

Running Record

Request #: JAG-2012-01673

X Request

Analyst: April Haussmann

Consultation

Records due to IAO: Oct 11, 2012

x-Govt number: n/a

GATHERING RECORDS:

Contact Person	Program Area	Received records? Y / N (including date received)	Fees Y/N	H A R M S (Y/N)	Reminders	
					Fees (Date)	Records (Date)
S15 (provided by S15 S15)	CFO	List provided Oct 2/12		Yes (see below)		

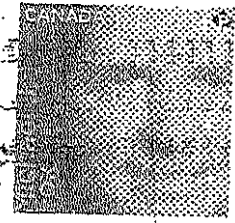
Description of request: The name and professional background of the individual who administers the Civil Forfeiture Office named in legal proceedings as the Director of Civil Forfeiture; A complete list of personnel, their titles and the organizational structure of the Civil Forfeiture Office; A complete list of policies and procedures followed by the Civil Forfeiture Office.

DATE	DESCRIPTION
Sept 27/12	Received from Intake
Sept 27/12	Assigned to analyst
Sept 28/12	Call for records sent to program area
Oct 2/12	<p>Analyst communication to Manager, "I've had a call from S15 Assistant Deputy Director CFO regarding this request. He has strong concerns with providing the Director of Civil Forfeiture info and a complete list of CFO staff. He mentioned that CFO staff are aware of the request and are concerned. I told him that we would need him to provide records and a harms assessment, which would likely result in withholding the information under s.15. S15 wants assurance that he would see the redline prior to release. He has asked me to bring his concerns to your attention and would like you to give him a quick call. He is in Tues, Wed and Thur S15 .</p> <p>Re the second part of the request: He can compile a list of policies and procedures but CFO would want to provide a Harms assessment should a follow-up request asking for copies of the policies result from the list."</p>
Oct 2/12	<p>Response from S15 in CFO to analyst WITH HARMS "Hello April, Thank you for calling me earlier today to chat about this request. I have since spoken with Vicki. She advises the names of CFO personnel will not be released under section 15(1)(f) in light of the security concerns. The qualifications of staff will be withheld under s.22.</p> <p>As for our policies, our current list is:</p> <p>1) Administrative Forfeiture Policy and Procedures</p>

	2) CFO Affidavits Attesting to Investigations Policy and Procedures 3) CFO Information Policy and Procedure 4) CFO Payment Out of Special Account Policy 5) CFO Referral Acceptance Policy and Procedures 6) Paralegal Affidavit Policy and Procedures 7) Paralegal Service Police and Procedures 8) Vehicle Forfeiture Policy"
Oct 2/12	Analyst advised the response from S15 above is the 'final response' on this file. I've confirmed no records were sent, only a list.
Oct 3/12	Gathering Records is complete, CRTS has been updated, a list was provided by the program area and saved in TRIM. The file is ready for review.

S22

FREEDOM OF INFORMATION REQUEST
PO BOX 9569 STN PROV GOVT
VICTORIA, BC V8W 9K1



September 21, 2012

BY MAIL

Freedom of Information Request
PO Box 9569

Stn Prov Govt
Victoria BC V8W 9K1

Dear Sir or Madam:

RE: Civil Forfeiture Office

I am writing to submit a freedom of information request in regard to the British Columbia Civil Forfeiture Office.

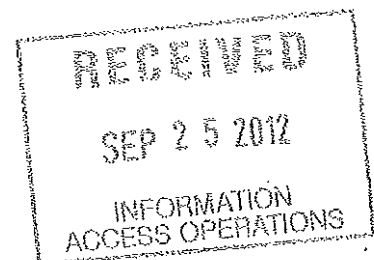
I note that the Ministry of the Attorney General does not, at any place on its public website, give any details as to the identity of the Director of Civil Forfeiture or any other individuals who may be employed by the Civil Forfeiture Office, or the policies and procedures that these individuals are expected to follow. I believe that substantial disclosure to the public is necessary to ensure the integrity of this important office. Specifically, I would request the following:

1. The name and professional background of the individual who administers the Civil Forfeiture Office (named in legal proceedings as the "Director of Civil Forfeiture")
2. A complete list of personnel, their titles, and the organizational structure of the Civil Forfeiture Office
3. A complete list of policies and procedures followed by the Civil Forfeiture Office

I look forward to receiving the aforementioned information at your early convenience.

