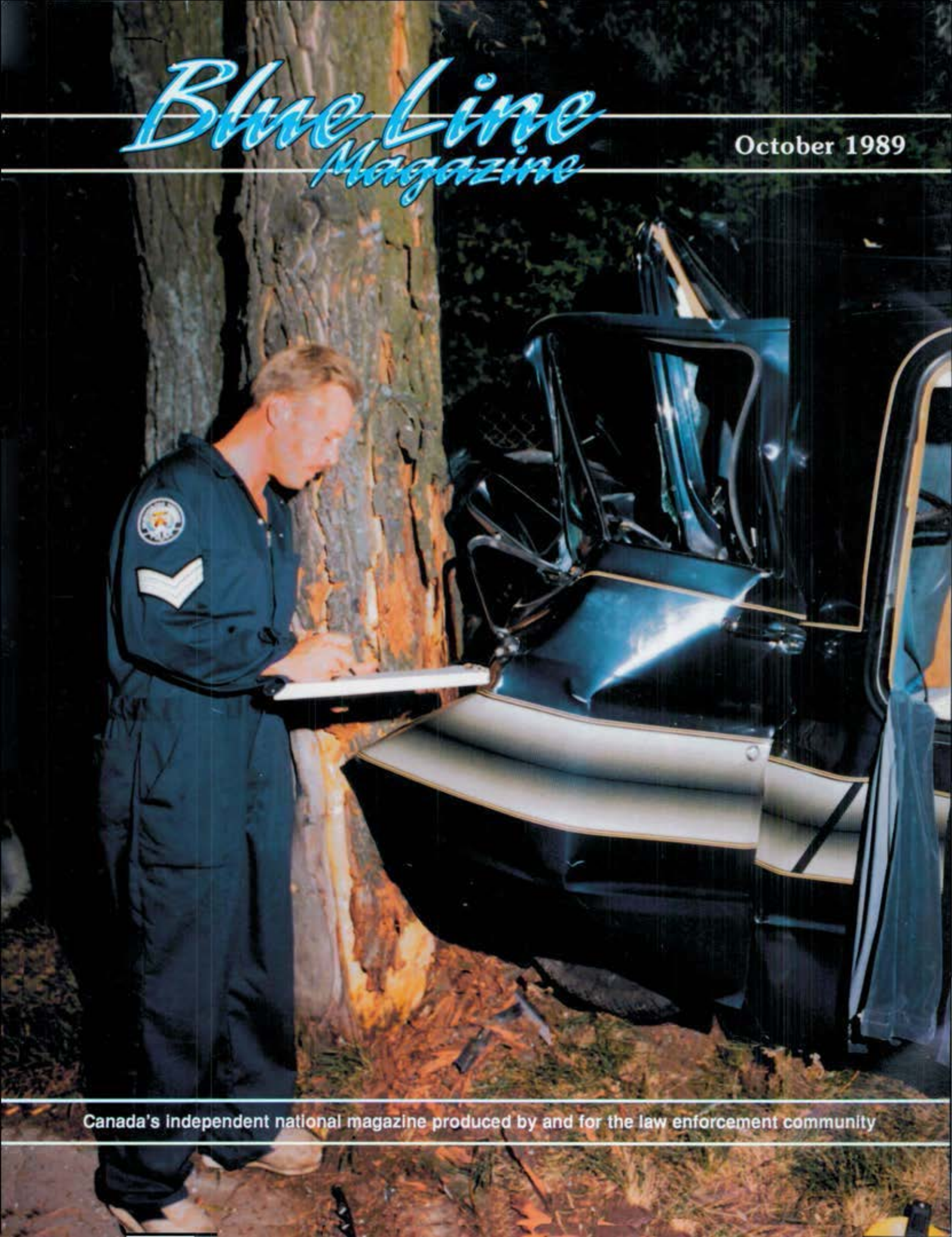


Blue Line Magazine

October 1989



Canada's independent national magazine produced by and for the law enforcement community



No Backseat Driver

For Rob Betz a wheelchair doesn't mean taking a backseat to living. It just means another challenge.

A competitive cyclist before an accident in 1987, Rob saw no reason why the wheels of his chair couldn't perform just as well. And so from one single decision came a discovery that has changed the way Rob Betz thinks and feels about himself. Strong, energetic and confident.

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PARTICIPACTION®

Cover story:



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This month we present an article about accident investigation. Written by Jeff Bower, it is a story about the Accident Reconstruction team of the Metropolitan Toronto Police Force. These officers are called on to put the pieces back together again, to determine what really happened at the scenes of the dead and dying.

In 1988 they responded to investigate the deaths of 111 people. The tragedy involved in these deaths can be reflected in the faces of their families. Each one asking a single question. *Why?* There was a time this question was far more difficult for police to answer. Today it falls upon the shoulders of the Accident Reconstructionist.

The science of Accident Reconstruction involves many disciplines of study for the officers who venture to master it. A good knowledge of mathematics, physics, chemistry, biology and good old human nature are just some of the necessities at the scene. Report writing ability and drafting capabilities round off the skills that bring an investigation to a conclusion.

Accident investigation is not a task for just any officer. It can only be performed by an officer with a nose for digging up answers. An officer who understands the necessity for detail. An officer who is aware of how important answers are to the many people involved in motor vehicle collisions.

These officers are fully aware of the true tragedy of motor vehicle collisions. In the vast majority of cases they involve "good guys" who kill "good guys." In this single fact is the biggest and most disturbing challenge of all.

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Life's Teachings

Life can be a very unforgiving teacher. Constables Allan Gosset and Robert Cross are two people who have learned this lesson well. Gosset, of Montreal, was found not guilty of manslaughter in the November 1987 shooting of a black youth who escaped his custody. Winnipeg Police Constable Cross was likewise vindicated in the shooting death of a native Indian in that city after he had a struggle with the man in a parking lot in March 1988. Both of these tragic events were found to be accidental and "without malice."

However in one case, groups are upset because the officer will not be able to give testimony at an inquiry. In the other case the officer's forced reinstatement to the police force, by the provincial labour board, has upset some people because they view the incident as racially motivated.

In both cases the officers have undergone extreme psychological agony over these events. Both officers have had mental collapses and are undergoing treatment directly related to the incidents. However the public has the perception that part of basic police training is to kill in cold blood. They feel that officers in general, and these two in particular, have the superhuman ability to take a life without emotion. Yes! Just like James Bond.

Much of this image problem comes from the movie and tv images of a typical "Dirty Harry" type cop. Real life is not like that. We can say it as loud and as long as we want but no one seems to hear.

When I see pictures of Allan Gosset and Bob Cross I don't see the cool killers these people would like me to see. If these community groups could look beyond their own self interests they would see something different as well. Two human beings in a never ending battle with their own emotions, thoughts and doubts. Two people who, along with their families, must cope with a community with no understanding and little compassion. You can do a million things right, but don't do one thing wrong.

The lessons taught by life's reality to police officers are not always those learned by the public. The public has a disadvantage. They can only see the world in 30 second snippets on the late news. They can discover more in depth if they find a newspaper with some credibility. But for the average Joe the whole world can be encapsulated in a mere headline or a 5 minute news spot at the top of the hour.

I think it is about time the police community went on the offensive and became a lot more aggressive about "Blue Discrimination". These officers have been tortured enough by life. Let them heal for a while. With life's teachings behind them they may be able to go back to doing all those "right things" they were doing before all this happened.

Morley Lymburner

Letters to the Editor

As a former United Kingdom cop I welcome what I would term a quasi-national police magazine. In Britain "The Police Review" was the national magazine (1960s). But I understand that it has a 'London' only view.

Maybe input from across our nation would perhaps eliminate 'the Toronto view.' I might even dare to suggest that all

police associations with newsletters or monthly publications be asked to contribute.

Peter Foy, Kitchener, Ontario

•••

Editor's Notes

Good news for you Peter. The "Police Review" is still alive and well "over 'ome"

Continued on Page 12

The final silence

Accident reconstruction in Canada's busiest city
- Jeff Bower -

Former Minnesota State Trooper-turned-author Myron J. Lofgren begins his "Handbook For the Accident Reconstructionist" with the statement, "The history of the automobile is short but bloody."

This 318-page textbook serves as a bible to a handful of reconstructionists with the Metropolitan Toronto Police Force - many of whom sacrificed their vacations and paid their own way to learn the craft at The Institute of Police Technology in Jacksonville, Florida.

The first was Sgt. Alan Staples of Metro's East Traffic Unit; the co-ordinator of the program which officially began last October. Today there are ten reconstructionists on the force whose job it is to apply the laws of science to determine why an accident took place.

"What we are trying to do is increase the expertise of the officers investigating accidents," says Staples.

However, before an officer can take part in the reconstruction program in the U.S., (referred to as Level Four by the Metro Force), he must first complete levels one to three in Canada.

The Level One and Level Two courses, Basic Accident Investigation and At-Scene Investigation, are taught at Metro's own C.O. Bick College while the Level Three Advanced Investigation course is offered at the Canadian Police College in Ottawa.

"We're trying to establish a stepping stone to the next course while giving an appetite for the next levels," says Sgt. Peter Parise, a reconstructionist and instructor at C.O. Bick.

According to Parise, scale diagrams, guest speakers and force procedure are utilized to teach the 24 officers in each course how to interpret evidence at the scene and apply it to the investigation. He also says that "a good many" return for the Level Two course, adding that it is mandatory for any officer assigned to an accident car.

