism given in Canada’s Criminal Code.¹²⁸

Indeed, if the courts had found Zehaf-Bibeau guilty of terrorism, conviction would in large part have depended on the peculiar and politically shaped understanding of terrorism in the Canadian Criminal Code.¹²⁹ The Canadian interpretation, despite its two-page sprawl, omits one of the elements typically considered essential to terrorism, namely purposeful violence against civilians.¹³⁰ If we were working with a definition that included this element and that would widely be recognized as valid outside Canada, it is not at all clear that Zehaf-Bibeau committed an act of terrorism. We do not know what his intentions were in Centre Block, while his actions outside Centre Block, and his aim as stated in his video statement, do not supply convincing evidence that he was purposefully targeting civilians. Likewise, as explained earlier, we do not know if Zehaf-Bibeau intended to create fear in the general population, another factor that is frequently considered essential (although not in Canada’s Criminal Code) to terrorism.

Nothing I am saying, here or elsewhere in this report, is meant to exonerate the suspect, morally or legally. Had Zehaf-Bibeau survived he should certainly have been charged with several crimes, including murder. But not all murder is terrorism.

For the purposes of the following discussion, I will not attempt to give a definitive answer to the question of whether Zehaf-Bibeau was a terrorist but will ask where, if he was a terrorist of some sort, he might fit in the ranks of terrorists.

Types of Terrorism Currently Common in North America

In 2013, an important study of FBI operations against alleged US domestic terrorism was published.¹³¹ Author and investigative journalist Trevor Aaronson noted that the FBI was reorganized after the 9/11 attacks so that domestic terrorism would be its top priority. The Bureau was receiving, at the time of publication of Aaronson’s book, about \$3 billion per year for anti-terrorist activity out of a total annual budget of \$7.8 billion. This represented a larger proportion of the budget than that allocated to organized crime.¹³²

With this high priority support, prosecution of (mainly Muslim) terrorists became a major activity of the Bureau. Aaronson discovered that there were 508 prosecutions for terrorism-related crimes in the United States between September 11, 2001, and August, 2011.¹³³

This seems like a great deal of domestic terrorism. But Aaronson, searching carefully through the court records of each case, eventually concluded that only a tiny fraction of these cases involved what most people would regard as real terrorists, that is, persons with both the determination and capacity to carry out serious violence (typically with guns or bombs).¹³⁴

Aaronson also came to the conclusion that “Islamic terrorism in the United States is not an immediate and dangerous threat.”¹³⁵

The solution to the apparent contradiction between high levels of prosecution and low levels of actual terrorist threat is found in the FBI’s method.

The common method was, and is, to find a young Muslim man—typically a poor man who is living on the fringes of mainstream society—who has engaged in “jihadi” talk, possibly in face-to-face conversation and possibly on the Internet. In some cases the man will have grandiose fantasies of himself, or he will be someone who expects to make money from the operation. But the FBI has also gotten results by playing on genuine moral outrage—for example, outrage against US actions in Iraq. FBI undercover operatives do not hesitate to suggest vengeance to the young man: “We will teach these bastards a good lesson.”¹³⁶

The FBI operative, taking on the role of jihadi and enabler, attempts to bring the potential terrorist, through a series of stages, to the point of actually attempting to carry out a violent action of some kind. According to Aaronson and several other students of this method, the FBI operative, who often supplies the means necessary for completion of the act (gun, bomb, and so on), finds it easy to substitute an inoperative weapon before the target pulls the trigger, pushes the button, or whatever it may be. At the moment of the failed attempt the FBI officers swoop in and arrest the duped target, who is typically found guilty on terrorism-related charges by a jury (despite the defence lawyer’s attempts to argue that the client was entrapped) and sentenced to many years in prison.¹³⁷

It is not uncommon for the enablers used against the target by the FBI to have criminal records and to have proven skills in lies and deception. After a successful netting of a “terrorist” they may be sent off to another part of the United States to repeat their jihadi performance and net someone new.¹³⁸

Both the FBI as an organization and its terrorist enablers have financial incentives to produce and trap “terrorists.” The Bureau has its \$3 billion per year. As for the enablers, they are, of course, paid for their work, but many also get a bonus if the person targeted is convicted of terrorism in court.¹³⁹

This well-lubricated system functions to produce a steady supply of pseudo-terrorists—about one every sixty days in 2013. Aaronson calls it a “terror factory.”¹⁴⁰

Since the FBI was unable to find major terrorist networks or groups operating in the United States, they decided to concentrate on what they call the “lone wolf.” This decision was made years before the solemn debates on Canadian television in the days following October 22 about the problems of dealing with lone wolf terrorists. Neither the idea nor the language was new in October 2014; moreover, the strategy for dealing with supposed lone wolves was well advanced. The FBI took as its central purposes: (1) identifying potential lone wolves, and (2) moving them to the next stage.¹⁴¹

What this actually amounts to is making these unstable and isolated people into terrorists.

Aaronson often refers to FBI-assisted operations as “sting” operations,¹⁴² but they are different from traditional stings in at least two crucial respects.

First, in traditional stings the person targeted, or his/her organization, is capable of carrying out the crime without the FBI operative, whereas in many of the operations at issue here the persons working for the FBI are essential to the carrying out of the crime: “It was FBI informants who provided the ideas, the means, and the opportunities for horrific plots.”¹⁴³ Again “of the more than 150 terrorism sting operation defendants, an FBI informant not only led one of every three terrorist plots, but also provided all the necessary weapons, money, and transportation.”¹⁴⁴

Secondly, in traditional stings a crime of a certain kind is already occurring and the police asset or agent observes or participates in this existing criminal activity. This is why in the Wikipedia article on “sting operations” (accessed March 6, 2014) examples such as the following are given:

“Deploying a bait car (also called a honey trap) to catch a car thief”
“An undercover officer posing as a prostitute to raid illegal solicitation”
“An undercover officer posing as a hitman to prevent potential murder-for-hire”

In the FBI’s terrorist initiatives the duped target may have had a criminal record, but typically had no history of terrorist activity. (Canada’s John Nuttall, speaking to an RCMP mole: “I’ve never done this before. I’m new to this.”)¹⁴⁵ The FBI, through its enablers, *turned the target into a terrorist*. Then, and only then, could he or she be charged with, and convicted of, terrorism.

For these two reasons the term “sting” should not, in my view, be used for these operations. I propose that the terms “Managed Terrorism” and “Managed Terrorist” be used instead.

