

Our File#: 47454

Crown Prosecutor St. Albert Provincial Court ST. ALBERT, AB

Dear Sir or Madam:

Re: Kevin Bradley GERMAN DOB: 15-August-1962

I am in receipt of an official request from you to prepare an updated psychiatric court report on the above mentioned who is rescheduled to appear in court on Monday, March 25, 2002 in St. Albert Provincial Court. This inpatient psychiatric assessment was deemed necessary by the Justice System¹ for the purpose of determining:

1. Whether the accused is unfit to stand trial.

2. Whether the accused suffered from 8 mental disorder so as to exempt the accused from criminal responsibility by virtue of subsection 16(1) of the Criminal Code at the time of the act or omission² charged against the accused.

Mr. Gen1an, who is a 39-year-old adult male of Caucasian descent, now separated, was admitted to the Forensic Service, ARE on the 6th of March 2002 pursuant to a warrant of remand and with the specific request as mentioned above in this report. Soon after he arrived on the unit he was seen and examined by the writer. At the outset of this preliminary psychiatric evaluation, I warned Mr. Gem1an that all the information which he gave to me would not be held confidential, but would form the basis of a report and this report might be brought forward in court as evidence³. I also informed Mr. German that a copy of this report also be sent to his Defence Counsel. He did not seem to have any objection to my professional advice. He seemed more than willing to give relevant accounts pertaining to self in relation to his present and past marital difficulties.

Mr. German informed the writer that he was born in Ottawa, Ontario and raised in a military background family. He has one older brother and a younger sister. When he was an infant his parents were transferred to Manitoba Royal Canadian Air Force Base where he spent the first seven years of his life, then to Portage for the next seven years. He achieved his high school diploma at age 17 with a very good performance. He joined the Canadian Military in 1981 and got his wings in 1983 after spending 2 1/2 years in air force training⁴ in Moose Jaw. After his being commissioned air force personnel, he was posted at Cold Lake as a pilot. He stayed with the air force until 1990 when he began flying with the military reserve from 1991 until 1994. He also worked with Transport Canada from 1992 until 1999. His main job was airport standard and aviation enforcement (criminal investigations in civil aviation⁵).

He was married in December 1982 in Comox, B.C. His wife has turned 40. She was born and raised in southern Alberta. She is a registered nurse and works for the Capital Health Authority and does home care for high risk pregnancies. There are two children born to this marriage; a 15-year-old daughter Krista and a

¹ This assessment was deemed necessary by the appellant to address the aviation medical concerns and social dynamics in play. "The justice system" is a machine, like a shopping cart, driven by the players on the stage.

² The "omission" would be POIRIER's failure to properly address the CHAP (and "RoE" poem) in his report. In TC's terms, this would be considered "Officially Inducted Error" on 30 Dec '01 and on the strength of this report.

³ If this is the case, then what happened to it?

⁴ Check "Reality Check Man-a-Mano" and note that my flight training actually started with the Air Cadets at age 13. (The CADENCE issues and "fault analysis" for the CAT Appeal actually make QB 0503 19251 an extension of my aviation career as well.)

⁵ This means the appellant is aware of the roles of the Courts, which is to balance the case at all points on the weight of all (credible) evidence available to the Courts and "state of mind at the time of the alleged offence".

boy, Bernard, age ten years. Because of ongoing marital difficulties they separated in August 2001. They sold their house September 2001 and his wife purchased a condominium. He stayed with her until November 8 2001 when he found his own apartment. The last visit to his ex was in the Christmas of 2001 when he ended up having a heated argument with his wife and the teenage daughter⁶ and was forced to leave the house. Subsequent to his removal from his ex wife's house, he got charged with uttering threats x 2 and one count of alleged assault⁷ against his ex.

On mental status examination he presented as a reasonably healthy looking adult male whose grooming, hygiene, clothing and posture appeared well within the normal range.

He was able to interact quite well with the writer. The rate, tone, fluency and vocabulary of his speech appeared quite normal. There was no evidence of rapid, pressured speech which was difficult to interrupt, nor was there the presence of inability to speak or comprehend language. His thought process he did not demonstrate sudden interruption of train of thought, accelerated thought that jumped between ideas and illogical shifting between topics. In his behaviour and psychomotor activity he did not display any outbursts of anger⁸ or impulsiveness. The external range of expression observed by the writer appeared mildly restricted. In his thought content he did not display any intrusive, undesired ideas, images of impulses, nor did he display any inflated sense of self-worth.