Yours truly,

S22



INTAKE ANALYST TASKS:		Task Completed Initials
CHECK: <ul style="list-style-type: none"> Is the request clearly for 'specific records' (i.e. not questions or a request for information) Is the request submitted to a specific public body within IAO's jurisdiction? Has the request been date stamped? Is the received date clearly visible? 		LC
SEARCH: <ul style="list-style-type: none"> Search CRTS for previous entries – use search criteria including applicant, affiliate, and key word description. Is this a duplicate request? Is this an original already received via fax or email? If so, forward original to pod for filing. Are there related requests to be added and/or cross-referenced? 		LC
INTAKE ADMIN TASKS:		Task Completed Initials
CRTS DATA ENTRY: <ul style="list-style-type: none"> Request is entered following CRTS data entry standards – refer to user manual Processing org is correct – refer to processing org chart Description field accurately captures what the applicant is requesting and grammar spelling <i>(issues must be identified and discussed with Team Lead or Intake Analyst)</i> Receipt date/Start date is correct. Applicant/Affiliate fields are appropriate – refer to the CRTS user manual Activities are entered according to standard (Start/Received has start and end date) Acknowledgement letter task has a start and end date Executive comment is entered according to standard – refer to Exec standards sheet on activities Intake Comment is entered (if applicable) 	LC	JH
TRIM DATA ENTRY: <ul style="list-style-type: none"> Electronic folder (only) – Open according to standard procedure TRIM comment is added to CRTS Incoming request is TRIMMED TRIM Reference is sent to appropriate POD according to standard procedure 	LC	JH
CREATE ACKNOWLEDGEMENT (LETTER): <ul style="list-style-type: none"> Cut and paste CRTS description – If [named individual] located in CRTS, replace with actual name on Acknowledgement (letter) If unsure about content, description, or dates, discuss with Intake Analyst Ensure the Open Information paragraph is noted on all 292-30 files TRIM the Acknowledgement letter (if using a Word doc) 	LC	JH
Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/> Fee Blurb		
ONCE PEER REVIEW IS COMPLETED:		Task Completed Initials
SEND ACKNOWLEDGEMENT (LETTER):		
IF REQUEST REC'D VIA EMAIL – Acknowledgement (letter) is emailed to applicant <ul style="list-style-type: none"> Check email address to ensure correct; Check attachment (if using a Word/.pdf doc) to ensure correct 		LC
IF REQUEST REC'D VIA MAIL – Acknowledgement (letter) is mailed to applicant <i>(Send the acknowledgement by email if an email address is provided)</i>		
TRIM DATA ENTRY: <ul style="list-style-type: none"> If Acknowledgement is sent electronically, TRIM the sent email 		LC
INTAKE'S WORK COMPLETED ON: <u>Sept/28/2012</u>		

Intake Notes:

Morita, Kelly LCTZ:EX

From: Chernoff, Lawrence LCTZ:EX
Sent: Thursday, September 27, 2012 11:44 AM
To: Hudson, Vicki LCTZ:EX
Cc: Kotchonoski, Darlene E LCTZ:EX
Subject: FOI requests and related complaints - JAG-2012-01673 Civil Forfeiture Office
Attachments: 100001 - INFORMATION AND PRIVACY FREEDOM OF INFORMATION - FOI requests and related complaints - JAG-2012-01673 Civil Forfeiture Office.tr5

New request.

-----< TRIM Record Information >-----

Record Number : ARCS-00292-30/2570012A
Title : 100001 - INFORMATION AND PRIVACY: FREEDOM OF INFORMATION - FOI requests and related complaints - JAG-2012-01673 Civil Forfeiture Office



File#: 292-30/JAG-2012-01673

September 27, 2012

S22

Re: Freedom of Information and Protection of Privacy Act - Request for Access to Records

The **Ministry of Justice (Civil Forfeiture Office)** received your request for access to information under the *Freedom of Information and Protection of Privacy Act* (the Act) on September 25, 2012. We understand your request to be for:

The name and professional background of the individual who administers the Civil Forfeiture Office named in legal proceedings as the Director of Civil Forfeiture; A complete list of personnel, their titles and the organizational structure of the Civil Forfeiture Office; A complete list of policies and procedures followed by the Civil Forfeiture Office.

The Act allows 30 business days for public bodies to respond unless the nature of the request requires an extension per section 10 of the Act. We will make every effort to respond to your request by **November 7, 2012**. We will notify you as soon as possible if there is a need to extend the time limit for responding to your request.

The Act also allows that we may charge a fee for certain limited costs of providing you with the requested information, such as locating, retrieving and copying a large volume of records. Should this be the case, we will contact you at a later date with a fee estimate.

Please also be advised that the response to your request (subject to limited exemptions) will be published on the BC Government's Open Information website after its release to you. Your identity will be protected in the response. To find out more about Open Information please access the Open Information website at: <http://www.openinfo.gov.bc.ca/>.

Should you have any questions now or during the processing of your request please contact our office at 250-387-1321 and ask to speak with the analyst assigned to your request. Please quote the file number(s) identified at the top of this letter.

