

Case Narrative: The Complaints of Marie Seshat Landry

Introduction: Overview of the Case

This document provides a comprehensive and objective account of a multi-year dispute involving Marie Seshat Landry, a transgender woman, and the Royal Canadian Mounted Police (RCMP). The case originates from a criminal charge laid against Ms. Landry in 2016 that was subsequently withdrawn, but which led to a cascade of personal and legal challenges due to a systemic error in official records. The core elements of this case include allegations of a long-standing error in Ms. Landry's police file, claims of transphobic discrimination and harassment by RCMP members, and the subsequent procedural history across multiple oversight bodies, including the Canadian Human Rights Commission and the Civilian Review and Complaints Commission for the RCMP. The narrative also encompasses the broader context of related civic activism undertaken by Ms. Landry concerning hate speech and law enforcement accountability. The purpose of this document is to chronologically synthesize the available information from all parties to present a clear and factual history of the events. This analysis begins with the foundational incident in 2016.

1.0 The 2016 Incident and Immediate Aftermath

An understanding of the foundational events of 2016 is critical to comprehending all subsequent allegations, complaints, and official responses. The incident and its immediate aftermath established the basis for a seven-year conflict centered on official records, personal reputation, and allegations of institutional discrimination. The official record and the complainant's submissions present differing accounts of the initial incident:

- **RCMP Account:** According to the RCMP's formal response to the human rights complaint, on January 22, 2016, the Codiac RCMP received a call regarding Ms. Landry (then Jean-Yves Landry) allegedly masturbating at a neighbour's front door. Officers arrested her for breach of peace and, after obtaining statements from neighbours, released her on a Promise to Appear for the offence of indecent exposure.
- **Landry Account:** Ms. Landry maintains that she was falsely accused of an indecent act. It is a matter of public record that the indecent act charge (Case #33094001) was officially withdrawn in court on October 31, 2016. Following the court proceedings, Ms. Landry alleges an act of post-court intimidation. She claims that an RCMP member asked her to get into his police car, where he told her that he "didn't care that she was found not guilty," and that "they knew she had done it." In its official response, the RCMP states that "due to the passage of time, it has been challenging to find records substantiating this allegation." This alleged event became a foundational legal claim and a central pillar of Ms. Landry's subsequent human rights complaints.

2.0 Systemic Error and Its Seven-Year Impact

At the heart of this case is a systemic error that had a profound and lasting impact on Ms. Landry's life. This section analyzes the direct and indirect consequences stemming from the failure to accurately update official records after the 2016 charge withdrawal, an error that persisted for nearly seven years. The core error was the inaccurate reflection of a conviction in Ms. Landry's official police record (File 2016-84414), despite the October 31, 2016, withdrawal of the indecent act charge. This error remained uncorrected until May 2023. Ms. Landry initially attributed this error to a "city employee." However, a formal letter from the City of Moncton clarified that an internal review determined the individual who made the alleged mistake was not an employee of the City but was a "Public Service Employee of the Federal Government." Ms. Landry has detailed numerous adverse effects resulting from this long-standing error. These claims, drawn from her official correspondence and complaints, include:

- **Damaged Reputation:** She states the false conviction label "ruined my reputation for many years" and subjected her to "unwarranted public scrutiny, discrimination, and harassment."
- **Mental and Emotional Distress:** Ms. Landry reports diagnoses of PTSD, depression, and anxiety, stating that the ordeal has taken a "significant toll on my mental and emotional well-being."
- **Subsequent Legal Issues:** She argues that other charges she faced between 2016 and 2023 were acts of "self-defense under duress." She synthesizes the record-keeping error and alleged discrimination by stating, "Its a 7 year argument with the Codiac RCMP about my being transgender and refusing my depositions and calls for help in regards to bullies and threats to my security leading to acts of self defence..." "This seven-year period of alleged injustice, rooted in a single record-keeping failure, forms the basis of Ms. Landry's formal complaints. The eventual discovery of this error in 2023 marked a pivotal turning point in the case."

