



## Murder by Proxy?

Did the US government set a BC man up for murder?

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January 24, 2010

Operation Blade Runner was an RCMP/DEA joint operation that culminated in the spring of 2009 with the busts of two Canadian helicopters and two pilots in northeastern Washington and Idaho. The subsequent suicide of student pilot Sam Brown in Spokane County Jail focused media attention on Blade Runner. That attention was amped up just prior to Christmas with the release of a US indictment against four British Columbia men.

The names of the men had been released months earlier. US court records show allegations of the establishment of a group which sent emissaries to the US in early 2008 to seek purchasers of BC marijuana and ecstasy, and to seek out sources of cocaine for shipment back to Canada. Two of those named in the US indictment are linked to this early alleged period of the plan. Another is a fictional persona on a Blackberry attributed to a Fraser Valley man, and the fourth was Colin Martin, a Sicamous area man who is the alleged supplier of a helicopter for one of the smuggling runs.

### **Martin Hits Front Page of Province...**

Martin zoomed onto the front page of the Province soon after with a follow up to a story broken by CBC Nelson reporter Bob Keating. US officials had included



**Targeted for murder by US officials? Indictment identifies Colin Martin, above, as major player in BC drug scene and reveals attempts to co-operate with DEA in exchange for free hand in Canadian drug operations.**

some startling news in their indictment. The indictment contains allegations that Martin contacted someone in the Vancouver office of the DEA in September of 2009 with information that he wished to assist them with information on the BC cross border drug scene. A second allegation is that he spoke in October and November with someone in the United States with an offer to provide information on some aspects of the cross border drug business in exchange for a blind eye

being turned to his own activities, for a period of ten years.

The indictment is not sealed against Martin and the others. There are allegations that Martin is a kingpin of the organization, and that his alleged transport operations were utilized by a number of criminal groups for border transport. In the view American officials had of Martin at the time they prepared the indictment, Martin was connected to some big and bad men and knew a lot about the movement of prohibited goods across the border.



**DEA agents seized this helicopter linked to Colin Martin on Feb. 23, 2009 in northeast Washington State. It was operated by Sam Brown, who later took his own life in jail in Spokane.**

### **The Kiss of Death**

It was thus stunning in the extreme to see a transparently vengeful kiss of death delivered in this way to the controversial Martin, who is currently appealing a prior conviction of cross border marijuana work. It is a legal maxim that actors intend the rational consequences of their actions. Any rational person who has or would see the allegations about Martin's wishing to become an informant would expect that the rational consequences of revealing that information would be that some of his associates would attempt to murder him.

Call it murder by proxy, if one applies the rational consequences rule. There is no requirement to list the overt acts of the conspiracy at all, and offering to become an informant is not an overt act of a conspiracy after it is finished. So nothing about Martin seeking to become an informant and protected drug smuggler was

part of the conspiracy, or needed to be made available online.

### **RCMP Warn Martin His Life Endangered by Indictment**

Within days, the RCMP, undoubtedly applying the rational consequences rule themselves, appeared at Martin's door and told him of the information released in the US document and that his life might be in danger as a result.

After the Keating story hit the air, the Province newspaper featured Martin on its front page and told a lurid tale of contract killers on their way to kill him, complete with provision for a body disposal man.

Child protection officials appeared at the school where Martin's children attended and attempted to take them into care, citing danger of them being involved in the violence in the anticipated "hit" that might even be carried out at Martin's house. The attempt was abandoned when RCMP confirmed they had no actual information about imminent danger.

Martin was featured on a more recent CBC program where he is interviewed at his home by Keating. He does not deny the contact with the US DEA, but gives an explanation of an attempt to prove to a CBC Fifth Estate researcher that the DEA was willing to allow ongoing criminal activity so long as they could make selective busts on the United States side.

Martin has provided the Cold Eye with emails between himself and an American DEA agent in Seattle as well as his CBC contact. Martin had met the contact in the summer of 2009 during filming for a Fifth Estate segment centered on the life and death of Brown, a popular young Kootenay man who had been arrested flying a helicopter with links to Martin.

In one of the emails, Martin is told he will have a "...media friend for life", if he can come up with evidence that the DEA were sanctioning ongoing criminality in exchange for selective busts in the US. No doubt that would be true. The effect of sanctioning criminal activity in Canada to leave some offenders unpunished and profiting from the proceeds of crime in order to make some high profile busts in the US would be a national scandal for the media.

He says that in September he contacted a DEA agent named Matt in the DEA office at the US consulate in Vancouver. Upon telling Matt who he was, Martin was asked if he was prepared to come down and deal with the allegations of Operation Blade Runner. He told Matt that wasn't why he was calling at all and that he had nothing to say about Blade Runner and hung up.

### "Hey CM, we should talk"

According to Martin, a series of some six or seven calls from "Sue" followed. He did not answer any of them. On October 15, Martin received an email from an Andy Orsi saying "Hey CM, we should talk" and then giving a Seattle area phone number.

Martin says that he contacted Orsi, who then identified himself as a Casey Kanahoe, a DEA agent. Court documents released to the Fifth Estate show a DEA agent named Casey Kanahoe providing an affidavit supporting an argument to deny access to sealed court documents being sought by the Fifth Estate. From that affidavit, he appears to have considerable involvement in the at least 18 month long investigation.