Regards,

Lawrence Chernoff
Consolidated Intake
Information Access Operations

Morita, Kelly LCTZ:EX

From: Kotchonoski, Darlene E LCTZ:EX
Sent: Thursday, September 27, 2012 12:28 PM
To: Fisher, Sandra L LCTZ:EX; Morita, Kelly LCTZ:EX
Cc: Haussmann, April LCTZ:EX
Subject: FW: FOI requests and related complaints - JAG-2012-01673 Civil Forfeiture Office
Attachments: 100001 - INFORMATION AND PRIVACY FREEDOM OF INFORMATION - FOI requests and related complaints - JAG-2012-01673 Civil Forfeiture Office.tr5

Pls assign to April~

Darlene Kotchonoski | Team Lead - Justice/Social Team Information Access Operations
Logistics and Business Services Shared Services BC | Ministry of Citizens' Services and
Open Government PO Box 9569, STN PROV GOVT Victoria BC V8W 9K1
(T): 250 356-1318
(F): 250 387-9843

P Please consider the environment before printing this e-mail

-----Original Message-----

From: Chernoff, Lawrence LCTZ:EX
Sent: Thursday, September 27, 2012 11:44 AM
To: Hudson, Vicki LCTZ:EX
Cc: Kotchonoski, Darlene E LCTZ:EX
Subject: FOI requests and related complaints - JAG-2012-01673 Civil Forfeiture Office

New request.

-----< TRIM Record Information >-----

Record Number : ARCS-00292-30/2570012A
Title : 100001 - INFORMATION AND PRIVACY; FREEDOM OF INFORMATION - FOI requests and
related complaints - JAG-2012-01673 Civil Forfeiture Office

From: Justice Social FOI SSBC:EX
Sent: Friday, September 28, 2012 10:53 AM
To: S15 JAG:EX
Cc: Justice Social FOI SSBC:EX; Haussmann, April LCTZ:EX
Subject: FW: New FOI request - JAG-2012-01673 Civil Forfeiture Office
Attachments: Integrated Call For Records form.pdf

Hello S15 ,

Please find attached a new Call for Records form. It is electronic, fillable and saveable. The only time you may need to print it out is if the people involved in your sign-off process do not have an electronic signature. The form has active links and pull-down menus. Responses should still go through the Justice/Social mailbox at justice.social.foi@gov.bc.ca at this time, as the Shared Drive process is undergoing some fine tuning. We'll advise at a later date when records can be deposited to the shared drive location.

Thank-you.

Your Ministry has received a formal request made under the *Freedom of Information and Protection of Privacy Act* (FOIPPA). The request is for:

The name and professional background of the individual who administers the Civil Forfeiture Office named in legal proceedings as the Director of Civil Forfeiture; A complete list of personnel, their titles and the organizational structure of the Civil Forfeiture Office; A complete list of policies and procedures followed by the Civil Forfeiture Office.

The analyst processing this request is April Haussman and can be reached at (250) 387-1919.

What Do You Need to Do?

Please complete the attached Call for Records form.

- ❖ If search and retrieval time is anticipated to exceed 3 hours and/or the total volume of records exceeds 200 pages, complete **only** Sections 1 & 2 of the Call for Records Form as we may be in a position to issue a fee estimate. Then, return the form to the Justice/Social FOI Mailbox at justice.social.foi@gov.bc.ca by October 5, 2012. Please await further instruction from IAO as the records will not be required until the fee estimate process has been completed. Once fees have been paid or waived, April Haussmann will contact you to continue the call for records process. IAO will advise you if the request is abandoned and closed.
- ❖ If no fees apply then proceed with the call for records process. If the request proceeds, please complete the attached Call for Records Form and return it to justice.social.foi@gov.bc.ca by October 11, 2012.
- ❖ Send records via email in PDF format. One PDF document is preferable. If email is not possible, please send the records in electronic format (CD, memory stick) via house mail with a copy of this note.

Reminder

You should be aware that FOIPPA obligates us to assist the applicant and to respond without delay, openly, accurately, and completely. In the event that the ministry must defend the adequacy of its search to the Information and Privacy Commissioner at Inquiry, those involved in searching for records may be required to sign affidavits confirming they have conducted an adequate search for relevant records.

Questions and Concerns

Please do not hesitate to contact your analyst noted on the attached Call for Records form to discuss:

- whether the records may be routinely releasable;
- whether the information is being prepared for public release or is already publicly available;
- ways in which an applicant may want to narrow/focus their request to reduce potential fees; and/or
- any other questions or concerns relating to this request.

Thank you for your assistance.



APPLICANT TYPE	DATE RECEIVED	FOI ANALYST	FEE ESTIMATE DUE	RECORDS DUE
Individual	September 25, 2012	April Haussmann	October 4, 2012	October 11, 2012

REQUEST DETAILS:

The name and professional background of the individual who administers the Civil Forfeiture Office named in legal proceedings as the Director of Civil Forfeiture; A complete list of personnel, their titles and the organizational structure of the Civil Forfeiture Office; A complete list of policies and procedures followed by the Civil Forfeiture Office.