3.0 Discovery and Rectification of the Record (2023)

This section chronicles the pivotal events of 2023, during which the long-standing record-keeping error was discovered, challenged, and ultimately corrected. The catalyst for this discovery was a letter Ms. Landry received from the RCMP on April 24, 2023, which indicated that she had been convicted of committing an indecent act. This correspondence prompted her to take immediate action to rectify the official record. Ms. Landry undertook a series of steps to force the correction:

1. **Contacting Officials:** She initiated correspondence with her Member of the Legislative Assembly (MLA), Rob McKee, and the Prime Minister's Office to bring high-level attention to what she termed a "tremendous error."
2. **Obtaining Proof:** She successfully obtained a new certificate from a judge to provide official proof that the charge against her had been withdrawn in 2016.
3. **Forcing the Correction:** In May 2023, upon presenting the new judicial certificate to the Codiac RCMP, the police file was finally updated "to reflect

the truth." Her outreach to elected officials elicited a supportive response. In a May 11, 2023 email, MLA Rob McKee acknowledged her ordeal, stating, "It must have been an incredibly distressing and frustrating experience to have to deal with this situation for the past seven years." He added, "I hope those responsible for the RCMP take appropriate action to ensure that this kind of situation does not happen to anyone else in the future." With the record finally corrected, Ms. Landry shifted her focus to seeking accountability through formal complaint processes.

4.0 Formal Complaints and Procedural History

Following the correction of her police record, Ms. Landry initiated several formal complaints against the RCMP through multiple federal channels. This section objectively outlines these complaints and their procedural history, focusing on the legal arguments and institutional responses.

4.1 Canadian Human Rights Commission (CHRC) Complaint (File #2023-0331)

On March 10, 2023, Ms. Landry filed a complaint with the CHRC. The complaint alleges that the RCMP discriminated against her in the provision of services on the prohibited grounds of sex, sexual orientation, and gender identity or expression. In the complaint form, she states she was "harassed by a member of the Codiac RCMP, calling me a sexual offender and denying my womanhood."

4.2 Civilian Review and Complaints Commission (CRCC) Complaint (File #2023-2623)

Ms. Landry also filed a complaint with the CRCC, formally dated July 19, 2023. This complaint specifically concerns the conduct of RCMP Constable Gabriel Gallant and the false information contained in her police report. The CRCC acknowledged receipt of this complaint on August 23, 2023.

4.3 RCMP Public Complaint (File #PC 2023-1281916)

Concurrent with the external oversight complaints, an internal RCMP public complaint was opened. This file was investigated by Corporal Yanick Soucy of the Codiac RCMP Professional Responsibility Unit. These parallel processes set the stage for detailed legal arguments from both the complainant and the respondent.

5.0 The Complainant's Position and Demands

This section synthesizes Marie Landry's stated rationale for her complaints, her specific allegations against the RCMP, and her desired outcomes for resolution. Her central argument is that the treatment she endured was rooted in systemic prejudice against her identity as a transgender woman. Ms. Landry alleges that the RCMP's actions were "enraciné dans la transphobie et la discrimination" (rooted in transphobia and discrimination) and that the police "basically don't want me to be trans or feminine." This belief underpins her multi-faceted demands for remediation, which she outlined in a "Draft of Demands for Mediation" submitted to the CHRC. Her key demands include:

- **Correction of Records:** The immediate and precise rectification of all police and medical records to reflect her correct pronouns (She/Her), legal gender (F), and the withdrawn status of the 2016 charges.
- **Public Apology:** A formal public apology acknowledging the "profound pain, suffering, and discrimination endured" due to the inaccurately documented charges and their consequences.
- **Compensation:** A request for "\$50 million" in compensation for what she describes as "hate crimes, systemic transphobic discrimination, and false charges" endured over seven years.
- **Policy Changes:** A demand for robust policy changes within the RCMP to address systemic issues, particularly concerning the treatment of transgender individuals and the protection of LGBTQ+ rights, referencing Bill C-16 and anti-conversion therapy legislation.
- **Mandatory Training:** A call for mandatory LGBTQ+ sensitivity and inclusivity training for all RCMP members, jail guards, and psychiatric staff to prevent future injustices. These demands collectively represent Ms. Landry's comprehensive vision for accountability, restitution, and systemic reform.