The FBI, according to Aaronson, has concentrated almost exclusively on Muslim communities, claiming that “at any time, in any community, some could radicalize and become a terrorist, with a bomb, a gun, even with household chemicals.”¹⁴⁶ Yet he points out that there are no reliable data suggesting Muslims as a community in the United States are any more apt to approve of violent extremism than members of other religious communities.¹⁴⁷ Why, in that case, are there thousands of people “tasked with infiltrating Muslim communities?” It would seem that in other global political contexts Hindus could be targeted in a similar way, or Jews, Buddhists or Christians. The “factory” has been constructed to support the War on Terror and its central assumptions.

This “factory” is already operating in Canada. The RCMP’s 2006 initiative against the “Toronto 18,” repeatedly referred to by journalists in the wake of the October 2014 attacks, is a case in point. The accused, it was implied at the time of their arrest, had been involved in acquiring deadly weapons. But the 9mm handgun had been supplied by a police mole, the same police mole (at the time a drug addict) who gave the group members weapons training. And the attempt to get hold of ammonium nitrate for the construction of an ammonium nitrate fuel oil bomb had been facilitated by a second police mole, who was paid over \$4 million by the RCMP for his contribution.¹⁴⁸

But why not take a more recent case? In 2013 the RCMP arrested a BC couple, John Nuttall and Amanda Korody, for attempting to set off three bombs on the grounds of the BC legislature on Canada Day (July 1). This couple, having apparently self-converted to Islam, have been described by *Vancouver Sun* journalist Ian Mulgrew as “impoverished, troubled drug addicts.”¹⁴⁹

Nuttall and Korody “were befriended in early 2013 by an officer pretending to be an Arab businessman with extremist connections. Over the following months, he encouraged their Islamic militance and introduced them to other Mounties acting as jihadis.”¹⁵⁰ More than 240 members of the RCMP were involved in this entrapment exercise.¹⁵¹

“Over the following months, the [RCMP] corporal encouraged their extremism, bought Nuttall a suit (because his only other outfit was army pants, a Surrey T-shirt and leather jacket), paid him for meaningless jobs, gave him money for groceries, all the while pressing him to formulate a viable terrorist plot.”¹⁵²

On the audio tapes of police interactions with Nuttall, the RCMP mole can at one point be heard berating Nuttall for, in the words of Canadian Press journalist Geordon Omand, his “poorly researched plan to hijack a Via Rail passenger train in Victoria that no longer exists.” After criticizing Nuttall for his poor research the

mole can be heard saying, “I’m here to make what you have in your head come true, what you want in your heart to be a reality.”¹⁵³

In other words, Nuttall had been indulging in fantasies. His plans were not rooted in the real world. Since evil thoughts are not criminal in Canada, the job of the police was to make the thoughts become reality. Then a crime would come into being—and then terrorism would come into being.

In the end, the RCMP operatives convinced Nuttall to build pressure-cooker bombs, helped him build them, and assured him they would supply the required explosive substance. Then they found him a nice place for the bombs on the grounds of the BC legislature.¹⁵⁴

In these acts of politicized entrapment, the RCMP has already been working closely with the FBI. Consider the trial of Raed Jaser and Chiheb Esseghaier, accused of planning a Via passenger train derailment and found guilty on terrorism-related charges in March 2015. Testimony crucial to the case was given by an undercover FBI agent. “The officer posed as a wealthy Egyptian-American real estate developer.” He “bought the two accused plotters meals, drove them to scouting locations and handed out cash,” and so on—the standard FBI methods.¹⁵⁵ But in this case the police, Canadian and American, worked together to create credible terrorists.

Returning to the events of October 2014, the CBC’s *The National* noted five similarities between the suspect in the October 22 attack and the suspect (Couture-Rouleau) in the attack in Quebec two days earlier:¹⁵⁶

- They came from broken homes.
- They were adrift.
- They used drugs heavily.
- They may have suffered from mental illness.
- They had “self-radicalized.”

These are, indeed, interesting similarities. They have been used to support two alternative theories, the theory of the unstable individual who operates alone and the theory of the unstable individual who becomes the prey of an Islamic terrorist organization. But there is a third possibility: These men could have been unstable individuals who became the prey of security and intelligence operatives.

Was Zehaf-Bibeau a Managed Terrorist?

Slightly more than a month before the October events (September 16, 2014) a press release from the Buffalo Division of the FBI announced that a federal grand jury in Rochester had just “returned a seven-count indictment” charging a Rochester man, Mufid Elfgeeh, with a variety of crimes, including attempted

murder of members of the US military.¹⁵⁷ Other charges included attempting to “provide material support and resources” to ISIL and “possessing firearms equipped with silencers in furtherance of a crime of violence.” Mr. Elfgeeh was 30 years old when charged.

Mr. Elfgeeh had allegedly told a friend “that he was thinking about getting a gun and ammunition, putting on a bulletproof vest, and ‘just go[ing] around and start shooting.’”

It turned out that, as in most cases of domestic terrorism in the United States, Mr. Elfgeeh’s fantasies had been supported by the FBI. Two of his closest “terrorist” associates, whom he was allegedly helping to send to Syria to fight for ISIL, were working for the FBI. One of these men had supplied the handguns, together with ammunition and silencers, necessary for the “plan to kill soldiers.” The FBI press release did not say who first came up with the idea of killing soldiers.

Mr. Elfgeeh’s handguns “were made inoperable by the FBI before the confidential source gave them to Elfgeeh,” and Elfgeeh was seized as soon as he took possession of the guns.

Directly after the FBI press release was issued, investigative journalist Tony Cartalucci wrote an article noting that “missing mechanisms in two firearms provided to a potential terrorist” were “the only thing that prevented this latest case of entrapment from going ‘live.’”¹⁵⁸ Citing known and authentic instances where US intelligence agencies had, indeed, allowed or planned to allow terrorist actions to go “live” against Western populations, Cartalucci said, “It is clear that the FBI can at any time through design or disastrous incompetence, turn one of their contrived entrapment cases into a live terror attack.” After a brief discussion of similar developments in Australia, Cartalucci issued his warning, published on September 18, 2014:

That the FBI and Australian authorities are coordinating staged security operations in tandem on opposite ends of the globe to terrify their respective populations into line behind an impending war with Syria suggests a new ‘Operations Northwoods’ of sorts is already being executed.