Section 1: Initial Records Assessment

Do you hold any responsive records?	YES <input type="radio"/> NO <input type="radio"/>
Are you aware of other records that may be responsive to this request within your Ministry?	YES <input type="radio"/> NO <input type="radio"/>
Are you aware of other records that may be responsive to this request held by another public body?	YES <input type="radio"/> NO <input type="radio"/>
If yes, specify:	

NO RECORDS RESPONSE APPROVAL:

Please forward to Ministry FOI Contact (if applicable) for Delegated Head's final public body approval if no records have been located.

Final Public Body Approval (Full name, Title)	Signature:	Date:

Section 2: Fee Estimate *Please ensure that all reasonable efforts are made to generate as accurate an estimate as possible*

Search

Locating/Retrieving

Tasks may include:

- Searching for hard & electronic files
- Reviewing box content lists
- Retrieving records from off site
- Retrieving email records (Outlook)

Estimated Hours

Actual Hours

Producing records

tasks may include:

- Identifying relevant sources of data/information
- Manual time spent creating and producing records

Estimated Hours

Actual Hours

Volume

Electronic files (in pages):

*Other refers to PDF, Word, Excel, photos and any other electronic file responsive to the request

Email without attachments:

Estimated Pages Actual Pages

Email with attachments:

Estimated Pages Actual Pages

*Other documents

Estimated Pages Actual Pages

Hardcopy files (in pages):

- Average file folder = 1" and holds approximately 200 pages (single sided)
- 1 Standard Records Centre Services Box:
 - If in legal sized folders - 1,800 pages
 - If in letter sized folders - 2,200 pages

Estimated Pages Actual Pages

Preparation

Tasks may include :

- Photocopying/scanning records into electronic format (PDF)
- Ensuring completeness of responsive records
- Copying other types of media; if so please specify:

Estimated Hours Actual Hours

Section 3: Search Summary and Program Area Recommendations

Please describe the search for records including what records were searched, (eg. files, email, databases, TRIM files, off site records, etc.), duration of search time, and who concluded the search for records.

Could release of any/all of the of the responsive records potentially cause harm?

YES ☐ NO ☐

***Harm – Disclosure of the records would significantly harm the ministry's position, or a third party's interests on a given topic. The harms assessment allows FOI staff to better understand the context of the records and make informed severing recommendations based on potential harms. (Issues associated with possible disclosure through the FOI process that are unrelated to the harms assessment should be communicated to your ministry executive and/or Government Communications and Public Engagement office.)**

If yes which information, if released, may cause harm?

(Please reference the information of concern, the harms, and associated page numbers below)

Unless specific exemption criteria apply, records provided to the applicant in response to this request will be published on the Government's Open Information Website. If you have any concerns about the publication of the responsive records please indicate here or discuss with your FOI Analyst.

Section 4: Contact Information

Who completed this form? (Full Name, Title):

Phone Number:

Date:

Harms assessment completed by (Full Name, Title)

Program Area:

Harms assessment approved by (Full Name, Title)

LAO Use Only

Estimated-

Hours:

Pages:

Actual-

Hours:

Pages:

Comments:

Morita, Kelly LCTZ:EX

From: Haussmann, April LCTZ:EX
Sent: Tuesday, October 2, 2012 11:22 AM
To: Hudson, Vicki LCTZ:EX
Subject: JAG-2012-01673 - Civil Forfeiture Office

Hi Vicki,

Request wording:

"The name and professional background of the individual who administers the Civil Forfeiture Office named in legal proceedings as the Director of Civil Forfeiture; A complete list of personnel, their titles and the organizational structure of the Civil Forfeiture Office; A complete list of policies and procedures followed by the Civil Forfeiture"

I've had a call from S15, Assistant Deputy Director CFO regarding this request. He has strong concerns with providing the Director of Civil Forfeiture info and a complete list of CFO staff. He mentioned that CFO staff are aware of the request and are concerned.

I told him that we would need him to provide records and a harms assessment, which would likely result in withholding the information under s.15. S15 wants assurance that he would see the redline prior to release. He has asked me to bring his concerns to your attention and would like you to give him a quick call. He is in Tues, Wed and Thur S15

Re the second part of the request: He can compile a list of policies and procedures but CFO would want to provide a Harms assessment should a **follow-up** request asking for copies of the policies result from the list.

April Haussmann

Information and Privacy Analyst

Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca

Phone: 250-387-1919

Providing Services to:

Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

Morita, Kelly LCTZ:EX

From: Haussmann, April LCTZ:EX
Sent: Wednesday, October 3, 2012 10:14 AM
To: Justice Social FOI SSBC:EX
Subject: Call- Complete - FOI Request JAG-2012-01673 re Civil Forfeiture

This is the final reply to the CFR for this request. I have TRIMmed it.