"We not only teach the theory but we are also concerned with applying that theory to practical situations," says Sgt. Staples, who is also an instructor.

During these courses the college uses the parking lot at the Metro Toronto Zoo to test skid vehicles so the officers can "prove to themselves that the formulas do in fact work," he says.

It is then up to them to apply what they have learned to the accidents they investigate on a daily basis.

"The scene is so important because you only have it once," says Staples when asked about the steps taken during an investigation. "Evidence can be short-lived so it's important to be there as soon as possible."

Those injured in the accident take priority and only after they're taken care



of can the investigation begin.

Skidmarks are accurately measured and a cut-down tire filled with concrete and pulled along on a spring-loaded scale is used to determine the friction of the road's surface. With this information and a calculator the officer can then determine the minimum speed of the vehicle - something that couldn't have been determined before.

"There's a lot of times that this could

have been used - should have been used," says Constable Bill Bower, another reconstructionist with the E.T.U.

Then if feasible, the vehicles are skid tested and/or placed together using marks and damage on the cars as indicators to determine how they collided. The vehicles also go through a vigorous inspection to determine if they were in proper working order prior to the collision.

Witnesses are interviewed at the

scene and detailed observations of the scene itself are also recorded.

"Sometimes things are there to be seen and sometimes they're very difficult to see," says Staples adding that an accident scene can be a very traumatic experience and there's a lot happening in a short period of time.

After all the information is gathered, the reconstructionist returns to the station to prepare a report and a diagram of the accident scene. Unless of course he has another accident to go to.

Although these investigators can now accurately determine how an accident took place, they still have little control in preventing them.

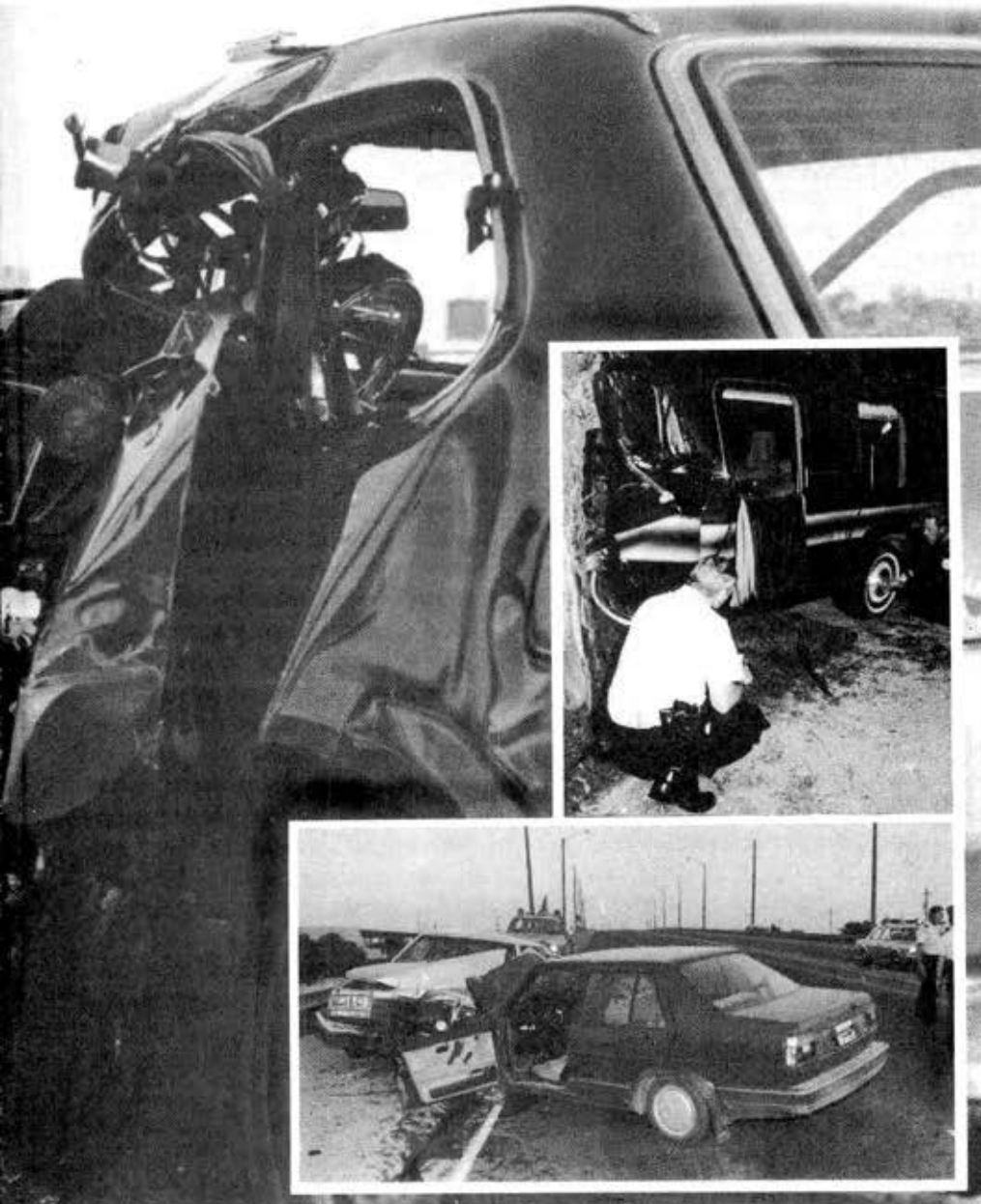
"Because of traffic volume and an increasing number of fatality accidents we're trying to figure out how to prevent them," says Constable Bower, "but all we can do is investigate and hope people start paying attention to their driving."

"Cars don't cause accidents, people do," he adds.

The last word, however, should go to Myron J. Lofgren. "I have faith in humanity and I firmly believe that if the world runs out of petroleum, the very last drop will vanish down the throat of a four barrel carburetor on I-94 near the junction of Snelling Avenue," he writes. "While the driver looks at his gas gauge he will coast into the last car accident we will ever have. Then and only then will the final silence descend upon us all."

What is the accident picture in this congested city?

In 1988, the Metropolitan Toronto Police Force investigated 58,870 accidents, which resulted in the deaths of 111 persons, and injuries to 27,517 others.



The Report of the
Race Relations and Policing Task Force - 1989
(Part 2)

The challenge of race relations

- Louise Dueck -
Staff Writer

Community Relations

The events leading up to the creation of the Ontario Task Force on Race Relations and Policing clearly indicate that past efforts at fostering trust with visible minority communities have not been as successful as either the community or the police desired and intended.

The information received by the Task Force made it clear that members of visible minorities believe they are treated quite differently from the majority community by the police. These people do not expect "special" treatment; they simply want fair treatment. They have no less respect for the law than do other citizens. They want to be policed in the same way as the majority, whether they are suspects, victims or passersby.

The complaints took two forms: neglect and harassment. It was alleged that police often fail to protect minorities adequately or to respond to their requests for assistance, especially in cases of abuse. They also told of objectionable encounters with police.

It was clear to the Task Force that there is a wide range of views as to what visible minorities perceive as discrimination or harassment and that, in fairness to police, these terms must be clearly defined before offending conduct can be sanctioned. Recommendation #37 calls for the development of a working definition of racially prejudiced police behaviour; that the resulting definition be incorporated into the Police Act as a disciplinary offence; that a Police Race Relations policy be prepared for enactment which would reflect police com-

mitment to policing for a multiracial and multicultural society, this policy to be adopted by all police forces in Ontario by December, 1989.

Race relations training

Whereas police submissions to the Task Force made it clear they consider themselves to be professionals, submissions from minorities perceived inadequate training to respond sensitively to the needs of minorities.

The Task Force view is "that members of a 'professional' occupation are expected and bound to meet considerable, well-defined standards of skill and behaviour, founded on extensive and thorough education". They would see the goal of race relations training being to change the attitudes which produce racism in all of us. Fundamental to this process, the Report says, is raising individual awareness of the existence of deep-seated beliefs, stereotypes and prejudices built up through a lifetime of socialization.

Police, says the Task Force, are the main agents of social control in a democratic society and, as such, are required to be strong, assertive and authoritarian. These traits often conflict with those the race relations training seeks to enhance.

In reviewing existing race relations programs, the Task Force found them "far short of what is needed, in both design and delivery", but they also recognized the sincere efforts of the officers who prepare and deliver such programs.

However, overall they found deficiencies in the general police training curriculum, an absence of standard, statu-

tory training requirements, limited access to continuing education and significant funding shortages.

Therefore the Task Force is recommending that educational standards for admission to the Ontario Police service be raised to Grade 12 by amendment to the Police Act; that officers be enabled to achieve university requirements while on duty through funding support, shift accommodation and promotional opportunities; and that the coach-officer program select officers trained in race relations and be evaluated on their performance as well as providing evaluations on the probationary constable.

The Task Force also believes that continuing education is critical if officers are expected to maintain skills, be current on changes in the law and be sensitive to the diverse communities they serve. They thus recommend four-week refresher training every five years.

An innovative training concept proposed in recommendation #20 suggests that probationary constables complete a 2 - 3 month internship with a visible minority community organization and that all other officers do this prior to being considered for promotion.

