

Drug middleman loses lawsuit

SUED RCMP FOR ENTRAPMENT

Addict claims he was forced to participate in Thailand drug sting set up by Mounties

SUE MONTGOMERY
THE GAZETTE

A former drug addict who claimed he was used by the RCMP to set up a drug deal in Thailand and then was sentenced to life in prison for his deed has lost his \$47.5-million lawsuit against the Mounties.

Not only did Alain Olivier wait too long to sue, he didn't prove he was a victim of RCMP entrapment, Superior Court Justice Michel Caron said in a 48-page judgment issued yesterday.

Olivier was arrested in Thailand in a 1989 botched drug deal that the RCMP had orchestrated, using him as the contact person for the Thai supplier.

As the exchange was going on, Thai police intervened and an RCMP officer was killed. Olivier escaped the death penalty by agreeing to plead guilty to several drug charges, and served 8½ years in a Thai jail before being transferred back to Quebec to serve his time. He's been released and is on parole until 2029.

Olivier's lawyer, François Audet, said he found Caron's decision "unbelievable" and "absurd" and said it was highly likely they would appeal.

"Here's a guy staying in a 30-by-50-foot prison cell he shares with 40 to 150 other prisoners, sleeping on a cement floor, and he's supposed to file a lawsuit?" Audet said in an interview.

"How can you put the onus on someone who doesn't think he's going to survive?"

"Filing a lawsuit is a luxury. Surviving is a necessity."

Olivier claims the RCMP "relentlessly hounded him through ... threats and intimidation" for 20 months in the late 1980s so he would take part in the mission,

"How can you put the onus on someone who doesn't think he's going to survive?"

DEFENCE LAWYER FRANÇOIS AUDET

known as Operation Deception.

The Drummondville resident, who had no previous criminal record, testified he finally obliged because he was afraid he'd be killed.

But throughout the 18-month police operation, the judge said, Olivier didn't act like someone who was being threatened or

lived in fear.

In December 1988, Caron noted, Olivier travelled to Thailand to pick up a sample of heroin for the police. When he returned to Canada, Olivier received a portion of it for his personal use.

"This trip ... is incompatible with the behaviour of someone living in fear and under threat," Caron wrote.

Olivier didn't prove his allegations that the RCMP modified their notes or tore pages from their notebooks to hide the truth about the investigation into Olivier's case, the judge added.

Audet said the judge ignored several key facts in the case, including an undercover officer's telling Olivier several times in Thailand there'd be a lot of unhappy people if the operation failed.

"In my opinion, if that's not entrapment, I don't know what is," Audet said.

smontgomery@
thegazette.canwest.com

W
The
acc
Rw:
ued
yes
clos
C:
Led
tior.
Del
deat
ties
was