April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:
Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

From: S15 JAG:EX
Sent: Tuesday, October 2, 2012 3:58 PM
To: Haussmann, April LCTZ:EX
Cc: Hudson, Vicki LCTZ:EX; S15 JAG:EX
Subject: TRIM: FOI Request JAG-2012-01673 re Civil Forfeiture

Hello April,

Thank you for calling me earlier today to chat about this request. I have since spoken with Vicki. She advises the names of CFO personnel will not be released under section 15(1)(f) in light of the security concerns. The qualifications of staff will be withheld under s.22.

As for our policies, our current list is:

- 1) Administrative Forfeiture Policy and Procedures
- 2) CFO Affidavits Attesting to Investigations Policy and Procedures
- 3) CFO Information Policy and Procedure
- 4) CFO Payment Out of Special Account Policy
- 5) CFO Referral Acceptance Policy and Procedures
- 6) Paralegal Affidavit Policy and Procedures
- 7) Paralegal Service Policy and Procedures
- 8) Vehicle Forfeiture Policy

Regards,

S15
Assistant Deputy Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1

S15 | F 250.356.1092

S15

Morita, Kelly LCTZ:EX

From: O'Neill, Jennifer LCTZ:EX
Sent: Wednesday, October 10, 2012 9:13 AM
To: Haussmann, April LCTZ:EX
Subject: RE: Exemption review JAG-2012-01673 -Completed

Hi April,

Yes, as the response to portion 3 of the request is being provided in the letter, I agree the response should be published ☺ .

Cheers,
Jennifer

Jennifer O'Neill

Quality Assurance Analyst - Open Information Team
Information Access Operations, Shared Services BC
Ministry of Citizens' Services and Open Government
Tel: (250) 952-0357 Fax: (250) 387-9843
Email: Jennifer.L.ONeill@gov.bc.ca

From: Haussmann, April LCTZ:EX
Sent: Wednesday, October 10, 2012 8:22 AM
To: LCTZ OPEN INFOGROUP LCTZ:EX
Subject: Exemption review JAG-2012-01673

Good morning,

Please see the response letter for this request. This request has three portions to it. The records regarding the first two portions are being withheld in their entirety. The third portion is being addressed in the body of the letter. I believe that this letter should be published however I would like your opinion.

Regards

April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:

Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

Morita, Kelly LCTZ:EX

From: S15 JAG:EX
Sent: Monday, October 15, 2012 10:13 AM
To: Haussmann, April LCTZ:EX
Subject: RE: Direct reply? FOI Request JAG-2012-01673 re Civil Forfeiture

Please reply direct

thanks

From: Haussmann, April LCTZ:EX
Sent: Monday, October 15, 2012 8:55 AM
To: S15 JAG:EX
Subject: Direct reply? FOI Request JAG-2012-01673 re Civil Forfeiture

Good morining S15 ,

Not sure if my last email got buried in your in box. Do you prefer that we put this through the sign-off process? Or may I reply directly to the applicant with a letter that includes the list of Policies that you provided..

Thanks

April Haussmann

From: Haussmann, April LCTZ:EX
Sent: Wednesday, October 3, 2012 12:20 PM
To: S15 JAG:EX
Subject: TRIM: RE: FOI Request JAG-2012-01673 re Civil Forfeiture

Hi S15 ,

May we reply directly to the applicant, thereby bypassing the ministerial approval process or would you like to see a copy of the response letter before we send it to the applicant?

Regards

April

From: Haussmann, April LCTZ:EX
Sent: Wednesday, October 3, 2012 10:13 AM
To: S15 JAG:EX
Subject: FOI Request JAG-2012-01673 re Civil Forfeiture

Thank you very much for wrapping this up so quickly S15 .

April

From: S15 JAG:EX
Sent: Tuesday, October 2, 2012 3:58 PM
To: Haussmann, April LCTZ:EX
Cc: Hudson, Vicki LCTZ:EX; S15 JAG:EX
Subject: TRIM: FOI Request JAG-2012-01673 re Civil Forfeiture

Hello April,

Thank you for calling me earlier today to chat about this request. I have since spoken with Vicki. She advises the names of CFO personnel will not be released under section 15(1)(f) in light of the security concerns. The qualifications of staff will be withheld under s.22.

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- 4) CFO Payment Out of Special Account Policy
- 5) CFO Referral Acceptance Policy and Procedures
- 6) Paralegal Affidavit Policy and Procedures
- 7) Paralegal Service Policy and Procedures
- 8) Vehicle Forfeiture Policy

Regards,

S15

Assistant Deputy Director | Civil Forfeiture Office
Ministry of Justice | British Columbia

PO Box 9234 Stn Prov Govt, Victoria, BC V8W 9J1

S15 | F 250.356.1092

S15

Morita, Kelly LCTZ:EX

From: Wilkinson, Donna LCTZ:EX
Sent: Monday, October 15, 2012 11:17 AM
To: Haussmann, April LCTZ:EX
Subject: RE: QA - JAG-2012-01673 - Response Letter

Yeah, that makes sense since we're providing the 'records' in the response letter. Looks good.