6.0 The Respondent's (RCMP) Position and Legal Arguments

This section details the formal legal position of the Royal Canadian Mounted Police, as articulated in a November 17, 2023, response to the CHRC from the RCMP's National Human Rights Policy Centre. The arguments focus on procedural grounds for dismissing the complaint rather than addressing the substantive allegations of discrimination.

6.1 Argument for Dismissal (*Statute of Limitations*)

The RCMP's primary argument, pursuant to paragraph 41(1)(e) of the *Canadian Human Rights Act* (CHRA), is that the complaint is time-barred. They state that the allegedly discriminatory acts occurred in 2016, whereas the complaint was not filed until March 10, 2023, placing it well outside the one-year statutory limit. The RCMP asserts that a "delay of seven (7) years is a considerable amount of time" and that it would be "prejudicial to require the RCMP to respond" because the passage of time impedes their ability to gather evidence and adequately respond to the allegations.

6.2 Argument for Dismissal (*Alternative Remedy*)

The RCMP's secondary argument is that the complaint should be dismissed pursuant to paragraph 41(1)(b) of the CHRA, which allows the Commission to decline complaints that could be more appropriately handled through another procedure. The RCMP contends that the complaint could be "more appropriately dealt with" through the public complaint process overseen by the Civilian Review and Complaints Commission for the RCMP (CRCC). They argue that the purposes, processes, and available remedies of the CRCC are not significantly different from those of the CHRC, with the exception that the CRCC cannot award compensation for pain and suffering. Crucially, the RCMP notes that Ms. Landry had already

engaged the CRCC process for "substantively similar allegations" and that this process was "terminated on grounds of being outside of statutory time period." By highlighting that both oversight bodies approached by Ms. Landry declined to investigate the 2016 events due to the same time-bar issue, the RCMP reinforces its primary argument for dismissal by the CHRC.

7.0 Broader Context: Related Civic Activism

Ms. Landry's personal legal battles are intertwined with broader public advocacy on issues of hate speech, extremism, and law enforcement accountability. Her efforts extend beyond her own case to address what she perceives as systemic failures in public safety and justice.

7.1 Advocacy Against Hate Speech

Ms. Landry has undertaken efforts to expose the activities of Andrew "Christo" Nelson, whom she identifies as a self-admitted neo-Nazi. She has authored an "Urgent Report on the Serious Threat Posed by Andrew Christo Nelson's Neo-Nazi Leadership" and a "Public OSINT Report" to alert authorities. She has been critical of what she describes as inaction by the RCMP and the Canadian Security Intelligence Service (CSIS), citing an instance where she was allegedly told that "nazism was legal in Canada." In response, she has publicly called for the reinstatement of Section 13 of the Canadian Human Rights Act as a tool to combat online hate speech.

7.2 Campaign for Law Enforcement Accountability

In a separate initiative titled "Mission Plate Covers," Ms. Landry has campaigned for consistent enforcement of New Brunswick's motor vehicle laws. She argues that provincial law prohibits all forms of license plate covers but has observed inconsistent application of this law by the Codiak RCMP. Contending that obstructed plates hinder public safety, her recommendations include a public awareness campaign and uniform enforcement to ensure legal clarity.

8.0 Current Status and Next Steps

Based on the most recent information available, the interconnected cases involving Marie Seshat Landry and the RCMP remain active across multiple legal and procedural fronts. The investigation by the Civilian Review and Complaints Commission (CRCC) has been completed, as noted in Ms. Landry's correspondence of April 5, 2024. Following the completion of this investigation, Ms. Landry formally notified the Canadian Human Rights Commission (CHRC) of her intent to "pursue a lawsuit against the responsible parties" for the mishandling of her official records. Mediation through the CHRC process was anticipated for June 20, 2024. As of the latest available information, the case remains unresolved, with multiple pathways for legal and administrative resolution still in progress.