Operation Northwoods was the notorious 1962 plan by the Pentagon and the CIA to carry out a number of deceptive acts of violence, including a terrorist attack in the United States, in order to frame Cuba and provide a justification for an invasion of that country.¹⁵⁹

After the two attacks in Canada of October 20 and 22 Cartalucci wrote a follow-up article, noting “At least two live attacks have now been carried out in Canada—precisely as they were predicted.” He added “It is very likely undercover agents were involved in either one or both cases.”¹⁶⁰

The possibility that the October 22 events may have been an instance of Managed Terrorism was given credibility on the very day of the attack on Parliament Hill by a report from CBC journalist Adrienne Arseneault.¹⁶¹ Arseneault's comment came during an otherwise unremarkable discussion of the day's events by an assembly of experts. No doubt many in the CBC's audience were alarmed to learn from her that while police may have been surprised by the details of the day's attack, they could hardly claim to have been surprised by either the scenario or the timing. "This precise scenario," she said, "has been keeping them up at night for a while." She explained that within the previous month the National Security Task Force, the RCMP, and CSIS had run a scripted scenario that involved an attack in Quebec followed by an attack "in another city," followed by an event involving men returning from fighting in Syria. She commented that we are "seeing that now." Indeed, on October 20 we had an attack in the province of Quebec and it was immediately followed by an attack "in another city" (Ottawa). The attack by returnees from Syria did not take place, but the RCMP did not hesitate to link both October suspects to fighting in Syria, using deception when necessary to make the link.¹⁶²

The questions raised earlier in this report about how Zehaf-Bibeau acquired the tools necessary for his attack and whether he may have received help take on new meaning in light of the possibility that the October 22 events may have been Managed Terrorism. Of the various experts who appeared on Canadian television in the days after the event offering analysis of the lone wolf phenomenon, most missed a central point. The great majority of so-called lone wolf Muslim terrorists in the United States active since 9/11 were not lone wolves at all. They received ample assistance from a sophisticated, well-funded organization, namely the FBI.

Is there a precedent for Canadian security services supplying functional weapons to Managed Terrorists? Do they not first disable these weapons? Supplying disabled weapons is certainly the usual procedure in Canada, as it is in the United States. The handgun associated with the "Toronto 18" was functional, but I do not know if it was ever out of the control of the police mole. However, even if giving a Managed Terrorist a functional and loaded weapon would have been an unprecedented action in Canada on October 22, 2014, the worrisome possibility remains that the practice of allowing or creating "live" terrorism may have migrated northward from Canada's close ally. United States security services have been involved in operations that used real weapons and that went "live." So, if US security services are now playing crucial roles in Canadian cases of Managed Terrorism (and they certainly did in the Via Rail case), what are we to think of the October 22, 2014, event? We know US security services were, at the very least, kept well informed on October 22—much better informed than Canadian Members of Parliament. Were US agencies more deeply involved than this?



*Zehaf-Bibeau (bottom), Mufid Elfgeeh (upper left), John Nuttall (upper right)
Credit: RCMP and Monroe County Sheriff's Office*

Was Michael Zehaf-Bibeau a Managed Terrorist like American Mufid Elfgeeh and Canadian John Nuttall? Only a serious inquiry could answer this question, and we have not had one.

DOES CANADIAN FOREIGN POLICY ENCOURAGE DOMESTIC TERRORISM?

This report has thus far ignored foreign policy, but no discussion of the October 22 events can completely exclude the topic. Foreign policy does not exist in its own silo. Foreign policies encourage particular kinds of responses. A warlike policy will provoke a warlike response from those who feel connected to victims of the policy.

Some will say that to consider changing foreign policy after events like those in October 2014 is to give in to terrorism. But any evaluation of a government's foreign policy should include a consideration of the responses it is provoking and whether these are desirable responses. Are the events of October 2014 desirable responses? The question is important regardless of what interpretation of these events we adopt.

Recent Western policy toward Muslims has been, in my view, extraordinarily violent and manipulative, and it is not surprising that it generates revenge fantasies. Such fantasies are relevant no matter which category of terrorism or pseudo-terrorism fits the case. If the October 22 event was an instance of Managed Terrorism, revenge fantasies may still have played a part. Outrage and resentment toward Western foreign policy is an important component of this model. Nuttall, accused of the 2013 Canada Day bombing attempt in BC, has been caught on tape speaking about the injustice of Canada's presence in Afghanistan. Similar resentments have been expressed by members of other Managed Terrorists in Canada and in the United States.

Susan Bibeau said her son was angered by what he called the "thousands" of Iraqis killed by Western forces.¹⁶³ Actually, there have been more than one million excess deaths among Iraqis since the 2003 invasion led by the United States,¹⁶⁴ and if calculations include Western actions since 1990 the figure is several times higher.¹⁶⁵

There are hard truths that the events of October 22 should encourage Canadians to face. In his actions and in his video statement Zehaf-Bibeau showed his desire to be a warrior giving his life in response to violence in the Middle East initiated by Western countries. If we deny Zehaf-Bibeau's claim to be a warrior and insist that he was a criminal—this is the approach I adopt in this report—we must be willing to do the same in the international arena. We must say that the Canadian government's closest ally in the "War on Terror," the government of the United States, acted as a criminal, not a warrior, when it invaded and destroyed Iraq—when it knowingly caused the deaths of a huge number of civilians innocent of any crime. We must be equally insistent that the government of Israel, invited to rejoice in the killing of Zehaf-Bibeau and repeatedly offered moral cover by Prime

Minister Harper, has acted as a criminal and not as a warrior in its devastating attacks on Gaza.¹⁶⁶

If we are not willing to be consistent, our moral outrage over the attacks of October 22, 2014, will ring hollow.

CONCLUSIONS AND RECOMMENDATIONS: THE NEED FOR A PUBLIC INQUIRY

Questions

Here are thirty-four questions that have been raised in this report:

1. When and by whom was the FBI first informed of the perpetrator's name?
2. How did Zehaf-Bibeau acquire his rifle, bullets, and knife?
3. What is the evidence supporting the RCMP claim that the knife wielded by Zehaf-Bibeau had been stored at his aunt's house?
4. Are there reports of a theft of a Model 94 rifle, or is there a list of people suspected of providing it to Zehaf-Bibeau?
5. Is the RCMP ready to share with the public its detailed evidence with respect to Zehaf-Bibeau's finances?
6. In which sector of the "oil patch" in Alberta did Zehaf-Bibeau work and with whom did he work?
7. Why did Zehaf-Bibeau buy a car knowing he would have to drive it for over three hours without plates, thereby putting his plan at risk?
8. Is the RCMP ready to share with the public its hypothesis about Zehaf-Bibeau's true intentions for his car?
9. Why have we been kept in the dark about the origin, chain of custody and dissemination of the "iconic photograph" of the perpetrator?
10. Did Zehaf-Bibeau have help on October 22?
11. Who was the "second man" at the War Memorial referred to by Scott Walsh and why did he apparently flee the scene?
12. How did police arrive promptly (by October 23) at the conclusion that Zehaf-Bibeau had been acting alone on October 22?
13. Did Zehaf-Bibeau receive assistance in planning or preparing for his attacks?
14. Is there any evidence that Zehaf-Bibeau intended to kill and terrorize civilians?
15. Had Canadian security services been developing scenarios very similar to the ones that unfolded on October 20 and 22 shortly before these events?
16. How precise were the advance warnings received by security services, as to the nature, locations, and timing of attacks?
17. What was the information received that supported these warnings and where did it come from?
18. How much did the four soldiers attacked on October 20 and 22 know about the advance warnings and threat levels, and what measures had been taken in light of these warnings to ensure their safety?
19. Would the two soldiers killed on October 20 and 22 still be alive if the serious nature of the advance warnings had been explained to them?
20. Why did the RCMP lie to the Canadian public about the advance warnings?