Police and community

It was recognized that policing in Ontario was originally based in the community, where police officers were known and fulfilled a variety of functions, only one of which was law enforcement. While many smaller communities still are policed in this manner, in the larger centres policing has developed into a more anonymous, reactive style with the heavier emphasis on enforcing the law. As a result, most contact between urban police and citizens is involuntary.

It became clear to the Task Force that police are no longer able to contain crime without the aid of the community they serve. Many police forces have, in the past two decades, developed proactive, preventive policing rooted in the public's desire and willingness to work with police to improve the quality of neighbourhood life.

Community-based policing recognizes the community's role in designing police service and acknowledges its competence in deterring non-violent crime... This shift in responsibility is in-

tended to enable the gradual redeployment of police resources toward offences which are beyond the competence of the community to control.

When community-based policing is a commitment on both sides, sensitivities increase, conflict is diminished and trust and credibility are fostered.

Police officers need to be convinced that a new approach to the community is in their best interests. They need to recognize that by increasing their human skills they will play an increasingly complex and professional role, becoming pro-active, working with community leaders to identify and solve neighbourhood problems before they lead to criminal activity.

Recommendations #39 and #40 ask police forces to institute or expand outreach programs in the community and to create an achievement medal recognizing outstanding service in community policing.

Police race and ethnic relations

"Without question," states the Report, "the most important prerequisite for community-based policing is a police force which resembles the community it serves. A police force which does not have a representative component of visible minority officers cannot function competently in a multiracial society."

Some Ontario police forces have already established race and ethnic relations units. "All forces", says the Task Force, "need at least one officer who is responsible for race relations. In larger centres, the unit must be sized to deal adequately with the visible minority population."

Conclusion

In all, there were a total of 54 recommendations, each of which was given careful consideration of all issues relating to it in an attempt to recognize the problem in its entirety and to implement the best possible solution.

It is now up to the Solicitor General of Ontario to accept and implement all or some of these recommendations. The Metro Toronto Police Force has taken the initiative of implementing many recommendations since the report's release. Many others are still under investigation.

O.P.P. appoints a heavy equipment theft co-ordinator

- Louise Dueck -

The theft of heavy equipment from road and housing construction sites has become such a big business that the Ontario Provincial Police have appointed a co-ordinator for Heavy Equipment Thefts to provide assistance to all police forces in Ontario.

Provincial Constable G.E. Kleinsteiber has been assigned to this position and is based at O.P.P. Auto Theft Section in Toronto. Their CPIC number is ON46001. All Ontario police forces are advised to notify Constable Kleinsteiber when a theft is reported.

The appointment was made at the request of the Criminal Intelligence Service of Ontario to keep track of stolen heavy duty equipment, \$10 million worth now outstanding in the province.

Such recording is necessary, says Kleinsteiber, due to the lack of registration of these thefts with Auto Theft squads, especially Toronto. Heavy duty equipment thefts have been written as general occurrence reports and thus remained within each Division instead of being logged centrally.

Under the new registration system, the co-ordinator will:

1. Check each entry on CPIC for accuracy and advise the contributing agency if corrections are required;
2. Contact the manufacturer to provide component part numbers which will then be entered on CPIC;
3. Add the stolen equipment to a computer data base at the OPP Auto Theft Section by V.I.N., Police agency, geographic location, make of equipment and component part numbers;
4. Analyze information submitted to determine if there is a trend in the theft compared to others in the same area;
5. Be available to provide in-

formation to any police agency in identification and court expertise in relation to



The bad guys' favorite: a \$70,000 backhoe.

heavy equipment.

"Heavy equipment" is defined as any truck or truck tractor of two axles or more; any commercial trailer used for the transportation of goods with at least two axles; any self-propelled equipment used in the construction or road building industry, on wheels or tracks; and any equipment in the forestry industry.

"The most prized piece of equipment stolen", says Kleinsteiber, "is the CASE 580 backhoe, worth about \$70,000.00 in the Metro Toronto area."

A secondary problem, Kleinsteiber says, is that incorrect serial numbers for heavy equipment are often given in a theft report. The number may have been on a handwritten bill and misplaced by the owner. It was found that 92% of the serial numbers on CPIC were incorrect. Each stolen piece had to be traced, corrected and re-entered. This process was completed through January, 1989.

Major recoveries in the last six months include \$2 million worth of stolen equipment in Cornwall and several hundreds of thousands of dollars worth in the Metropolitan Toronto area. Officers across Canada are urged to check with Kleinsteiber if they run across suspicious equipment.

Handgun retention The weakest link in the chain

Part II
- Craig Best -

In part two of my series on handgun retention, I would like to examine some basic fundamentals. I would first like to acknowledge Mr. James Lindel who developed the first documented handgun

on the market. New leather for every man can be expensive but usually not as expensive as a civic funeral and widow's pension.

Once the new holsters are issued, or the old holsters have passed the expected level of security, the administration must see to it that the issued holster is being worn by all members. This is to avoid training officers to use techniques that will not work with other types of holsters they may be wearing.

Remember that no holster will prevent all disarmings. A technique that works well with one holster may not work with another. In fact, what works well with one holster may be suicidal with another. For example, someone using a



Fig 1.

retention system. Much of the research into this issue was done by Mr. Lindel and the Kansas City, Missouri, Police Department. I would also like to acknowledge Mr. Bruce Siddle who has developed a very simple and highly effective system using motor nerves as target areas. Much of this article is based on their systems.

Before adopting any system, administrators should first look at the type of holsters the department is issued. Verifications should be done to see how easily the gun can be removed by an offender. If the holster does not secure the gun adequately, the administration should replace the holsters with a high security type. There are many high security models



Fig 2

holster that releases a gun up and out can defend the gun by applying pressure down into the holster and stepping to the

rear with the gun side to cause hyper-extension of the offender's arm before using leverage on his arm or striking it to force him to release his grip. However, if the officer has a break front type of holster and he steps to the rear, he would be in fact helping the offender to remove the gun.

The Kansas City Police Department researched officer disarmings and found that there were five main causal factors in officer disarmings.

- 1. The holster was not snapped or improperly snapped when answering calls.
- 2. Lack of support or assistance due to a failure to comply with one man car procedures.



Fig 3.

- 3. The officer was subjected to an assault that immediately incapacitated him and gave him no chance to resist.
- 4. The officer failed to react in a specific manner under the circumstances to prevent the gun from being taken.
- 5. There was no training program of handgun retention against a variety of attack situations aimed at disarming the officer.

Like Mr. Lindel, Mr. Bruce Siddle has a three part concept in his PPCT handgun retention system.

- 1. Secure the weapon.
- 2. Position yourself for balance and control.
- 3. Effect a release of the offender's hands.

Some systems advocate leverage in order to execute the release. Others advocate strikes. Both can be effective depending on the type of attack. Be aware that every attack is unique and that no technique will be 100% effective against every attack. Officers need to be trained and then receive regular revision

In order to act instinctively when attacked. Defense of an officer's weapon starts with his awareness of danger and danger signs, as well as his ability to position himself to avoid these dangers.

There are two basic grips used in most systems. They are the FRONT cross



Fig 4.

grip (Fig. 1), using the weak hand, and the REAR gun side grip (Fig. 2). I suggest that when the gun is attacked, if at all possible, the officer should try to use both these grips in a two handed grip to secure his gun, then position himself and effect the release. Sometimes the offender has a large hand or both of his hands are on the gun and the officer may have to grip the offender's attacking hand and force the gun downward to keep it in the holster.

For those who are trying to develop their own system, please remember the KISS theory (keep it survival-simple). Officers will have to



Fig 5.

remember the techniques under extreme stress. If the techniques are not simple, the officer will forget it and draw a blank while the offender draws the officer's

gun.

The first technique I would like to describe is a PPCT technique developed by Mr. Bruce Siddle. The officer uses the radial nerve which is located approximately two inches below the elbow on the forearm. A strike to this area can cause a temporary motor disfunction which can last from a few seconds to several minutes. To put it more directly, the officer strikes the offender's radial nerve and the offender's arm falls limp and is temporarily incapacitated.

STEP ONE (Fig.3) As the offender attacks the officer's gun, the officer secures his weapon with both hands. Once the gun is secure and the officer has a position of balance and control, he/she executes multiple



Fig 6.

strikes using his/her forearm to the offender's radial nerve until a release is obtained, (Fig. 3, 4, 5 and 6)

The officer should use the fluid shock wave concept and body mechanics while striking. Best results are achieved when the hips and shoulder work with the arm as the blow is delivered. Once a release is obtained the officer should create distance between himself and the offender. A person who attempts to disarm an officer will usually try again.

In closing, as an added safety tip, I suggest that training be done with a certified instructor and using cast alu-

minum handguns (Fig. 7) instead of functional firearms in order to avoid possible



Fig 7.

accidental discharges. Where there are functional firearms, there is a chance that somebody will forget to unload or reload before the practice session is over. This can happen after breaks or anytime.

Permission to demonstrate the handgun retention technique shown was received from Mr. Bruce Siddle of PPCT Management Systems. All PPCT course material is under copyright. Special thanks to Andre Mercier and Photographer James Green for their assistance with the Photo session.

CONTRIBUTOR



Craig Best is a member of the Canadian Pacific Police and works out of the Montreal Detachment. He is an international level instructor for the PR-24 police baton, Instructor Trainer: PPCT defensive tactics, Pressure Point Control Tactics and Impact Weapons System. He is also a graduate of Concordia University in Security Administration. He is a defensive tactics instructor with his force and the founder of the Officer Survival Institute in Montreal, Quebec. Any one seeking further advice on this or other material can call Craig at (514) 692-5752.