Cheers,

Donna

From: Haussmann, April LCTZ:EX
Sent: Monday, October 15, 2012 11:14 AM
To: Wilkinson, Donna LCTZ:EX
Subject: QA - JAG-2012-01673 - Response Letter

Hi Donna,

I checked with Open Info who confirmed that the letter should be published. S15 approved direct response to the applicant in an email. The wording I used in the letter is exactly the same as CRTS but I broke it down into part for clarity.

Legislated due date Nov 7.

April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:
Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

Morita, Kelly LCTZ:EX

From: Hudson, Vicki LCTZ:EX
Sent: Monday, October 15, 2012 4:18 PM
To: Haussmann, April LCTZ:EX
Subject: FW: Signature - JAG-2012-01673 - Response Letter
Attachments: Response - Letter.tr5

Signed. Thanks.

From: Haussmann, April LCTZ:EX
Sent: Monday, October 15, 2012 3:21 PM
To: Hudson, Vicki LCTZ:EX
Subject: Signature - JAG-2012-01673 - Response Letter

Hi Vicki,

For your consideration. I checked with Open Info who confirmed that the letter should be published. S15
approved direct response to the applicant in an email. The wording I used in the letter is exactly the same as CRTS
but I broke it down into part for clarity.

Legislated due date Nov 7.

Thanks
April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:
Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development



ARCS: 292-30
File: JAG-2012-01673

October 16, 2012

S22

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Justice and Attorney General.
Your request is for:

- 1) *The name and professional background of the individual who administers the Civil Forfeiture Office named in legal proceedings as the Director of Civil Forfeiture;*
- 2) *A complete list of personnel, their titles and the organizational structure of the Civil Forfeiture Office;*
- 3) *A complete list of policies and procedures followed by the Civil Forfeiture Office.*

Please be advised the records for parts one and two of your request are withheld in their entirety pursuant to sections 15(1)(f) (Disclosure harmful to law enforcement) and 22 (Disclosure harmful to personal privacy) of FOIPPA.

In response to part three of your request, included below is a complete list of policies and procedures followed by the Civil Forfeiture Office:

- 1) Administrative Forfeiture Policy and Procedures
- 2) CFO Affidavits Attesting to Investigations Policy and Procedures
- 3) CFO Information Policy and Procedure
- 4) CFO Payment Out of Special Account Policy
- 5) CFO Referral Acceptance Policy and Procedures
- 6) Paralegal Affidavit Policy and Procedures
- 7) Paralegal Service Policy and Procedures
- 8) Vehicle Forfeiture Policy

.../2

A complete copy of FOIPPA is available online at:

http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Your file is now closed.

If you have any questions regarding your request, please contact April Haussmann, the analyst assigned to your request, at 250-387-1919. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-387-1919.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read "Hudson", with a stylized flourish at the end.

Vicki Hudson, Manager
Justice / Social Team
Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.

Morita, Kelly LCTZ:EX

From: Haussmann, April LCTZ:EX
Sent: Tuesday, October 16, 2012 2:43 PM
To: Ritchie, Dave JAG:EX
Subject: Response - FOI JAG-2012-01673 Civil Forfeiture Office
Attachments: Response - Letter.pdf

Good afternoon Dave,

As you have asked for us to provide responses of less than 100 pages, please find attached our response letter regarding this request which was mailed today.

Kind regards
April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:
Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

Morita, Kelly LCTZ:EX

From: Haussmann, April LCTZ:EX
Sent: Tuesday, October 16, 2012 2:45 PM
To: Haussmann, April LCTZ:EX
Subject: Response - FOI JAG-2012-01673 Civil Forfeiture Office
Attachments: Response - Letter.pdf

This letter was sent via Canada Post today.

April Haussmann

Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:

Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

Morita, Kelly LCTZ:EX

From: Haussmann, April LCTZ:EX
Sent: Tuesday, October 16, 2012 2:50 PM
To: LCTZ OPEN INFOGROUP LCTZ:EX
Subject: Pub Review - FOI JAG-2012-01673 Civil Forfeiture Office

Ready for review –

- The response to this request was sent via Canada Post today.
- I spoke with Jennifer O'Neill who determined that it should be published.
- It did not go through sign-off as IAO was authorized to reply directly to the applicant.

Regards

April Haussmann

Information and Privacy Analyst

Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca

Phone: 250-387-1919

Providing Services to:

Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

NOTE ON TRIM FILE :

"Tuesday, October 23, 2012 at 9:09:10 AM (GMT-07:00) Morita, Kelly:"

Response letter mailed Oct 16/12, returned to IAO Oct 22/12 (mislabelled). I phoned applicant to advise that it would be re-sent, but no answer (no answering machine). Mailing address confirmed from original request.