21. How many shots were fired at the War Memorial and who were the targets?
22. How many bullets were in Zehaf-Bibeau's rifle when he entered Centre Block?
23. Was Zehaf-Bibeau wearing body armour when he entered Centre Block?
24. Was the police killing of Zehaf-Bibeau necessary?
25. Were security or intelligence forces, Canadian or foreign, complicit in any way or to any degree in the October 22 attacks by Zehaf-Bibeau?
26. Was Zehaf-Bibeau a "terrorist" and, if he was, what kind of terrorist was he?
27. Why, if the BC provincial politicians and legislative security staff were well briefed by the Canadian intelligence community, did police in Ottawa, including the RCMP, get taken by surprise?
28. Why were the instructions of the Privy Council Office not followed on Parliament Hill when legislatures elsewhere in the country were apparently acting on the warnings?
29. Why does none of the four police reports released to the public, at least in the redacted forms available to us, mention the ITAC and PCO warnings?
30. Was it true that the threat level at Parliament had not been raised in recent years, as the RCMP Assistant Commissioner said on October 22, and if it was not true why did he misinform the public?
31. How many shots were fired into Zehaf-Bibeau after he had collapsed?
32. Why were the officers in Centre Block on October 22, 2014, justified in rejecting the guideline: shoot until the suspect falls?
33. Why did the government of Canada permit Kevin Vickers to take a trip to Israel and be celebrated by that government three weeks after the October 22 events, given that Vickers' shooting of Zehaf-Bibeau was still under investigation and given that Israel was simultaneously being investigated for war crimes?
34. Why has the Canadian government dealt with poor security on Parliament Hill by reducing the civil rights of all Canadian citizens?

Basic Facts

If there is so much we still do not know about this very important criminal and political event in Canadian history, what important facts do we know with a reasonable degree of certainty?

On October 22, 2014, a man entered the Centre Block of the Parliament Buildings in Ottawa. He had just used a hunting rifle to kill a soldier at the nearby War Memorial. This lever-action rifle, designed in 1894, appears to have held two bullets at the time of the intruder's entry into Centre Block. Before he died the man, Michael Zehaf-Bibeau, fired three times (reloading once), while security personnel fired at him fifty-six times with semi-automatic 9mm handguns. A ricochet, apparently from one of the intruder's shots, injured a guard slightly. Zehaf-Bibeau, struck by thirty-one bullets, died at the scene less than two

minutes after entering Centre Block, having been shot repeatedly, after collapsing, from a distance of less than two metres.

We also know that accounts given by journalists and authorities in the immediate wake of the attacks often exaggerated the danger the perpetrator represented to Parliament and underrepresented the effectiveness of the response by security services.

Common sense has suggested all along that the safety of Parliament can most effectively be achieved by improving security on Parliament Hill. There is nothing in the four police reports, or in my own study, that challenges this position. Michael Zehaf-Bibeau would not have been in a position to threaten Parliament if a sound security system had been in place, which effectively connected the various security agencies and institutions in the vicinity of Parliament Hill. The police reports acknowledge this, and presumably the security system that has been put in place since the attacks will prevent a repetition of the October 22, 2014, intrusion.

To reduce the rights and liberties of all Canadians on the basis of the October events on Parliament Hill would be absurd, yet this is what has been done by the government of Canada.

Could the killing of Corporal Cirillo at the War Memorial have been prevented if Canadian security services had had more power? To put it differently, if the bills passed subsequent to October 22 had been in place at the time would they have prevented Corporal Cirillo's death? We do not know. The police reports released to the public are of no help because they avoid asking the relevant questions about the events of October 22.

One measure that would have made the killing of the Canadian soldiers in October of 2014 less likely is the proper sharing of the warnings received several days before the violent events and the implementing of appropriate precautions. This measure would have required no new legislation and would not have reduced the civil rights of Canadians. Are there now measures in place to ensure improvement? On this issue the police reports, unfortunately, are silent.

The present report raises the possibility that Canadian, and perhaps US, security services may have been complicit in some way in Zehaf-Bibeau's October 22 attacks. Until this possibility is definitively excluded—it has not been excluded by any of the police reports—there should be no question of handing more power and resources to these agencies.

Recommendations

There should be a federal public inquiry into the violent events that took place in Canada in October 2014. Although the Ottawa attacks of October 22, 2014,

should be at the centre of this inquiry, investigation of surrounding events, including those of October 20 in Quebec, should be included. If the federal government declines to establish such an inquiry, provincial public inquiries, separate or joint, should be established in the affected provinces.

APPENDIX A: THE POLICE REPORTS

1. *RCMP Security Posture—Parliament Hill, October 22, 2014: OPP Review & Recommendations* (Ontario Provincial Police, dated March 2015). 35 pp.

This report gives the results of a study conducted by the OPP at the request of the RCMP. The task of the study was “to examine the actions of RCMP officers from the moment Michael ZEHAF-BIBEAU entered the grounds of Parliament Hill to the moment he accessed Centre Block.”

The report notes that “the approach to the security and protection of Parliament Hill is highly inadequate.” Along with systemic failures, the discussion of which is heavily redacted, the report touches delicately on the fact that Zehaf-Bibeau drove his hijacked car past two RCMP vehicles on Parliament Hill, both of which followed him but neither of which appears to have made an effort to intercept him.

“Elements of the RCMP Security Force were in position to interdict the armed gunman prior to entering the Parliament Building but did not.”

Strangely, the report then continues: “This review is not critical of the officers’ response and actions.” Reading this prepares us for the extraordinarily understated conclusion of the report: “On October 22, 2014, the RCMP security posture and response to an active shooter on Parliament Hill could have been more effective (p. 29).”

It is difficult for the reader to avoid the conclusion that the investigating police agency, the OPP, was extremely reluctant to publicly criticize the police agency whose actions it had been charged with investigating, the RCMP. This is not reassuring to the public, which has been offered no other form of investigation into the events of October 2014 and which has been made to pay the price for security lapses with a serious loss of civil rights.

2. *External Engagement and Coordination—Parliament Hill Incident on October 22, 2014: After Action Review* (Royal Canadian Mounted Police, National Division Review Team, April 29, 2015). 20 pp.