Calendar of Upcoming Events

October 21 - 27

Community Policing Symposium will be held in Victoria, British Columbia. This symposium will explore a better understanding of community policing and methods of implementation.

Contact Gail Walker (604) 381-5822.

•••

November 12 - 15

Learning Handicapped Offender Conference. To be held in Pittsburg, Penn. Invitation for papers and persons interested in making conference presentations. Co-sponsored by the International Correctional Education Association; National Council of Juvenile and Family Court Judges; Pennsylvania Dept. of Education; National Centre for School Safety, in conjunction with the Department of Correctional Services.

Contact Carolyn Eggleston, State University of New York, Special Education/OMB 113B, New Platz, New York 12561, U.S.A. Phone (914) 257-2836.

November 11 - 14

The annual conference of the Association of Police Planning and Research Officers International (APPRO) will be held in Scottsdale Arizona. Among the many Scheduled speakers will be Chief William Snowden of Victoria, B.C.

Contact Marcia Simmons, Scottsdale Police Dept., 9065 E. Via Linda, Scottsdale, Arizona 85258 or phone her at (602) 391-5093

•••

November 22 - 25

National Conference on Disaster Management, Hamilton Convention Centre, Hamilton, Ontario

Contact EMO officer (416) 526-2529

Letters

Continued from Page 5

and is one heck of a good publication. For any of you lads from east of Newfoundland I would recommend you take out a subscription. Their format and reporting has improved dramatically. (So has the price at around \$140.00)

We believe in the same principles as signed by King John in the Magna Charta. "WE WILL NOT MAKE ANY CONSTABLES BUT OF SUCH AS KNOW THE LAW OF THE LAND... AND MEAN ONLY TO OBSERVE IT."

Past experience has shown us that seeking the support of police associations has ended in failure. For both financing and contributing their track record has been dismal. They are very supportive of the concept but I guess they feel that this is not their cup of tea. Blue Line Magazine attempts to concentrate more down the middle between management and associations. We feel that the product we produce will encourage and improve the policing profession. This makes for stronger police forces and better police associations.

Please check my subscription expiry date. I have not received a copy for July or August.

Ed B.

Editor's Note

Sorry about that Ed! However we do not print an issue for July and August. We print ten issues per year from September to June. The magazine released in June we call the "Summer" issue and the wife, kids, computer and I go to cottage country.

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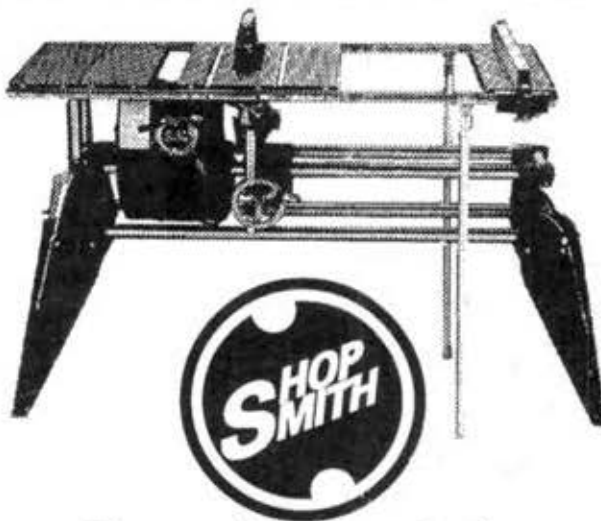
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Shopsmith Canada Inc.

I remember so well the story I read to my kids when they were small, about "The little train that could." When it thought it couldn't get over the hill, it couldn't, but when it thought it could, it could. This little story captures so well the point that the perceptions we have of ourselves and the world around us dictate in large measure what we will achieve in life. There is no one reality as such, it seems to me, only what each of us in our own unique way perceives to be reality. It is said that beauty is in the eye of the beholder. Well, so too is life, to a good degree. The experience of my 27 months in Ottawa crystallized this lesson for me and I would like to share a couple of the conclusions I came to during that time.

The first month was scary. I was given no direction as to what people expected of me. I had no idea at the outset what I should be doing yet I felt I should be doing something so I thrashed around trying to appear like I knew what I was about. One day it dawned upon me that the dilemma I was facing was freedom. The bureaucrats didn't really care what I did. I had the freedom to think, say, write and do what I thought was right. I had no bureaucracy, no policy, but most of all, no peer pressure to conform to what was perceived as acceptable behaviour. Along the way I learned much about myself and our work and the artificial limits I placed upon both my perceptions of what I could and should do.

Before I left Edmonton, I believed I was reasonably productive in my work. I now know that, in fact, I was in a rut. I was simply functioning and going through the motions. I was conforming to what I perceived to be acceptable behavior. I was simply servicing the status quo. I realize now that my focus was on staying out of trouble as opposed to doing what I thought was right. I didn't do or say many of the things I should have. I'll never know whether this intellectual stultification was imposed or self-imposed. I only know that it will never happen again. The lesson I learned from it all was that I had spent much of my 20 years in policing marking time and I had not contributed much.

In Ottawa, because I was free of the daily fire-fighting created by the "in" and

Perceptions on policing

- Chris Braiden -

"out" baskets, I had the time to think and read about our work. I have come to the conclusion that there is a fundamental contradiction between the "organization" and the "work" of policing; there is conflict between the process and the task.

Our organizational structure is fashioned upon the military model which, of necessity, is rigid and dictatorial in nature. The police management model that has evolved over the past five decades had as its primary goal the control of police rather than control of crime. The reality of the work, on the other hand, of necessity requires flexibility and imagination. The two are opposite to each other. Perhaps this explains why traditionally, conformity has been rewarded and creativity stifled. It seems to me that we are rewarded for doing well "in the system" as opposed to "in the work." Correct or otherwise, the perception has been that perpetuating the status quo was the way to get ahead.

I strongly suspect that an examination of the senior officer corp across the land would show that the preponderance of incumbents came from administrative (process-oriented) versus operational (task-oriented) backgrounds. I am convinced that policing as we have known it is at a major junction in its evolution and the status quo is bankrupt of ideas to lead us through it. The future is going to demand imagination, creativity, and risk-taking on all our parts. But our past has not prepared us for that. Historically we have looked outside to "things" instead of inside our heads to solve our problems. The cry has been "if we can buy it, let's get it." But that approach hasn't worked.

Quality policing cannot be bought. All the while, most of our human talent has lain dormant and unused. Along the way, we have become rule-bound and ultra-conservative. We have narrowed the scope of the work into a law enforcement tradecraft so as to make it measurable and in the process we have squeezed many of the natural juices out of policing. Perhaps we have professionalized the process, but we have not done likewise with the work, yet.

I believe our future lies in the human talent that abounds in all ranks. The military model of management has influenced us to look at shoulders and collars instead of into heads and hearts of people. That human talent however, will have to be liberated, inspired and given room to flower. We are not all alike, or good at the same things. It seems God worked so hard to make us all different and policing has worked so hard to make us all the same. The realities of "true" policing are broad and flexible enough to allow for diverse talents.

Management can only create this environment; however, the front end must make it happen and that is where our perceptions are so important. We have to be able to imagine it before we can do it.

Some things in life cannot be changed, but many can. Sometimes it seems we're captives of our own thoughts, often we are victims of our perceptions. Many of the limitations we experience in life are illusory, self-inflicted by a lack of faith in ourselves. Because we think we cannot do something, often we don't

Continued on Page 24

Police seek advice to set goals

In a unique program announced last spring, the Metropolitan Toronto Police Force will seek advice from the public as to how their \$450 million budget should be spent.

In what was described as a clear departure from the past, city residents are being invited to read a discussion paper on policing concerns prepared by the Metropolitan Toronto Police Commission. They are further invited to submit their suggestions before next May when the Board has scheduled a public meeting to discuss the suggestions and future budget.

The Commission states it hopes to consult a cross section of the community to "identify emerging trends and issues of concern to the public." Responses would be used by the budget and planning subcommittee to help draft next year's police budget.

Vancouver to pay damages for neglect of officers

In a decision brought down by the British Columbia Supreme Court in April, the City of Vancouver was assessed damages of \$45,000 for the injury caused by two police officers who arrested a drunk. The drunk could not recall the incident that dislocated and broke his left arm and relied on witnesses to tell the story.

Two passing motorists saw Mr. Ainsworthy, a 48 year old unemployed handyman, lying in the front yard of his rooming house. They contacted the police when they noticed that he was obviously drunk. Shortly two officers arrived and came to the same conclusion. They could not bring Mr. Ainsworthy around, so the officers grasped him under the arms and proceeded to drag him to their police vehicle.

This was witnessed by the landlady who testified that the police dropped Mr.

Ainsworthy on the way to the police vehicle. They picked him up and continued to drag him to the vehicle by the left arm. The officers then took him to the detox centre.

When Mr. Ainsworthy returned home the landlady noticed that his left arm was dangling at his side. The following morning he went to the hospital after experiencing considerable pain. The doctors diagnosed a dislocated shoulder and a broken bone. Due to nerve damage it was three years before Mr. Ainsworthy fully recovered.

At trial the officers advised that they had held the man under the armpits and did not recall dropping him. They claimed that he had been conscious and smiling at the detox centre when they left him.