Morita, Kelly LCTZ:EX

From: Williams, Brad M LCTZ:EX
Sent: Wednesday, October 24, 2012 5:39 PM
To: Haussmann, April LCTZ:EX
Subject: Re: JAG-2012-01673 - Civil Forfeiture

Thanks April - I will touch base with you in the morning.

Brad

250.507.5814

On 2012-10-24, at 5:10 PM, "Haussmann, April LCTZ:EX" <April.Haussmann@gov.bc.ca> wrote:

Hi Brad,

Don't have your cell number so I'll email. I just want to keep you apprised of an issue that GCPE is dealing with regarding our response to this request. Part of the request asked for the name and professional background of the Director of Civil Forfeiture (Robert Kroeker). Vicki and Exec Dir S15 S15 discussed and decided to withhold his name and CV under s. 15 & 22. A journalist at the TC has picked it up on OI and is planning to run a story on the basis his name is already in the public domain. There's another angle that he is taking that I'll fill you in on tomorrow. At this point we are drafting a new response letter to release the name but not CV or CFO staff. Looks like the story is going ahead. I'll see you tomorrow with details. I'm at my desk if you want to call me.

April Haussmann
Phone: 250-387-1919

Morita, Kelly LCTZ:EX

From: Haussmann, April LCTZ:EX
Sent: Thursday, October 25, 2012 4:00 PM
To: Hughes, Alan LCTZ:EX
Subject: FW: JAG-2012-01673 CFO Response - Reconsideration - Letter
Attachments: Response - Reconsideration - Letter.DOCX.DOCX

Should have cc'ed you Alan. The letter is with Kelly with a note saying to hold off until you give her the go ahead.. Signed letter has been scanned and is in TRIM. Someone will need to delete it if there are changes made.

April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:
Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

From: Haussmann, April LCTZ:EX
Sent: Thursday, October 25, 2012 3:51 PM
To: Schollen, Tasha GCPE:EX
Subject: JAG-2012-01673 CFO Response - Reconsideration - Letter

Hi Tasha,

Here is the revised letter. S22 so contact Alan Hughes (250 356 9639) regarding this matter. I understand a meeting is happening this afternoon with the journalist.

To avoid any possible confusion it would be best if you could contact us (me today/Alan tomorrow) to confirm that it's either good to go as written or advise on changes.

I should mention that this is being sent via Canada Post as the Applicant has not provided us with an email address.

April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:
Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development

Morita, Kelly LCTZ:EX

From: Haussmann, April LCTZ:EX
Sent: Thursday, October 25, 2012 4:45 PM
To: Hughes, Alan LCTZ:EX
Cc: Morita, Kelly LCTZ:EX
Subject: FW: JAG-2012-01673 CFO Response - Reconsideration - Letter

Looks like it's good to go.

April

From: Schollen, Tasha GCPE:EX
Sent: Thursday, October 25, 2012 4:12 PM
To: Haussmann, April LCTZ:EX
Subject: RE: JAG-2012-01673 CFO Response - Reconsideration - Letter

Hi April,
This looks good to me. If it could be released on Friday, anytime, that would be great. (mailed).
Have a good weekend!
Tasha

From: Haussmann, April LCTZ:EX
Sent: Thursday, October 25, 2012 3:51 PM
To: Schollen, Tasha GCPE:EX
Subject: JAG-2012-01673 CFO Response - Reconsideration - Letter

Hi Tasha,

Here is the revised letter. S22 so contact Alan Hughes (250 356 9639) regarding this matter. I understand a meeting is happening this afternoon with the journalist.

To avoid any possible confusion it would be best if you could contact us (me today/Alan tomorrow) to confirm that it's either good to go as written or advise on changes.

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April Haussmann
Information and Privacy Analyst
Justice-Social Team

Information Access Operations - Shared Services BC
Ministry of Citizens' Services and Open Government

Email: April.Haussmann@gov.bc.ca
Phone: 250-387-1919

Providing Services to:
Ministry of Justice/ Ministry of Children and Family Development/ Ministry of Social Development



ARCS: 292-30
File: JAG-2012-01673

October 29, 2012

S22

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Justice and Attorney General.
Your request is for:

- 1) *The name and professional background of the individual who administers the Civil Forfeiture Office named in legal proceedings as the Director of Civil Forfeiture;*
- 2) *A complete list of personnel, their titles and the organizational structure of the Civil Forfeiture Office;*
- 3) *A complete list of policies and procedures followed by the Civil Forfeiture Office.*

Please be advised that the Ministry has reconsidered its decision in our letter dated October 16, 2012 and additional information is being provided to you.

With regard to part one of your request, the Ministry would like to correct an oversight. We are releasing the name of the Executive Director of the Civil Forfeiture Office, Robert Kroeker. His name was initially withheld as a safety precaution relating to the nature of the work done by the Civil Forfeiture Office; however as Mr. Kroeker has publicly represented the Office since its implementation, it is now felt this was an overabundance of caution.