This report, compiled by the RCMP, takes as its main objective:

“to provide a factual account of key areas related to the response to this event and to make recommendations where gaps or unacceptable levels of risks are identified. It is also intended to provide lessons learned...”

Since the RCMP asked the OPP to carry out the review of RCMP actions inside Centre Block, this report deals only with RCMP actions on Parliament Hill outside

the Parliament buildings. Most of the report is devoted to general statements about organizational responsibilities and best practices.

This report is very heavily redacted and offers little detail about the events of October 22, 2014. It makes twenty-four recommendations, all of which have been deleted from the version offered to the public. For example, section 15 deals with “Interoperability of Communication Technology.” We are told that it “remains an unresolved challenge that results in fragmented communications that impede timely decision-making.” But when it comes to the actual incident of October 22, 2014, the report at once retreats into secrecy: “As an example, the initial 911 call dispatched *****.”

We have to turn to the OPP’s report (*RCMP Security Posture*) to learn that past reviews had already identified these communication difficulties and had made clear recommendations, which the RCMP failed to implement.

3. *October 22, 2014: House of Commons Incident Response Summary—Report for Parliamentarians, Employees, and the Parliament Hill Community.* (Apparently prepared by the House of Commons Protective Service, dated June 3, 2015). 16 pp.

This report was called for by the Speaker of the House, who explains its purpose: “I asked that this report be compiled in order to provide assurances to parliamentarians, employees and visitors that they will continue to be safe on Parliament Hill.”

The report describes all the reviews of the Parliament Hill incidents being undertaken. Six are listed, including the four released to the public on June 3. The report then briefly recounts the incidents in Ottawa on October 22, 2014, which ended with the completion of the evacuation of Centre Block at 10:10 p.m. Although the report is true to its central aim of reassuring those on Parliament Hill, it lists sixteen areas of improvement in security, beginning with “Improved operational coordination between all security forces is required.”

There are no redactions (deletions; excisions) in this report. The sixteen recommendations for improvement are for the most part sensible and, if properly implemented, ought to go a long way toward improving security on the Hill.

The only security decision about which many readers will have grave doubts is the decision (adopted by House of Commons and the Senate on February 16 and 24, 2015) to give the RCMP the leading role in security on Parliament Hill. This agency has not proven either its competence or its trustworthiness in dealing with events of alleged terrorism.

4. *Independent Investigation Into the Death of Michael Zehaf-Bibeau, October 22, 2014, Centre Block, Parliament Hill, Ottawa, Canada* (Ontario Provincial Police, no date). 43 pp.

This report is the most substantial of the four. It is, at 43 pages, the longest, but it also contains by far the most evidence relating to the events of October 22, 2015.

All names of actors in the events in Centre Block are redacted (replaced with rows of asterisks), which makes for difficult reading. In other respects, however, the document has been given to the public intact.

To its credit, the report forgoes the use of the words “terrorism” and “terrorist.”

The stated task of this study was “to conduct an independent investigation into the shooting death of Michael ZEHAF-BIBEAU that occurred on October 22, 2014.” The report concludes that the killing of Zehaf-Bibeau was justified.

This document distinguishes itself from the other three by giving the names of major participants in its production. The Major Case Manager was Detective Inspector Shawn Glassford; the Primary Investigator was Staff Sergeant Ted Hurren; and the File Coordinator was Detective Constable Tracy Allan. We are not told who actually wrote the report.

APPENDIX B: THE ICONIC PHOTOGRAPH

In the photograph below that began to circulate on the Internet on October 22, 2014, a male figure can be seen holding a rifle and wearing a dark overcoat. The gunman has a *kaffiyeh* around his neck and has it arranged to cover the lower half of his face.



The iconic photograph

This figure seems indistinguishable from Zehaf-Bibeau as caught in Parliament Hill security videos, seen in the frame below:¹⁶⁷



The Parliament Hill perpetrator as caught on a security camera

Did the photo capture Michael Zehaf-Bibeau at the War Memorial as was quickly claimed? This was not clear. Details were difficult to discern and the means by which this photograph had reached the public were troubling.

On October 22, the *National Post* had carried a story of the photo that seemed to be stitched together from different and contradictory accounts. First, we were told the photo had initially been posted on a “French-language, pro-ISIS social media account.” The article said the photograph had been posted “early Tuesday afternoon,” which would have been October 21, the day before the Ottawa shooting.¹⁶⁸

But if the photo had been posted on Tuesday, when and where was it originally taken? Surely not at the War Memorial. Rather, the photo would presumably have been “staged” (to use a term later employed by the *Post*) somewhere else. However, further on in the same October 22 article we were told that the photo had been “taken at the site of the National War Memorial shooting” and that it had been “taken by a tourist.” To add to the confusion, the grainy character of the photo was explained by suggesting that “the image . . . was apparently snapped from a TV screen using a cell phone.”

How were we to make sense of these statements? Did the tourist at the War Memorial take a still photo on October 22, which was then shown on TV somewhere, from which it was photographed with a cell phone, after which it was posted on a pro-ISIS site on October 21? This could happen only in science fiction. And even if we took the October 21 date to be a simple mistake we were still left in confusion. When and where on October 22 had this still photo been

shown on television? It was shown on TV only after it was becoming iconic and was already grainy.

On the following day, October 23, Postmedia News revised the story substantially.¹⁶⁹ No direct mention was made of the earlier claim that the photo had been posted on the Internet on October 21. However, the author of the October 23 article, S. Yogaretnam, dismissed that account indirectly by stating that many in the media had initially assumed the photo had been “staged” jihadi propaganda but that it had now become clear that a tourist took the photo on October 22 at the War Memorial. She had decided in favour of one of the two contradictory stories in the earlier *Post* account. In support of this version Yogaretnam said, “Hidden in plain sight in the photo is the concrete strength of the National War Memorial.” The photo, we were now told, “was taken by a tourist as the gunman embarked on his shooting spree, coming around the west side of the monument from the rear.”

But it was not obvious that this photo showed the “concrete strength of the National War Memorial.” It certainly did not show the west side of the War Memorial, as anyone familiar with the War Memorial would have been able to attest. The west side has a series of joins, stains and inscriptions that would have shown up in the photo. If the War Memorial appeared in the background it would have to be the front where the guards were posted, the south side, underneath the inscription, “1914-1918.”