Martin remembers about 15 minutes of phone calls, and some emails back and forth with this person he believes to be Kanahoe. The topic was Martin being given carte blanche to operate a smuggling helicopter and retain the proceeds in Canada for a period of ten years in exchange for cooperation in some of the loads being busted in the US.

### Scheme Was Nothing New

Martin wasn't asking for anything new. Shortly after the arrests in March, one of Martin's co-accused contacted the Cold Eye and told this story.

He said the RCMP had approached him with an offer of having his current legal problems disposed of, and being allowed to operate, along with his normal crew, so long as information was provided that would allow the US to trace the loads and in some cases, make busts in the US. He was told he would be paid \$50,000 per bust.

The same approach was made to Martin, he now confirms, and it was that approach that he brought to the attention of the Fifth Estate researcher.

It isn't in dispute that such offers were made. There is dispute on the scope and duration of the offers.

Vancouver Sun crime reporter and blogger Kim Bolan has said that RCMP claim that if any such offers were made it would have been for a once off operation.



**Popular Nelson man Sam Brown was arrested with reportedly some 425 pounds of BC Bud in the Feb. 23, 2009 bust. He committed suicide in Spokane County Jail on Feb. 27th.**

### DEA Eager To Enter Into Blind Eye Deals

Martin says that Kanahoe was eager to enter into deals that would have permitted proceeds of crime to come back across the border into Canada. Acquisition of helicopters was discussed...who would have to come up with a helicopter? In the emails, Kanahoe said that he couldn't go forward with this deal without the approval and oversight of the RCMP. In reply, Martin refused to have anything to do with the RCMP.

The whole affair appears to turn nasty in an exchange of emails between Orsi/Kanahoe and Martin in late December.

On December 23, a day after the Indictment is handed down by the US Grand Jury, Martin is told by Kanahoe that he is included on the indictment with three others, and that...

*The first person to come to the table in the US will have the best opportunity. I am guessing that between Sean, Adam, James CAMERON and you somebody will decide to come here and do the right thing. There will be more indictments to come. All people who, if they come here voluntarily, are in a position of great knowledge and understanding. I guess what I'm saying is that somebody will eventually take a deal. The others will go the way of MENDOZA*

## Things Turn Sour

Things turn sour at that point. Martin writes to Kanahoe saying that he could never bring himself to give up some other person. He cites the cases of David Mendoza, a major buyer of BC Bud in the Seattle area who was sentenced to 14 years in 2009, and reputed UN gang leader Clay Roueche, recently sentenced to 30 years. Neither of these men betrayed others, he said, and neither would he. He quoted to Kanahoe the "First stone" portion of the Bible where Jesus admonishes those about to stone a prostitute.

Kanahoe responds angrily that Jesus never advocated drug smuggling. He is scornful of Martin's claim that Brown had stolen his helicopter. His tone is angry and indignant.

With good probable cause. It is likely that telephone taps remained on Martin's phone up until the end of the alleged conspiracy in late November of 2009. Martin would have been outlining his scheme to the CBC man over a tapped telephone, with the RCMP then relaying to Kanahoe the plans to set him up for a TV show.

## RCMP Call US Actions Insane

All of which provides motive for the Murder by Proxy theory in this sordid affair, one in which the actions of the DEA and US federal attorneys was described as "...absolutely insane" by RCMP spokesman Tim Shields. At first glance, and even after a long stare, what has happened appears to be motivated by vengeance against an accused criminal trying to set the DEA up for a major embarrassment and setback in their efforts at eroding Canadian sovereignty to the maximum extent possible.

One theory open for consideration is that officials in the Western District of Washington deliberately and vengefully targeted Martin for a murder they would have foreseen as following the wording of their indictment as surely as night follows day.

## DEA Says Martin Not An Informant

Kanahoe has confirmed that Martin was never an informant, and the accusation that he was clearly irks Martin. He is angry, but out of the whole plot one good thing has emerged from his perspective. He won't be getting extradited to the United States.

Revealing the name of an informant, or someone who has offered to be an informant, is about as big a no-no as it gets in Canadian law. In the case of *United States of America v Brent Anthony Licht*, the BC Supreme Court has already refused one US extradition request in which the DEA behaved high handedly and in violation of Canadian sovereignty. The facts in the Licht case are far less onerous than they are in the curious case of Colin Martin. It would be very surprising if extradition proceedings were not stayed when BC courts were made aware of the conduct of US officials in all of this.

Which means Martin would be tried in Canada. As he should be.

## Long Lasting Effects Likely

The Murder by Proxy attempt is likely to have long lasting effects on the relationship between Canadian and US law enforcement. The unheard of practice of releasing details of a confidential informant, even though Martin never reached that status, will make recruiting informants for the RCMP in Canadian investigations much harder. Some Canadian offenses, perhaps a great many, will consequently go unsolved.

The Cold Eye is preparing a full investigative report to be forwarded to the Attorney General of British Columbia with a view to criminal charges of conspiracy to murder being laid. Canada's Criminal Code does provide for the prosecution of foreign based murder conspiracies where the murder was to have occurred in Canada.

## Related links:

[BC Supreme Court decision on Licht](#)

[CBC's The Current Show With Martin Interview](#)

*Scroll down to Listen to Part 2. On toolbar below,*

*move slider to end of Haiti segment*