The court decided in favour of Mr. Ainsworthy stating that the evidence of the eye witnesses was the most accurate. The court decided that the delay in noticing and reporting the injury was due to the advanced state of intoxication of the claimant. In other words, he was in fact feeling no pain. The court determined that the officers had a duty to take care not to injure when they took him into custody and that in this case they had not. The court assessed damages against the City of Vancouver of \$45,000 for general damages and lost wages.

Instant suspension law introduced in Manitoba

Manitoba motorists who fail or refuse breath tests will have their licences revoked on the spot for a period of three months under new proposed legislation in that province.

Manitoba Justice Minister Jim McCrae introduced the new legislation in May. It would be the toughest in Canada if passed. The legislation includes nine measures. One of the sections permits a temporary seven-day permit after the offence so the offender can get all his/her affairs in order before the suspension takes full effect.

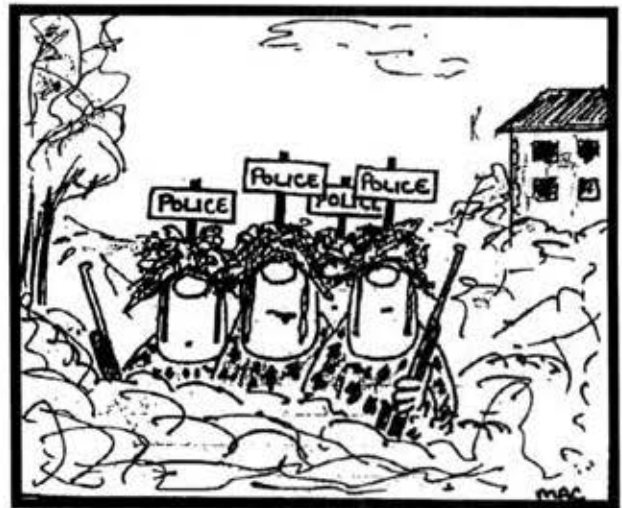
Cuban "Hero" General to be executed

Cuba's Supreme Court ratified the death sentence for former national hero General Arnaldo Ocha and three other officials convicted of drug trafficking.

The court also ratified prison sentences for 10 other military officials charged in the sweeping crackdown on narcotics smuggling through Cuba and involving high-level government officials.

FLASHES by Tony MacKinnon

"There's something about these new camouflage hats that just doesn't seem right!"



General Ocha was cited as the mastermind behind a diabolical group of government officials who assisted drug smugglers from across the Caribbean to import drugs into Cuba and use airports as stopovers for their flights to the U.S. and other destinations. In return they were paid in gold and drugs.

The general is a long time associate of Fidel Castro and fought alongside him during the Cuban revolution. As of press time it was not known if Castro would commute the death sentence but it was said that it was unlikely that he would.

Officers not liable for restraining on JP's order

Two officers who restrained a man after he attempted to leave an Ontario minor traffic court were found not liable for wrongful detention. The Justice of the Peace was likewise found not liable for ordering the officers to hold the man.

The case began after a Mr. Kramer appeared before Justice of the Peace Ross Forgrave in a Toronto court charged with four counts under the Highway Traffic Act. The J.P. found Mr. Kramer guilty of two of the four counts and was about to hear argument for sentencing when the defendant advised the court that he did not feel they had jurisdiction to hear the matter and began to leave the court. The J.P. ordered the defendant to return and when he refused he ordered the two officers to hold Mr. Kramer until after sentencing.

Mr. Kramer began a legal action against the Justice of The Peace and the two officers citing wrongful imprisonment and assault and battery. The Provincial Offences Court made application before the Ontario Supreme Court to have the action struck.

The court determined that the Ontario Public Authorities Act provided immunity against the action. Further that the Provincial Offences Act, although lacking specific authority, did in conjunction with the Provincial Courts Act, pro-

tect the officers and the J.P. from the action. Mr. Justice Osborne said that the officials "acted without malice, in the execution or intended execution of their respective duties."

The Judge determined further that the justice of the peace was entitled to ask, and then require, Mr. Kramer to physically remain before him. The officers were likewise protected as they merely did what they were told to do.

The attorney for Mr. Kramer suggested to the court that if the J.P. wished to have his client attend for sentencing, when he realized his client was leaving the court, another summons could have been issued to have him return instead of having two officers physically restrain him. To this argument Mr. Justice Osborne simply commented, "The inefficiency of this suggested exercise requires no comment."

It might be a good exercise for police forces to look into their respective Provincial court rules to determine what authority exists if officers are faced with similar circumstances. We would be interested in reporting what is found.

New traffic violation agreement now in use

An agreement between Ontario and Quebec to exchange information on Highway Traffic violations went into effect in April this year.

Before April, only Criminal Code offences such as impaired driving were exchanged between Canadian provinces. After April drivers from the neighbouring province who are convicted of traffic violations in either Ontario or Quebec will have the convictions and demerit points transferred to their home records.

The agreement covers six offences: Careless driving, dangerous driving, speeding, failing to report an accident, failing to remain at the scene of an accident and racing a motor vehicle.

These violations make up 94 per cent of all demerit point infractions

committed by out-of-province drivers in Ontario. The agreement is the first of its kind in Canada.

Japan reports 42% drop in traffic fatalities

Since 1970, vehicle ownership in Japan has increased, but the number of people killed in traffic accidents has plummeted.

In 1984, 12,596 people were killed compared to 21,535 in 1979 - a 42 per cent drop over five years. During the same time period, vehicle registrations rose from 18.6 million in 1970 to 46.4 million in 1984 - an increase of 148 per cent.

Japanese officials credit a combination of driver education, traffic engineering, better cars and effective law enforcement as causes of the reduction.

Ontario Judge suspended

Ontario Provincial Court Judge William Ross, who ordered two spectators held in custody after they attempted to leave his courtroom, has been suspended for at least nine months.

The Judicial Council recommended the suspension because, "Judge Ross is unable to perform his judicial duties by reason of illness arising from a stress-related anxiety and depression disorder."

In two different incidents Judge Ross ordered spectators held in police cells for disrupting his court. In one incident a 19 year old female was taken to a cell until she apologised for disturbing the court. Witnesses stated that she had merely left a bench and started to walk toward a door at the back of the court.

In the second incident a male person was ordered arrested under similar circumstances and held until after the lunch break. The official transcript shows the judge asking the court clerk to remind him about the youth in the cells. The man was released when he apologised for "disturbing" the court.

Polygraphist Association elects new president

- Richard DuPlain -

A veteran police detective from Fredericton has been appointed president of the Canadian Association of Police Polygraphists, the governing body for lie detector technicians in North America.

Detective Sergeant Eric Flander, a 16-year member of the Fredericton City Police is the first municipal police officer to be elected to the post. The seven previous presidents were members of the RCMP, Ontario Provincial Police and the Quebec Provincial Police Forces. He takes over from OPP Sergeant Dave Robbins of Toronto.

Det. Flander, a polygraphist and member of the Association for the past four years, was elected by the 140 members attending an annual polygraphists seminar at the Canadian Police College in Ottawa last month. He was also Atlantic Region director the past two years. The new director for this region is Bernie House of Newfoundland.

Det. Flander graduated from the Atlantic Police Academy, Prince Edward Island, in 1973 and has been with the Fredericton City Police ever since. He has been with the Criminal Investigation Branch for just over 13 years.

In May 1986, Det. Flander completed an eight-month intensive polygraph training course at the Canadian Police College in Ottawa giving him the distinction of being a certified forensic polygraphist. The institution is considered to be one of the best polygraph schools in the world. Studies include psychology, pharmacology, neurolinguistics and non-verbal deception.

Det. Flander, who conducts about 100 polygraph tests each year on the "Lafayette 10" Fact Finder, said one of his main goals as president will be to campaign against anti-polygraph policies and bills. "This will be done by keeping the standards high," he said.

The 250 members of the association are made up of law enforcement officers in the Federal Bureau of Investigation, state and local police in the U.S., as well as police from all the provinces of

Canada except Prince Edward Island where there are no polygraphists.

Other association executives are vice president, Frank Wozniak of Toronto, secretary, Rick Putzer of Calgary and treasurer, Mike Killmartin of Ottawa.

Other regional directors are J.J. John McLinton for Ontario and Quebec, Gary Cross for Manitoba and Saskatchewan, and Bob Chamberlain for Alberta and British Columbia.

Canadian Police memorial fund off to a good start

On September 24th, 1989, the Canadian Police Association donated \$50,000 toward the construction of a Canadian Police Memorial to be built on Parliament Hill in Ottawa. The projected opening date is expected to be in September of 1992.

The structure housing the memorial is to be a replica of a building known as the Summer Pavilion. It was first erected in 1870 and remained standing until 1956 when it was taken down as a result of years of disrepair. It was situated on a raised knoll near the Ottawa river and toward the back of the Parliament Buildings. The new structure will be placed in the same position.

The government, through the National Capital Commission, is donating the land and will provide ongoing maintenance of the site and structure. The police community at large will be responsible for raising the \$500,000 to construct the memorial.

Doug Ramsey of the Metropolitan Toronto Police Association, has been selected as the Chairman of the National Fund Raising Committee on behalf of the Canadian Police Association. All members of police forces are urged to donate as their conscience dictates. Further details will be forthcoming as to how donations will be received in future editions of Blue Line Magazine.

CASE LAW: Right to Counsel

No need to advise the right to privacy

(Regina Vs. Haudegand)

Police do not have to advise an arrested person that they have a Charter right to privacy when they advise them they have a right to instruct counsel. This ruling was made in July by a Saskatchewan Court of Queen's Bench judge.