Front (south side) of war memorial, apparently just moments before the shooting on October 22, 2014: Cirillo (left) and Stevenson (right)¹⁷⁰

The mysteries continued. Yogaretnam next told us that the Ottawa police had seized the camera of the tourist who took the photo and that an Ottawa police officer “took a picture of that picture with a cell phone.” (She pointed to what she called “the telling rectangular zoom feature of the Blackberry operating system” in the lower right corner of the photo.) The officer then distributed this reproduced and inferior (grainy) photo to colleagues in the Ottawa police department. Somehow, this reproduction then was transmitted to, and released by, police outside Canada. As for ISIS, Yogaretnam now explained that after the photo had been released by police outside Canada, it was posted by a Twitter account named @Armed Research that was, she said, “Apparently run by a military historian.” This individual tweeted the photo at 4:23 p.m. on October 22, saying “It had been found on an ISIL-related account.”

The Ottawa police were said to be trying to get to the bottom of the affair.

But this October 23 story was not much better than the one that had preceded it. If an Ottawa police officer had seized the tourist’s camera, what would have been the advantage of snapping an inferior copy of the original photo? Assuming the original was digital, it would have been an easy matter to transmit it directly to

officers who might benefit from the image. The only satisfactory answer appears to have been that the reproducing and disseminating of the photo via cell phone were unauthorized actions. Also unauthorized, presumably, were the sending of the image to foreign police and the leaking of the image by these foreign police. Little wonder the Ottawa police were looking into the matter.

And we still had the problem of @Armed Research. Who was behind this Twitter account and how was that party linked to foreign police? Moreover, why did the @Armed Research party claim to have got the image from an ISIS account?

The next phase of the story, which appeared on the following day, October 24, in Postmedia, appears to have won a fair degree of acceptance and was the version that had made its way to the *Wikipedia* article on the events of October 22, 2014 by the summer of 2015.

By the time of the October 24 Postmedia version of the story (updated at 12:48 p.m. on that day) ISIS had retreated into the background and even @Armed Research had been demoted.¹⁷¹ Now we were told that a French Canadian journalist by the name of William Reymond was the key player. His blog of October 23, to which we were now referred by Postmedia, showed him as an earnest, well-intentioned journalist who, it now seemed, first released the iconic photograph to the general public. He did so after doing his best to ascertain its authenticity. He released it at 4:16 p.m. and @Armed Research simply re-tweeted it at 4:23 p.m., incorrectly ascribing it to a pro-ISIS site.¹⁷²

In most other respects the story of the previous day remained in place in the October 24 version—the Ottawa police seizing the camera, the cell phone reproduction, and so on.

But the version of the story in which Mr. Reymond played a key role was the most profoundly dark of all. According to this version:

- A person of unknown name snapped a photo of the perpetrator at the War Memorial.
- A person of unknown name briefly posted the photo on the Ottawa police website.
- A person of unknown name almost immediately removed the photo from the website.
- A person of unknown name, who had grabbed the briefly posted photo from the Ottawa police website, sent the image to Mr. Reymond.
- A person of unknown name assured Reymond that the face in the iconic photo may have been the face of Zehaf-Bibeau.
- Reymond received further confirmation of the authenticity of the photo through other evidence (some of which we now know to be faulty).
- Reymond then posted the iconic photo on his website.

- The anonymous party at @Armed Research re-tweeted the photo and mysteriously ascribed it to a pro-ISIS site.
- Other sites and media organizations sent the photo around the world.

Although Reymond assured us he posted the photo before @Armed Research, not everyone accepted this. Some said @Armed Research posted it well before Reymond. Moreover, no one appeared to want to discuss the initial claim that the image first appeared on October 21.

Was there eyewitness evidence confirming that a photo of this sort had been taken at the War Memorial? Yes, there was at least one relevant eyewitness. In an interview carried by the *Ottawa Sun*, Raivo Nommik, who was near the War Memorial when the shooting took place, said that one of the tourists showed him a photograph directly after the incident.¹⁷³ Nommik said he could not identify “the guy” who took the picture but he could remember the camera (“I know his camera”) and that it was “a Canon 6D or a 7D camera.” Nommik confirmed that the picture gave a “perfect description” and showed the figure the way Nommik had seen him—a “bandana” pulled up to his nose, a tanned complexion, and so on.

Did the police know who “the guy” was who took the picture? Why were we still completely in the dark about the identity of this tourist? Had the tourist taken other pictures and, if so, where were they?

Finally, on October 2, 2015, almost a year after the shootings, the *Ottawa Citizen* announced that it had tracked down a French tourist responsible for the photo. We were given for the first time the full photograph from which the iconic image had been extracted. And we were also given access to several more photographs, apparently taken by the same individual only seconds before and after the iconic photograph. These include what is allegedly the last photograph ever taken of Corporal Cirillo as well a second photograph of Zehaf-Bibeau. This second photo was apparently taken two seconds prior to the iconic photo, and in it Zehaf-Bibeau has just come around the corner of the War Memorial’s west side and has made it to the front (south) of the War Memorial. In this new photo Zehaf-Bibeau is pointing his rifle and has either just fired or is about to fire his weapon—presumably at Corporal Cirillo, who is, however, not in the picture.

These extraordinary revelations helped tie up several loose ends. Here are three points the *Citizen’s* account allows us to affirm:

1. The iconic photograph was, indeed, taken at the War Memorial.
2. The part of the War Memorial that served as a backdrop was, as predicted, the south side, not the west side.

3. The photograph was taken at the time of the shooting on the morning of October 22, 2014. Although we do not actually see Corporal Cirillo and Zehaf-Bibeau in the same frame, it makes sense that the French tourist was “the guy” Raivo Nommik referred to as having taken an excellent picture of the perpetrator.

Several other claims made by the French tourist as reported in the *Citizen's* article do not add to our knowledge but do corroborate other sources. For example, the French tourist was reported as saying he saw the perpetrator shoot not only at Cirillo but also at the second honour guard (Branden Stevenson). He also said the perpetrator, after shooting Cirillo, raised his rifle and yelled “This is for Iraq” before running away. Both claims are likely to be true, as noted elsewhere in this report.

But the *Citizen's* October 2, 2015 article left several problems unsolved.

1. The identity of the eyewitness was not revealed in the *Citizen's* article. The man, we were told, did not wish his last name to be published. The *Citizen* referred to him “Jean Paul.” Although the witness may have had good reasons for wanting to remain anonymous, this anonymity radically decreased the value of his evidence for civil society.

2. The process whereby the photograph taken by police ended up going around the world in a cropped and fuzzy form was still not fully explained to us. According to the *Citizen*, “Jean Paul” immediately contacted police at the scene and told them about his photographs. He was taken to police headquarters on Elgin Street in Ottawa where he and his companions were interviewed by four police officers. He said to the *Ottawa Citizen*: “We swore on the Bible that we were telling the truth, nothing but the truth.”

The *Citizen* said of the sequence of events following these interviews:

“Police returned the camera to him but not before retrieving the images, one of which was forwarded to the entire police email distribution list.