He did not admit to hearing noises or seeing things which other people did not hear or see⁹. He was oriented to time, place and person and his memory for registration, retention and recall appeared quite intact. He however, did display some overvalued ideas about his personal belief system¹⁰ and convictions which primarily revolve around marriage and conjugal life as well as the prescribed responsibilities of each partner.

Mr. German has reflected his views in his documents which indicate that his ex and his daughter have shown a total disregard and hindrance towards his fundamental rights of love and true honour. He also claims he has been denied life, liberty and the pursuit of happiness¹¹ by his ex and the teenage daughter who appear to have embarked on a sadistic and unloving attitude. By these individuals, the logical, natural, spiritual and legal value systems have all been inverted and despite his subligations, prayers and humbleness, his personal failure has remained predetermined¹².

⁶ Check the record for the "Insight on X-Mas" e-mail (addressing "Venus and Mars Stuff" and directly mapping to the "Are Your From Mars" on the cover of CADENC Vol. 17.

⁷ See the "Here sis the Math" e-mail now appearing as EPO Affidavit "F" for the Barrs.

⁸ Ergo "The Attack of the John Lennon Clones" dating to post-trial and based on the "Open Letter" in the CHAP.

⁹ I do see meaning in things where others don't. The "Hi and Lois" panel, and well as the gender bias throughout he commonwealth, is simply obvious to me.

¹⁰ The "overvalued ideas" cone straight from the Alliance Church and "Timothy" refs in the CHAP. As the Charter is founded on the Canadian social ideals recognizing "the supremacy of God" (non-denominational), and the appellants is mapping his beliefs directly to the written word and works of others, the assertion that this is "overvalued" seems baseless.

¹¹ True to the spring of '07, with the Barrs' attempts to subvert the CAT Appeal and QB Action (alleging defamation and negligent forensics for Dr. Bland). This would leave me "grounded" for a condition I know I don't *really* have... just because they feel they want to.

¹² This is because the appellant can't actually meet the co-Defendants' contradictory demands but everybody insists on betting on the wrong horse.

Upon subsequent questioning, Mr. German made it very clear that he had never had any remote intentions of hurting his ex or anybody around her¹³, nor does he believe in violence or aggression as a means of resolving one's personal or domestic difficulties.

Based on these findings no concrete psychiatric diagnosis was established in this case¹⁴.

Mr. German was advised to try his best to follow through the unit's policies and procedures in a manner which is no different than the other fellow patients¹⁵.

The writer will not expound the nitty gritty of Mr. German's background information as it is explicitly outlined in one of the psychiatric reports dated February 25th, 2002 which was prepared by one of the clinical psychologists from Forensic Assessment and Community Services Outpatient clinic in Edmonton. The writer, however, will expand on the findings of my repeated psychiatric interviews, along with my recommendations for the Justice System.

During his stay in hospital, Mr. German remained quite complacent, plausible and cooperative with various investigative procedures (biochemical, as well as psychological).

He was presentable, co-operative with interviews and testing and obviously is a bright individual judging by his use of language and variety of interests. He did make the impression of an individual intent on making his lengthy opinions known to Court¹⁶ and carried with him a well organized collection of documents pertaining to the various aspects of his case¹⁷. In all, his presentation was entirely non-bizarre. He was, at times, intense, but was not preoccupied to the point where the flow of exposition could not be interrupted. He was able to concentrate on the questions thrown at him and did not produce delusional convictions about the court¹⁸.

On Wechsler Adult Intelligence Scale he generated a verbal IQ in the very superior range, performance IQ in the superior range, and full scale in the very superior range. In essence, Mr German is well informed about court and indicated that he intends to behave well while there. While personality test results show some grandiose and narcissistic features in an individual with adjustment disorder, interviews are suggestive of an obsession of overvalued ideas, Whether this condition eventually develops into a delusional disorder remains to be seen in this case.

In an interview with Mr. German on the 21st of March 2002, it became quite clear that he does understand the nature of the charge against him. He is aware of the purposes of trial.

¹³ This introduces the "element of doubt" for the Crown and defence. How this translated to "remorse, and possibly alcohol as a factor" for TC's records escapes me.

¹⁴ So... this was "proof of my good psychiatric health" for the Courts. The descent to "harmless ranter who lives on the street" and "at a high risk for relapse" was a result of Leo Elwell's sending me to FACS to get even "healthier".

¹⁵ Is "his or her personal failure predetermined and guaranteed" by the social dynamics in play for all of AHE's patients, or just for my specific case?