A Saskatoon police officer arrested a man last year for driving while his ability was impaired. The officer advised him of his right to instruct counsel and took him to the police station.

When they arrived the officer placed the man at a table and placed a telephone in front of him along with a legal directory and a telephone book. The accused later advised the court that he didn't want to make a phone call because he wanted privacy. He stated that there were officers at other desks and he didn't want to

make the call in their presence.

He provided breath samples to the breathalyzer technician and based on the results an over 80mgs charge was also laid. At trial his lawyer argued that the officer should have told his client that he could make the call in private and failure to do so constituted a breach of his client's rights.

The original trial judge disagreed and this was backed up by the higher court judge as well. Both courts agreed that the accused would have to ask for privacy and that his charter rights would have only been breached if the accused had asked but it had been denied. The privacy issue is one that is understood but not written down in the Charter. The conviction was registered.

CASE LAW:
Duty of Drivers

Motorist can't delegate duty

(Regina Vs. Morys-Edge)

A British Columbia motorist, who had been drinking heavily, smashed his car into several parked cars and gave the passenger of his car his documents to give the police when they arrived. The motorist, not wanting to be charged with Impaired Driving, walked home from the accident.

Upon the arrival of police the passenger gave the police all the documents necessary but advised them the motorist had gone home. The officers were unable to arrest the motorist in time for the drinking driving violation but did lay a Fail to Stop charge under section 236 of the Criminal Code.

At trial the court convicted the motorist but he appealed to a higher court. His defence was that he had complied with the requirements of the Criminal Code which states; "... stop his vehicle...

give his name and address.." By having his passenger give all his particulars he felt that he had complied.

At the appeal hearing County Court Judge Bruce Preston disagreed. It was noted that there was no case law in Canada that addressed this point. The Judge then went to English Case law and found a situation with the English violation that was identical to the Canadian section.

Citing this English decision (*Lee Vs. Knapp*) the judge stated that the obligation imposed on the driver of a vehicle by this section is a personal obligation. It can't be delegated to another person in spite of the way the Criminal Code worded the section. When the section was drafted all possible ways the offence could be committed had not been anticipated nor do they have to be.

Blue Line Magazine Flash Cards

The Judge's Rules

Number 6

"A statement made by a person before there is time to caution him is not rendered inadmissible in evidence merely by reason of no caution having been given, but in such a case, he should be cautioned as soon as is possible."

In other words a statement blurted before there is time to caution (spontaneous utterance) is admissible, but the caution should be given as soon as possible, or reasonable effort made to caution him.

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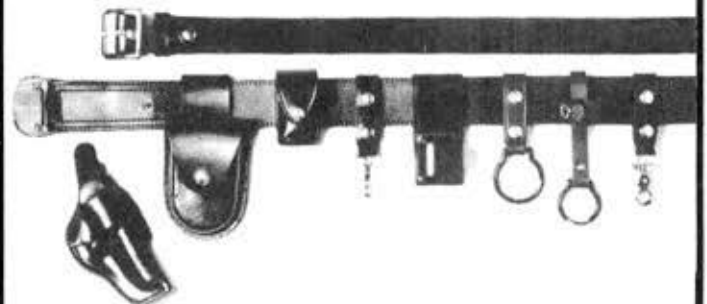
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Cult investigations

- Al Porter -
Southwestern Ontario Correspondent

When the minister, a self-proclaimed expert in Satanic cults, called in Lieutenant Jack Shepherd to investigate a sacrificial altar which hikers had found in the woods, the Michigan State Police officer wasted no time in getting to the area.

When the hikers discovered the huge rock altar at the edge of a clearing they immediately summoned the minister who was thrilled at their discovery.

This man of the cloth told them he had a great fund of knowledge on these cults and their deviant behaviour and felt at last he had located their sacred ground as he knew he would.

Shepherd immediately began a detailed search of the area for any signs of past rituals and sacrifices. He says he covered a large area around the stone while crawling on his hands and knees as with his bare hands he began pulling up clumps of weeds and mud looking for some indication of fiendish doings.

After a lengthy search produced no results he admitted defeat and he and his partner prepared to leave. Shepherd was required on another investigation and he left with the knowledge that his cohort would continue on with the investigation until they had some leads.

The detective decided to start his investigation at the area historical center and he went there hoping for some clue as to the users of this ground, now a national park. The partner hit the mother lode on his first series of questions. An older lady working at the center called up her memories of things past and told the detective that the farm had once been owned by a Frank S. Pierce. The large granite block with its inscription was once a marker for the boundary of the Pierce farm.

Shepherd, of the MSP Child Abuse Division, tells this story in a self-deprecatory fashion to illustrate a point he made several times during a seminar on Satanism and the Occult. The seminar was held for about 180 officers at the Michigan State Police training Academy in late March.

Shepherd says it has been his experience that police officers, when they are confronted by ritualistic signs in an isolated area often lose their proper cop mind-set and fall prey to the mysticism and fascination of the occult. They lose sight of their original purpose and the investigation often suffers for this.

Shepherd was joined in teaching this seminar by professional colleagues Dr. Tom Ryba, a professor of religious studies at Michigan State University and Dr. Gary Kaufman, a clinical psychologist.

There are no experts

Ryba stressed, from the beginning of his portion of the lectures, "There are no experts in Satanism." Ryba says he has a very great interest in studying Satanism and the occult but, "It is not my vocation. It is my avocation."

Ryba led those attending the seminar through a brief history of magic, both black and white, and how it relates and gave birth in some instances to both Satanism and witchcraft.

Ryba exhibited numerous mystic signs which might or might not indicate to the first officer on the scene that Satanism might be involved. Many of the signs are mystical and could be disconcerting until they are recognized and their meanings known.

Ryba produced reproductions of several of the more common signs and explained their apparent meanings and what they might mean to a practising cultist. Pentagrams - five pointed-stars enclosed in a circle are some of the most common



symbols which might be encountered. An upside-down symbol of a cross in another indicator, as would be writings which appear to be in an ancient script or words which appear to have been deliberately written backwards.

The mystic "666", "FFF" or three circles might indicate "The mark of the beast" (Satan) and swastikas and the sixties' peace sign could all have a cryptic meaning. The responding officer, if he sees such markings should be aware of the possibility of cultists being involved and seek advice from Shepherd or other members of the MSP who might be familiar with these signs.

Ryba also said that various images which appear to have been profaned in some manner might also indicate the presence of something out of the ordinary. He also said there is growing evidence to indicate the emergence of several new non-descript religions. He attributes this rise to a lessening of the once stable values of society and a natural progression for those who were involved in some of the bringing down of the old order over the past decades.

"Some of the symbols," Ryba advises, "might appear to be meaningless scrawls." But he further stated that someone with some knowledge of the mystical symbols should be consulted.

Cultism and child abuse

Kaufman is a clinical psychologist who has worked extensively with Shepherd on investigations. Kaufman espoused a hypothesis which he says he is fully prepared to defend and accept as his responsibility. In the past several years there has been a substantial increase in the number of patients treated for a multiple personality disorder. Saying he could only speak in generalities because of confidentiality, Kaufman said in many of these cases, persons suffering from this disorder attribute part of their problem to the fact that they were abused as children, mostly between the ages of three and thirteen, during ritualistic ceremonies conducted by cult members.

Kaufman says he believes that in many of these cases, the people find it easier to blame some unknown "cult figure" than someone they know and they find it easier to accept the notion of their degradation if they can make themselves believe they were victimized by someone despicable.

He says this willingness to blame someone other than the actual person(s) responsible may be one of the reasons

why police feel that this form of activity is rising.

Kaufman points out the dangers of acting too swiftly on this from of accusation for a number of reasons. The credibility of the complainant might be doubtful due to his mental capacity; the event, if it did happen was likely 20-25 years in the past.

Kaufman cautions against officers trying to move quickly on such information from such a complainant as actual hard evidence may be difficult or impossible to gather. He also stressed, "Don't forget the evidence." He said, "Handle this complaint in much the same manner as you would handle any similar complaint." Don't suddenly be sidetracked into turning the investigation in another direction strictly on the say-so of such a person. You need hard evidence first.

Cult categories

Shepherd has investigated complaints involving the possibility of cultism for the past several years. He calls much of the media coverage of current practices of satanism, "overstated hype." He says officers in many regions have become convinced that satanic cults are active in their areas but asks, "What sinister things have they found?" He says much of the current folklore involving satanism is based on circumstantial evidence and conjecture. Bits and pieces of supposed mysteries are put together and embellished and circulated until they are accepted by many as fact.

Shepherd says contemporary satanism can be broadly grouped into three main categories;

Soloist level: - This form is practiced by what might commonly be termed "misfits." People who have few if any friends and just don't seem to fit in with others. These individuals are normally

considered to be bright and they fantasize about power, money, control or sexual fulfillment. He warns that some of these solo practitioners have been found to be psychotic. "What we normally have is a sick puppy to start with," he says.

Outlaw cults: - These are usually groups who have banded together under control of a charismatic leader. They normally make up their rituals as they go along. These groups usually are interested in combining alcohol, drugs, sex and their so-called rituals and one of their main purposes is to shock other members of the community. He said most of these sporadic practitioners fall in the age group from 15 to 25 years and gain inspiration for their activities from television and popular books.