It is believed that several Ottawa police employees forwarded a zoomed-in picture of the gunman to civilian email addresses.”

The three police employees said to have forwarded the email to civilian email addresses were, according to the Ottawa police, civilians, not officers. These civilians were, we were told, given minor reprimands.

But the *Citizen* also reported, rather confusingly, that the “leak of the photo onto the Internet is believed to have originated from law enforcement sources, but it’s not clear whether it was Ottawa police, OPP, RCMP or one of the other forces in Canada or the United States who had access to the photograph that started the chain that led to it being posted online.”

3. We were given no details of the *Citizen's* sleuthing. Why did it take almost a year to track down the French tourist?

4. We were not told why the police repressed the photos—the original photo from which the iconic image had been extracted as well as the other relevant photographs— for almost a year. These photographs were, after all, of direct relevance to the case. There is no reference to them in the *Independent Investigation*.

5. The *Citizen's* journalist, Shaamini Yogaretnam, who had written previously about the photograph, said on October 2, 2015 that the famous image “was brought to wide public attention by a pro-ISIL Twitter account after it had allegedly already appeared in what Internet sleuths claimed was a tweet directed to the Ottawa Police Service’s official account.” She continued: “The Citizen has never verified the existence of that tweet to the police account. Many assumed, in those early moments, that a supporter of Zehaf-Bibeau, perhaps even an accomplice, had taken the picture and released it to the Internet using tactics familiar to jihadi sympathizers.”

It was peculiar to find Ms. Yogaretnam reverting to the claim that “the image was brought to wide public attention by a pro-ISIL Twitter account.” This claim had been quietly dropped several days after October 22, 2014. Ms. Yogaretnam did not explain why she decided to resurrect it.

Neither William Reymond nor @Armed Research made an appearance in Ms. Yogaretnam’s October 2, 2015 article.

At the time of the completion of the present report (directly after the October 2, 2015, revelations by the *Ottawa Citizen*), serious problems in connection this photograph obviously remained.

APPENDIX C: TRANSCRIPT OF ZEHAF-BIBEAU VIDEO

The following is an apparently complete transcript of Zehaf-Bibeau's video statement. The video statement was initially redacted by the RCMP.¹⁷⁴ In May 2015 the RCMP released the initially removed eighteen seconds, which are given in square brackets below. The English translation of the Arabic spoken by Zehaf-Bibeau in these eighteen seconds is that provided by the *Toronto Star*.¹⁷⁵

[In Arabic: *"In the name of Allah the most gracious and the most merciful. All praises to Allah, the Lord of the universe. We seek his help and ask for his forgiveness. Lord, open for me my chest, ease my task for me and remove the impediment from my speech. In the name of Allah the most gracious and the most merciful."*]

"To those who are involved and listen to this movie, this is in retaliation for Afghanistan and because Harper wants to send his troops to Iraq.

So we are retaliating, the Mujahedin of this world. Canada's officially become one of our enemies by fighting and bombing us and creating a lot of terror in our countries and killing us and killing our innocents. So, just aiming to hit some soldiers just to show that you're not even safe in your own land, and you gotta be careful.

So, may Allah accept from us. It's a disgrace you guys have forgotten God and have you let every indecency and things running your land. We don't, we don't go for this. We are good people, righteous people, believers of God and believing his law and his Prophets, peace be upon them all. That's my message to all of you in this, Inshallah, we'll not cease until you guys decide to be a peaceful country and stay to your own and I-, and stop going to other countries and stop occupying and killing the righteous of us who are trying to bring back religious law in our countries.

Thank you."

[In Arabic: *"Lord accept from me and peace be upon you and upon the Mujahedin. May Allah curse you!!"*]

APPENDIX D: ANALYSIS OF ZEHAF-BIBEAU VIDEO¹⁷⁶

- (i) Zehaf-Bibeau is sitting in a car, apparently in the front seat, as he records his message. He appears to be filming the brief statement while holding his cellphone—the camera jiggles at times. He has a beard but not the mustache he wears in his most well-known mug shot. His hair is dark, long and curling. He is wearing a white shirt with a pattern, open at the throat. There is dark clothing beyond the shirt, probably his long coat. We cannot see the *kaffiyeh* or the weapons he was to carry during his actions.
- (ii) As he begins speaking in Arabic he looks briefly out the window of his car. We cannot tell what he is looking at.
- (iii) At times he looks directly into the camera; at other times he looks elsewhere, especially down and to the right as if consulting a text. (If he was consulting a text, has it been found?)
- (iv) Although this is for the most part a passionless performance, he seems to display anger or disgust twice: When talking about the bombing and killing in Muslim lands by Western forces and when talking about the way people commit indecencies in Canada and have forgotten God. There are also brief indications of piety. For example, he closes his eyes briefly when he says “peace be upon them,” referring to God’s Prophets, and he lifts his eyes in the last seconds of his recording as if looking heavenwards.
- (v) Zehaf-Bibeau speaks of Canada and of Mr. Harper by name, and he claims his actions are in retaliation for Canadian actions in Afghanistan and Iraq. Although he refers to himself as an individual twice (“I” and “my message”), he more often speaks on behalf of a collective subject (“We . . . the Mujahadin of this world”).
- (vi) There is no mention of particular groups such as al-Qaeda or ISIL. His speech is a curious marriage of discourse befitting a group such as the Taliban (he considers the West decadent and wants to restore religious law in Muslim countries) and of folksy appeal to Canadians in informal Canadian dialect (“you guys”).
- (vii) There is no indication that he wants to champion Islamic law in Canada. He speaks not of establishing but of restoring religious law, and the countries in which he wants to see it restored are “other countries” such as those Canada has been attacking.
- (viii) His message (the English portion) begins with a reference to those who are “involved” and who “listen to this movie.” What he means by “involved” is not clear.
- (ix) The video is consistent with the idea that he was sacrificing himself on October 22 and that his act was a martyrdom operation: “May Allah accept from us.” We cannot tell whether the “us” refers to himself or to a group that helped him plan or carry out the actions of October 22.
- (x) Like most people involved in religiously supported violence he seems to place himself within the context of a war that is simultaneously cosmic and concrete,

understanding himself as a righteous warrior (the Mujahidin are “good people, righteous people, believers of God”) who is bravely retaliating, and attempting to stop aggression carried out against innocents and believers who have done nothing wrong.¹⁷⁷

(xi) He does not seem to see himself as attacking civilians. He states that his aim is to “hit some soldiers.” This fits with his view of himself as a warrior, not a terrorist.

(xii) There is no reference to Parliament and no explanation of his aims in Parliament.