Please note that we continue to withhold the professional background of Mr. Kroeker pursuant to section 22 (Disclosure harmful to personal privacy). For your convenience I have included a link to the announcement of the appointment of Robert Kroeker as Executive Director of the Civil Forfeiture Office (http://www2.news.gov.bc.ca/news_releases_2005-2009/2006PSSG0017-000464.htm).

.../2

Records for part two of your request continue to be withheld in their entirety pursuant to sections 15(1)(f) (Disclosure harmful to law enforcement) of FOIPPA.

Our response to part three of your request remains unchanged. As before I have included a complete list of policies and procedures followed by the Civil Forfeiture Office:

- 1) Administrative Forfeiture Policy and Procedures
- 2) CFO Affidavits Attesting to Investigations Policy and Procedures
- 3) CFO Information Policy and Procedure
- 4) CFO Payment Out of Special Account Policy
- 5) CFO Referral Acceptance Policy and Procedures
- 6) Paralegal Affidavit Policy and Procedures
- 7) Paralegal Service Policy and Procedures
- 8) Vehicle Forfeiture Policy

A complete copy of FOIPPA is available online at:

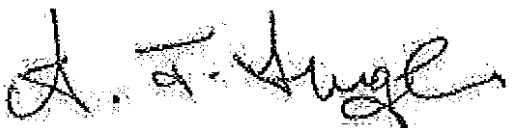
http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

Your file is now closed.

If you have any questions regarding your request, please contact April Haussmann, the analyst assigned to your request, at 250-387-1919. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-387-1919.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,



Alan Hughes for,
Vicki Hudson, Manager
Justice / Social Team
Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.

Morita, Kelly LCTZ:EX

From: Hughes, Alan LCTZ:EX
Sent: Tuesday, October 30, 2012 8:47 AM
To: Haussmann, April LCTZ:EX
Subject: FW: RE: JAG-2012-01673

April,

This e-mail string from Lynda Cavanaugh will be our approval to release.

From: Cavanaugh, Lynda A JAG:EX
Sent: Monday, October 29, 2012 9:51 AM
To: Hughes, Alan LCTZ:EX
Cc: Hudson, Vicki LCTZ:EX
Subject: RE: RE: JAG-2012-01673

Tx

From: Hughes, Alan LCTZ:EX
Sent: Monday, October 29, 2012 9:49 AM
To: Cavanaugh, Lynda A JAG:EX
Subject: RE: RE: JAG-2012-01673

Yes – it is proposed to publish on the Open Information website.

From: Cavanaugh, Lynda A JAG:EX
Sent: Monday, October 29, 2012 9:34 AM
To: Hughes, Alan LCTZ:EX
Subject: RE: RE: JAG-2012-01673

Sorry forgot to ask, is it going to change on the open info site too? Or just sent to the requester?

From: Hughes, Alan LCTZ:EX
Sent: Monday, October 29, 2012 9:29 AM
To: Cavanaugh, Lynda A JAG:EX
Subject: RE: RE: JAG-2012-01673

Certainly that clarifies the differing approaches, since there was a public announcement of Mr Kroeker's appointment.

From: Cavanaugh, Lynda A JAG:EX
Sent: Monday, October 29, 2012 9:20 AM
To: Hughes, Alan LCTZ:EX
Subject: FW: RE: JAG-2012-01673

I made one edit that clarified why we would release his name and not the others. What do you think?

From: Hughes, Alan LCTZ:EX
Sent: Monday, October 29, 2012 9:05 AM
To: Cavanaugh, Lynda A JAG:EX
Subject: RE: JAG-2012-01673

Lynda,

Proposed letter as discussed.

Alan J. Hughes
Senior FOI Analyst
Consolidated Generals
Shared Services BC
Ministry of Citizens' Services and Open Government.
Telephone: (250) 356-9639
Email: Alan.Hughes@gov.bc.ca
Fax: (250) 387-9843

providing services to

Ministry of Children and Family Development
Ministry of Justice
Ministry of Social Development

S22

BY FAX **250-387-9843**

October 29, 2012

Vicki Hudson, Manager
Justice / Social Team
Information Access Operations
PO Box 9569 Stn Prov Govt
Victoria, BC V8W 9K1

Dear Ms. Hudson:

RE: Freedom of Information Request Regarding Civil Forfeiture Office
ARCS: 292-30; File: JAG-2012-01673

I am writing to express my gratitude for the prompt response to my freedom of information request, dated October 16, 2012, and received by me on October 25, 2012. I acknowledge and thank you for the list of policies and procedures followed by the Civil Forfeiture Office.

Given your response to parts one and two of my request, and the surrounding media coverage recently, I also wish to reassure you that my motives are in no way nefarious or otherwise objectionable. I am approaching this in good faith as a concerned citizen who simply believes that the Civil Forfeiture Office should be subject to the same standard of transparency as other government departments. It was definitely not my intention to make anybody feel uncomfortable or threatened in any way.

Yours truly,

S22