Neo-satanic churches: - The third and probably most intent of these groups are the neo-satanic churches. Shepherd says that two of the most prevalent of such groups are the Temple of Set and the Church of Satanic Liberation. Shepherd says members of these groups consider themselves to be intellectually superior and they are commonly elitists.

Conclusion

As for actual activity by satanists that might be proven by hard evidence, Shepherd says the Michigan State Police over the past three years has investigated approximately 25 cases that were suspected of having satanic overtones. Of these to date, none have been proven by hard evidence.

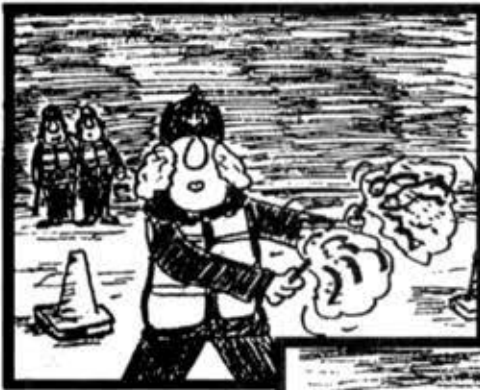
Shepherd cautions investigating officers about being caught up in the mystique of satanism when investigating possible involvement of crimes. "Don't quit looking for the smoking-gun just because there is some evidence of satanism," he says.

Shepherd and his colleagues urge any officers requiring information to contact them through the Michigan State Police headquarters in Lansing.



The R.I.D.E. Team

by Tony MacKinnon



"My guess is she was a cheerleader."



"If you must know, my dog ate my fur hat!"



"Don't worry... Be happy!"



"They're not gonna go for this!"



"Why can't we just give out trash bags like everybody else?"

Staff Sergeant Bill Fordham is a 30 year veteran of the Metropolitan Toronto Police Force. He is married and has two children. His 17 year-old daughter attends the local high school and appears to fit into the system. He also has a 14 year-old son in grade 8 at a local public school. The boy lacked confidence, was having difficulty getting along with his peers and became frustrated with school in general. If this scenario sounds familiar then you should read on.

Fordham anticipated that his son would eventually drop out of school if he allowed him to continue in the public school system. He found an excellent solution to his problem in the form of St. John's School of Ontario located in the rural community of Claremont, just northeast of Toronto.

Fordham discovered that this school was specifically designed to help boys between the ages of 12 and 16 who become academically frustrated, or for those who have children that they have to continually battle to do their homework. It is a school that still believes in the old traditional values of education and discipline.

To call St. John's a school is to mislead, somewhat. It is much more than a school. It's an entire approach to life, an incredible opportunity for those fortunate enough to be able to attend.

It is not popular today to support the old-fashioned values in education. There is still a feeling that is generally accepted by the "baby boomer" generation that the unstructured, "learn at your own pace", or "open concept" approach in the 60's and 70's, did away with the need for disciplinary methods. Too bad!

The school teaches grades 7 to 10 in small classes and has a capacity to accommodate 64 students, who board there during the week and come home on the earned weekends. The present enrolment includes students from the immediate area but there are some students from Ottawa, Detroit and as far away as British Columbia.

The small teacher/student ratio enables the skilled teachers to encourage each student to fulfil ultimate potential while developing a sense of peer responsibility and respect for fellow students,

Police officer chooses alternative education for son

teachers and authority in general.

Having the students for 24 hours a day enables a total approach to life that goes far beyond anything that could ever be accomplished in a regular school setting. The philosophy of the school is education by adventure and to build character and attitudes while providing the individual attention on a traditional curriculum stressing the fundamentals of education like math, reading, writing and grammar.

The academic challenge is also supplemented by a strenuous outdoor program that includes the annual canoe trips, and snowshoeing, along with other special activities.

St. John's School is affiliated with the Anglican Church of Canada and is accredited by the Ministry of Education in Ontario. It accepts boys from all denominations.

It's quite a shock for a new student when he arrives at the school in the middle of nowhere, Ontario. No televisions, no radios, no girls, no smoking or drugs and no corner pizza parlours.

The students have daily chores which are part of the school curriculum and they also have study sessions every evening completing their homework assignments or obtaining extra help.

Parental support is tremendous and parents are made to feel a sense of ownership. There is also a faithful old boys network with past graduates returning to the school to help in so many ways.

Bill Fordham and his wife recently attended a parent teacher meeting at the school and it is the first time in all their son's school years that they received

positive, encouraging feedback. Since his enrolment last October, their son has changed, which they attribute to St. John's program. He feels good about himself, he is bubbling with enthusiasm and above all, has developed self-confidence.

Fordham's son completed the 22 mile junior snowshoe course and is looking forward to next year to tackle the senior course of 28 miles.

In 1982, Metro Toronto Police Sergeant Frank Hooper died at 37 years of age. He left his wife Andrea to raise two young boys. The eldest boy was in grade 9 of the local high school and was goofing around and not applying himself academically. Andrea did not have the support of a husband to deal with the problem. She learned about St. John's through their annual honey sales program and decided to enrol her son in the school. Since last August, when the school term began, he has improved considerably both in academics and character. Andrea feels that her son will benefit from St. John's program and has enrolled him for the next term.

When the boys leave St. John's, they walk away from this life experience changed, strengthened and equipped with the character they need to respond to life's challenges, to be leaders, not followers.

The Fordhams have enjoyed their association with the staff at St. John's, the students and their families. If you require any further information about the school, don't hesitate to call Bill at (416) 324-0545, or, the school directly, on the Toronto line (416) 471-6761.

Officer's offer of help was an inducement

(Regina Vs. Bird)

A statement received by a Winnipeg police officer was ruled inadmissible by the Manitoba Court of Appeal because his offer of "help" was an inducement.

The case involved a man arrested on sexual assault charges with young children. Upon arrest the man was properly advised of his rights and cautioned regarding statements. The suspect called his father who contacted a lawyer for him. While awaiting the arrival of a lawyer the accused was approached by a police officer who told him that he was investigating the incident and wanted to get his side of the story.

The officer advised the court at trial that he told the accused, "I believed what the children were saying was true and based on that I thought he had a problem and I wanted to help him by talking about it." Talk he did. He advised the officer all the details of the incidents and the officer took everything down as evidence.

During the trial and appeal both courts ruled that the accused's Charter rights were not abused in any way. Both courts agreed that the officer was working in good faith. However the majority decision at the Appeal court held that as far as the admissibility of the statement was concerned it could not be entered in evidence. The court determined that the words used by the officer seemed to hold out hope of advantage by giving the statement and that that was an inducement.

It is interesting to note that this was a two to one vote on the part of the three judge panel reviewing the case. The one judge that disagreed stated that if the court agreed that there were no promises, threats or indications of duress being placed on the accused then there was no inducement. He ruled that the statement was voluntary and should have been admitted.

The court discharged the accused because without the statement there was no real evidence.

Is this a fair judgement?

When one considers the fact that a suspect in such a charge walked free we could easily say "no it is not fair." As police officers we should, however, not consider the rightness of the decision but rather the manner in which we do our job in the first place. The officer in this case had good intentions and the court agreed to this. They still stated that it was an improperly obtained statement.

On page 131/132 of the book entitled "The Police Manual of Arrest, Seizure and Interrogation", by Carswell Publications, His Honour Judge Roger Salhany relates a story that clarifies this point. We have taken the liberty of copying it here for our readers;

"... William J. Schafer, a District Attorney in the United States, tells the story of a police officer who approached him for advice. It appeared that the officer had arrested a man who, before

he confessed to him, asked the officer about the possible penalty. The officer told him what the penalty was and also indicated that he could be put on probation. The officer, who knew the man well and the fact that he had never been arrested before, told him that he would speak to the judge and do all he could to get him probation. The accused, undoubtedly relieved, proceeded to give a complete confession which was later excluded because of the promise. The officer could not understand why it was involuntary considering that it really was his intention to speak to the judge.

"This story illustrates the dilemma that often faces a police officer. He may truly wish to assist the accused. His good intentions, however, may eventually prejudice the success of his case. A promise or inducement, then, will be anything that gives the accused some hope or expectation with respect to the charge or contemplated charge or to some other matter."

Judge Salhany's book continues by adding three other inducement statements that officers should avoid; "If you give me a statement you will be released." "I will do anything I can to help you out." "You will get a lighter sentence if you confess."

Investigative officers should also make themselves familiar with methods of countering the effects of inducements by using the secondary caution.

Crown did not justify the Charter breach

(Regina Vs. Ward)

The Prince Edward Island Supreme Court brought down an interesting ruling this past summer that should be noted carefully. A man charged with refusing to take a roadside screening test was found not guilty by reason of the fact that the section in the Code that permits the demand is too vague a standard. The demand was deemed to be in breach of the accused's Section 7 charter right to

life, liberty and security of the person.

The judge, Mr. Justice Alexander Campbell, felt that the ALERT demand "lends itself to arbitrary justice" and that it forces an accused to incriminate himself. The Justice pointed out that the original trial the Crown had simply denied all Charter breaches but did not attempt to justify the perceived breach under section 1 of the Charter.

Section 1 states that any breach of an accused's right must be shown to be a reasonable limitation given the importance of the breach to the public good. The Judge advised that as the Crown had not done this at the original trial he was forced to make a judgement in the case on the facts given at trial alone. He then acquitted the accused on the Refusal charge.

The first contact an ordinary citizen usually has with a police officer occurs during an emergency or when receiving a ticket for a violation.