(xiii) It is not clear if he wishes to demonstrate that all Canadians are unsafe in their own country or whether the demonstration is supposed to apply only to soldiers (“just aiming to hit some soldiers just to show that you’re not even safe in your own land, and you gotta be careful.”)

APPENDIX E: PRIVY COUNCIL OFFICE TERRORISM WARNING¹⁷⁸



Government of Canada
Privy Council Office

Gouvernement du Canada
Bureau du Conseil privé

Ottawa, Canada
K1A 0A3

UNCLASSIFIED
For Official Use Only

17 October 2014

TO: ALL DEPARTMENTAL SECURITY OFFICERS (DSOs)

SUBJECT: HEIGHTENED STATE OF ALERTNESS

In light of a recently updated threat assessment by the Integrated Threat Assessment Centre (ITAC) (copy attached) indicating that a violent act of terrorism could occur in Canada – although there is no information indicating that an attack is imminent –, federal departments and agencies are asked to review the security arrangements in place in their organization. It is recognized that departments and agencies may implement varying security and risk mitigation measures depending on their individual assessments and needs, their respective mandates and authorities, and their specific local realities.

While the following measures are being recommended as a proactive response to the current world environment and to ensure government readiness in case of an incident, they are not the result of any direct threat to Government of Canada personnel, information, assets or delivery of services:

- Reinforce baseline security protocols and ensure compliance, notably through increased awareness – *e.g.* ID cards clearly displayed at all time, access points controlled, visitor sign-in and escort procedures followed, Building Emergency Response Plans and business continuity plans up to date and ready to be activated, mail/delivery screening procedures revalidated;
- Encourage staff to remain vigilant and to report any suspicious activity, vehicles and/or persons around the perimeter of their facilities or within them;
- Ensure adequate monitoring – *e.g.* visual surveillance of all facilities, regular patrols, IT systems monitored, heightened situational awareness (media, intelligence, social media, information sharing with security partners, police and first responders);
- Validate communications and notification protocols – *e.g.* internal communications to staff, emergency phone line, emergency notification system; and

Canada

APPENDIX F: WAS ZEHAF-BIBEAU WEARING BODY ARMOUR?

The *Independent Investigation* does not mention Zehaf-Bibeau wearing body armour, and it would have become evident very rapidly after his death if he had been wearing it. What does the publicly available evidence suggest?

Parliament Hill reporter Cormac MacSweeney was in Centre Block when the perpetrator entered. MacSweeney fled as the shooting began. Apparently a “witness told MacSweeney he saw a man wearing body armour walk through the front doors of Parliament Hill with what appeared to be a long gun.” MacSweeney tweeted at the time: “Hearing the gunman who entered Parliament Hill was wearing body armour.”¹⁷⁹ This is intriguing, but it is hearsay.

MacSweeney’s is not the only reference, however, to the perpetrator wearing body armour. Terence Young, Conservative Member of Parliament for Oakville, had been in caucus with his party members while the shootings occurred outside the room. Three days later he sent a letter to his constituents (still posted on his website on August 25, 2015), in which he said,

“We found out later the terrorist was hit by many bullets, but had a bullet-proof vest on. He was not killed until the Sergeant-at-Arms rolled over towards him and shot him in the head.”¹⁸⁰

Mr. Young claims to have been passing on accurate information to his constituents. Was it accurate?

On October 27, CBC reported that when RCMP Commissioner Paulson was questioned on this matter he indicated that he “doesn’t believe Zehaf-Bibeau was wearing body armour during Wednesday’s attack.”¹⁸¹ This is a very strange answer. The perpetrator either was or was not wearing body armour. The truth would have been known very quickly to anyone examining his body. Yet several days after the event the RCMP Commissioner still was not sure?

RCMP officer Barrett, who was directly involved in the killing of Zehaf-Bibeau, was present after the killing when Zehaf-Bibeau’s body was handled by police (pulse taken, knife cut from wrist, a check done for explosives, head propped up while photograph was taken—see the *Independent Inquiry*). The *National Post* reported on June 2, 2015, that “Barrett spent the rest of the day with the NDP caucus . . . Tom Mulcair, the NDP leader, asked if the gunman was wearing body armour and was told it wasn’t clear but that he didn’t go down until he was shot in the head.”¹⁸² Again, this an odd response. Would not those handling Zehaf-Bibeau’s body know quickly whether or not he was wearing body armour?

What about the fact that Zehaf-Bibeau remained relatively unscathed during the first volley? Is this not suggestive of his wearing body armour? In this case the

wounds he did receive on his body would presumably have to be explained by penetrating shots at close range, mainly during the second volley.

Kevin Vickers, according to the *Independent Investigation*, fired 15 shots at Zehaf-Bibeau at very close range. We are not told how many of these shots hit the target but, given the range, it seems safe to assume it would have been at least ten. RCMP officer Barrett fired 14 (or 15) times at close range and believes that every one of his shots hit Zehaf-Bibeau. If these roughly 25 successful shots caused wounds in Zehaf-Bibeau, this would mean that only 6 of the approximately 27 shots fired during the first volley caused bullet wounds. (Recall that 56 shots were fired at Zehaf-Bibeau and he had 31 bullet wounds.)

But the shots fired at Zehaf-Bibeau during the first volley were fired under stress and at a moving target at variable range. Research based on previous incidents reveals that police officers often miss their target with handguns at any distance other than very close range, and they are even more apt to miss when they are part of a group-firing, as they were in Centre Block.¹⁸³ The ratio of misses to hits in the first volley in Centre Block is not, apparently, unusual.

The body armour hypothesis cannot, therefore, get off the ground without direct evidence, either physical or eyewitness.

The issue is important. Just as it would have been difficult for a homeless man with a criminal record to acquire a rifle in Canada, it would have been difficult to acquire body armour. Although each province in Canada has its own regulations regarding body armour, the purchase of body armour tends to be discouraged by police. Not only would the presence of body armour indicate serious forethought and advance planning, it would also raise the question as to whether the perpetrator had been assisted in equipping himself.

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The events of October 22, 2014 were used by the Canadian government to justify the passage of several bills, of which C-51 is the most famous, that reduce the civil rights of Canadians while expanding the powers of security services. Yet there has been no serious investigation into the events of that day.

Security services killed the suspect so there will be no court case.

Police reports released in March, 2015 steer clear of the central questions and are marred by poor methodology and unjustified conclusions.

Journalists have declined to probe questions that beg for answers.

This Report sets out thirty-four unanswered questions and concludes:

“There should be a federal public inquiry into the violent events that took place in Canada in October 2014. Although the Ottawa attacks of October 22, 2014, should be at the centre of this inquiry, investigation of surrounding events, including those of October 20 in Quebec, should be included. If the federal government declines to establish such an inquiry, provincial public inquiries, separate or joint, should be established in the affected provinces.”