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RCMP erred in sting, trial told

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MONTREAL

PUBLISHED SEPTEMBER 5, 2007

UPDATED APRIL 26, 2018

PUBLISHED SEPTEMBER 5, 2007

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Even before an undercover RCMP team took Alain Olivier to Thailand to buy heroin, at least one Mountie knew that the man they had enlisted wasn't a major drug trafficker, a Montreal court heard yesterday.

And years later, as Mr. Olivier languished in a Bangkok jail, Canada's solicitor-general was still mistakenly told that he had gone to Thailand as a hardened criminal.

Those allegations of wrongful police behaviour were heard at the start of testimony yesterday in Mr. Olivier's \$47-million suit against the federal government.

Two decades after his arrest, Mr. Olivier got his day in court and recounted the tale of how the RCMP confused him with his twin brother, a drug-dealing biker, and got him sentenced to death in a Thai court.

Now back in Montreal on parole, the 47-year-old says he was the victim of an unfair entrapment operation.

As early as July, 1988, RCMP Staff Sergeant Jack Dop knew there had been a case of mistaken identity but kept it secret from his superiors, one of Mr. Olivier's lawyers said yesterday. "This shows you to what extent the RCMP covered this up," Reevin Pearl said.

Government lawyer David Lucas said the issue is irrelevant because Mr. Olivier nevertheless took part in a drug deal.

"You could present yourself as Britney Spears, what matters is that at the end of the operation you are the person the RCMP dealt with," he told reporters.

Code-named Deception, the operation ended with RCMP Corporal Derek Flanagan dying accidentally in a scuffle during a botched heroin purchase that Mr. Olivier set up in Chiang Mai in 1989.

The RCMP handed over Mr. Olivier to Thai police, and he was sentenced to death on drug-related charges. He eventually received a pardon and his sentence was commuted to 40 years. After eight years, he was transferred to Canada.

In past court filings, an RCMP officer conceded that, in doing a background check, he punched only Mr. Olivier's family name and birth

date into police databases, getting instead the record of his twin, Serge.

As late as 1997, then-solicitor-general Herb Gray mistakenly described Alain Olivier as someone with prior convictions in Canada when he authorized his transfer back from Thailand, the court heard.

"I'm not proud of what I've done ... I was a fool. But I never hurt anyone," Mr. Olivier told Mr. Justice Michel Caron of Quebec Superior Court yesterday.

In rambling testimony, Mr. Olivier recalled his cocaine-sniffing, pot-smoking life in Gibsons, B.C.

He said he got hooked on heroin during a trip to Thailand and Nepal, coming back to British Columbia in February, 1987, with 10 grams for personal use. Hanging out with expatriate Quebeckers on the Sunshine Coast, Mr. Olivier was introduced to a boat operator named Glen Barry, alias Jean-Marie Leblanc.

Mr. Barry boasted that he was a tough guy involved in the cocaine trade, the court heard. In the summer of 1987, Mr. Barry introduced Mr. Olivier to two fellow drug dealers.

They were in fact RCMP undercover officers and Mr. Barry an informant who was paid \$80,000.

Mr. Olivier said Mr. Barry wrongly told the two men that the Quebecker had a heroin connection in Thailand. Mr. Olivier testified that he was intimidated into going to Thailand, not realizing that it was a police sting operation.

In a court filing, the government argues that Mr. Olivier was just trying to make money. He wasn't a junkie "who was addicted to such a degree that he could not otherwise manifest/pursue his own free will," the filing says.

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