Neither experience is pleasant and afterwards when one thinks of a law enforcement official the association is not always very positive.

Yet police forces do much more. Do local residents know how the Crime Stoppers Program works? Do they know how they can avoid frauds and scams? Do they know the difference between roadside and breathalyzer tests? These are just some of the many questions the Durham Region Police Force attempted to answer during their recent "Get to Know Your Police Force" pilot program.

The Durham Region Force encompasses the area of Oshawa to the East of Toronto and was created in the mid-seventies to amalgamate police services in the former Durham County area.

In co-operation with the Board of Education, the Force held a general interest night school course this past January giving local residents the opportunity to learn about the police and the programs which affect them.

"As the police are deployed largely for complaint and emergency response, the public usually sees the police in a passing cruiser or as a matter of last resort. To meet with the public to explain and listen, hopefully will be accepted as a positive step forward by the police to communicate with the public," explains Inspector John Hamilton, who spearheaded the program.

"Get To Know Your Police Force" was one of the first programs for Chief Dave Edwards to be involved in since becoming the Force's "top cop" in September and one which was very important to him. "It's about time we took the police to the public. It's very important that we let them (local residents) know what we're all about," he stresses.

The program consisted of five two-hour sessions held in Oshawa over a five-week period. All instruction was given by police officers including an introduction by Chief Edwards and an optional tour of police headquarters. The program was offered free of charge to all local residents and judging by the first response, it will

Durham Region residents get the inside story

- Lucy Becker -

probably become a permanent part of the curriculum.

"The reaction from the public was tremendous" explains Chief Edwards. "It was very encouraging for us." In fact, the demand was so great the class had to be split into two groups with classes running twice weekly. The participants varied in age, the youngest being 17, the oldest in their 70s, with both men and women making up the classes.

Some may have been young people pondering a career in law enforcement while others were parents of police officers who wanted to know a little more about what their sons and daughters do for a living. Still others were just curious about the role of a police officer.

The classes touched on many different aspects of policing ranging from community services programs to an explanation and demonstration by the Tactical Support Unit.

A first-time initiative for the Durham Region Police Force and possibly throughout the province or even the country,

Chief Edwards is hoping to have the program offered again in the fall. He also feels it would be beneficial to other forces to offer a similar program. He suggests it

"may be our fault that they (local residents) don't know what we're all about. We are also ready and willing to learn from the public."

Chief Edwards explains that citizens may at one time have had some questions pertaining to the police which were not answered properly or

explained fully. This program gives residents the opportunity to come out and ask questions in an informal setting. This, he suggests, will often alleviate many misunderstandings and misgivings the public may have. "Again we are the benefactors," he states.

Other police forces wishing further information on the program are invited to contact Chief Dave Edwards or Inspector John Hamilton at (416) 579-1520.



Chief Dave Edwards

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Perceptions on Policing

Continued from Page 13

even try. I think it was Lee Iacocca who said that perceptions control motivation, motivation controls performance and performance controls success. Surely success is what we all want for the police

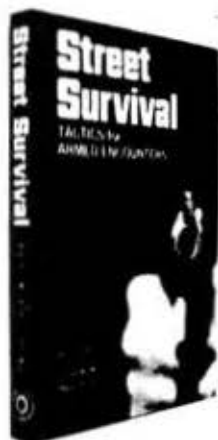
profession.

But it all starts with the perceptions we have of ourselves and our work. I know I'm capable of better, and I suspect many more are, too.

Featured Writer

Superintendent Chris Braiden is a member of the Edmonton Police Force. He is presently the Commander of the Strathcona Division of that Force. Chris is considered the "Father of Community Policing" in Edmonton. In 1985 Chris was seconded to the Ministry of the Solicitor General in Ottawa and worked closely with the Canadian Police College while posted there. His research papers have been widely circulated and accepted by many police forces. His colourful writing style is hard hitting, entertaining and informative. Beginning next month we will be presenting a "no holds barred" three part series on community policing authored by Chris. In part one he will give us a history of community policing. In the following issues he will tell us what community policing is and how to accomplish it. We hope you will enjoy and learn from this man's amazing insights.

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We have always had an abundance of books written by convicts or ex-cons. Some are written by ghost writers or some other person these people have taken into their confidence. These books tell the tale of these cons' exploits and would have us believe that every word is the whole truth and nothing but the truth. This from a person who has spent much of his life behind bars and has spent an entire lifetime taking liberties with the truth he now espouses.

A few, in fact the better ones, are truthful and they factually represent prison life and their exploits in the criminal world, nothing coloured. These however, seem to be in the minority.

There was a book written in the fifties called "My Six Convicts". This was written by a psychologist. As soon as I see that word, I have to stifle my thoughts. This man had a position as a psychologist in Leavenworth prison, a maximum security prison in the States. Now this book was a Book-of-the-Month Club selection. In this book our "ivory tower" expert has his men eating out of his hand in hardly any time. We are led to believe that cons are not so bad. So they shoot a few people, hold up banks, deal in drugs and other misdemeanors. Life is not perfect and there is probably a logical reason for this.

These guys are okay. And you know life in prison is not so bad either. This author has us frolicking through one mad-cap escapade after another. These boys are real cards. And the dialogue is supposedly realistic, with every attack upon good, and not so good, grammar ever invented.

A 104 minute movie was made from the book in 1952. It was a comedy, or should I say a comedy-drama, that was described by the critics of the time as "an unusual comedy." Needless to say a good time was had by all, and the moral of the story was you be nice to them and you will see these hard core criminals aren't so bad after all.

Then there was Willie Sutton's book, "Where the Money Was." The title came from a line alleged to have been said by Willie. When asked why he robbed banks he was alleged to have said, "because that is where the money was." This remark was never made by Willie. He ad-

mitted that, but it made good copy. So it wasn't true. It sounded good and it helped to sell the book.

Willie was nicknamed "Willie the Actor" because of his penchant for disguise when terrorizing people and knocking people over the head while taking their daily receipts to the bank. Now Willie had a code of ethics. He never used his gun other than to wave it in the face of some terrorized bank teller, and he never squealed on his friends. The second part was true.

As for the first part, maybe Willie told a little white lie. According to Lewis Valentine, a former New York City Police Commissioner, Sutton was responsible for gunning down his ex-partner and two innocent people in a bar because his buddy was doing too much talking.

Now Willie might have forgotten to tell this, or perhaps there was not room in his memoirs for all the little details. You see Willie was around in the 30's, 40's, 50's, and 60's. He spent over 40 years in various prisons, escaping a number of times, always to pursue his career of robbing banks. He would lead us to believe he was something like a Robin Hood, and he just had this thing about sticking up banks.

Hey, we understand Willie. Of course Willie was the clever one. It was only bad luck he spent two thirds of his life in prison. The poor bungling police just kept getting lucky.

There is no repentance, no remorse, in Sutton's memoirs. No lessons learned. Just a story of a crook trying to glamorize a sordid life.

Then there was Alvin Karpis, Canada's contribution to big time crime. He was America's most wanted man in the 30's and 40's. Good going Alvin! He

wrote, or rather told, all to Robert Livesey in a book called "On the Rock". This was about his 25 years in Alcatraz. Every word true of course.

He did not quite measure up to Willie Sutton. Karpis only spent 33 years in prison. Just about half his life. Of course it was all worth while. Just look at the material he had for a book.

Karpis was really clever - we know because he tells us. Not in so many words, but we all know after reading the book. The police are thugs, beating confessions out of outstanding citizens. J. Edgar Hoover was a bungling amateur and the FBI likewise.

The prison officials are beneath contempt. Imagine, imposing harsh measures on these men in Alcatraz just because they were hardened criminals convicted of murder, robberies, intimidation and some other things hardly worth mentioning. Every word in here is true: Alvin says so! If you cannot believe a convicted killer and thief who can you believe?

Well, Karpis stuck it out to the bitter end. He finally got his release after 25 years. All the main players were either dead, straightened out, or just too old for the public or anyone else to have any interest any more. They were from an era that is romanticized. We see it on the movie and TV screen as well. In reality they are just cheap punks who played havoc with the lives of many innocent people, and received their just rewards.

There is, however, another side to this coin. The memoirs of crooks do take our fancy. The name George Smithson comes to mind; his book is titled "Raffles in Real Life." He was called "Gentleman George." But more of Raffles in next month's article.

True Crime Prisoners' memoirs

A frolic through fact and fancy

- Geoff Cates Books -

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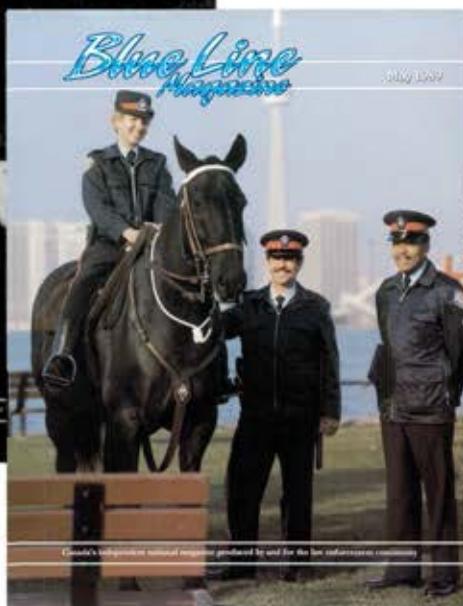
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