¹⁶ The "lengthy opinions" refer to the patriarchal family model. Over the years this has all been buried so the shrinks can make their "lengthy opinions" known to the Courts instead.

¹⁷ Match this with numerous "assessments" elsewhere saying the appellant (a database developer) "has difficulty organizing his thoughts".

¹⁸ I was assuming this report would be used to balance against the Barrs' assertions (past and present).

He can distinguish the pleas that are open to him and he also understands the consequences of a conviction¹⁹. He is able to comprehend the nature of the evidence and can give his evidence in a reasonably clear and coherent fashion. He is also able to instruct his legal counsel on the evidence presented²⁰ so that his counsel can make full answer in defence.

Once again in this interview, Mr. German made it quite clear that after days and weeks of thinking and mulling over his current life situation, he has arrived at the conclusion that he is going to try his best to plead out and get on with his life by putting all his emotional torments, anguish and frustrations behind him in order to succeed in the near future. He is hoping to get on with a flying contract for a geographical air survey²¹ so that he can maintain a descent life in the community. From now on he is going to keep himself at bay from his ex and his daughter, knowing well that they have the right to make their own decisions regarding their day-to-day life activities²².

OPINIONS and RECOMMENDATIONS:

1. Mr. German is a 39-year-old adult male who stands charged with assault, failure to comply and uttering a threat. He was seen on the Forensic Assessment and Treatment unit and was made aware of the absence of confidentiality in this psychiatric evaluation. He is quite presentable, co-operative, and manned with superior intelligence. Diagnostically I consider that he is not suffering from any discernible mental disorder which would have had impaired his judgment²³ or insight for his acts²⁴.

His account of events would suggest that he had argued with his ex and his teenage daughter over some principled issues and doctrines of marriage and he met with a very strong opposition from his ex and daughter²⁵.

2. In terms of traditionally, actuarial markers predictive of future violence, :Mr. German has no prior convictions for violence, nor does he admit to having serious temper problems. Historical factors however, show relationship instability, inability to deal with separation²⁶ and some adjustment issues. These factors do not put Mr. German at risk for harming others.

3. In determining fitness to plead, Mr. German understands the nature of the charge, the difference between a plea of guilty and one of not guilty. He can instruct counsel as well as follow the evidence presented in

¹⁹ The “consequences of a conviction” would have been the entire destruction of my career.

²⁰ Mr. Langeste was instructed from 17 Dec onwards, and also directed to work with the CIC on the “value systems”. This report, the forensic record for the dense and instruction to counsel fell on deaf ears.

²¹ This assumed the AHE Report would be used at the trial, and in the event, the contract was lost to the third “breach” (on hearsay testimony).

²² The “lengthy opinions” referred to above ask why, if they have the right to make their own life choices, do they also have the right to make my “health care choices” for me?

²³ Check TC’s letter of recommendation regarding the appellant’s “judgment” from the perspective of a senior training pilot (Bob Gersbach). All if it was been washed away to address the Barrs’ “judgment” instead.

²⁴ Check the “Insight on What’s Happening” 18 Dec ’01 (and the “Gratuitous Sympathy Pose” and the conclusion is that I knew I’d get charged for the events of 25 Dec ’01 more-or-less as a foregone conclusion.

²⁵ The issue was that Vimy Ridge Academy’s Code of Honour (and the CIC’s Standards and Mandate) don’t really mean anything... because they’re such good Cadets.

²⁶ I need to keep a medical, fight off the charges and the St. Albert RCMP, win a custody battle and address the kids’ interest simultaneously.

court. He has the basic understanding about the functions of a Judge and the Crown Prosecutor²⁷. In my opinion Mr. German is fit to plead and stand trial and to accept whatever disposal the court deems appropriate. He is more than willing to plead out against these charges and get on with his life.

I have no other useful medical recommendations I can offer the court²⁸ to assist them in their deliberations.

²⁷ The Crown Prosecutor should have addressed this report on the issue of “mens rea” and dismissed the charges.

²⁸ There is no mention of the aviation medical issue and FACS is sued for professional negligence on this point alone.

Note also that the report of Mary-Ann Bach had me “healthy” at the time, but at “a high risk to reoffend” on a charge that hadn’t yet gone to trial, and finally, going to lose my career to the ‘ex’s observations *as a foregone conclusion*.

FACS has been reaching across the fence to treat the appellant for the co-Defendant;s observations and concerns.

Med School 101: I can’t be fixed when *I ain’t the one who’s broken*.