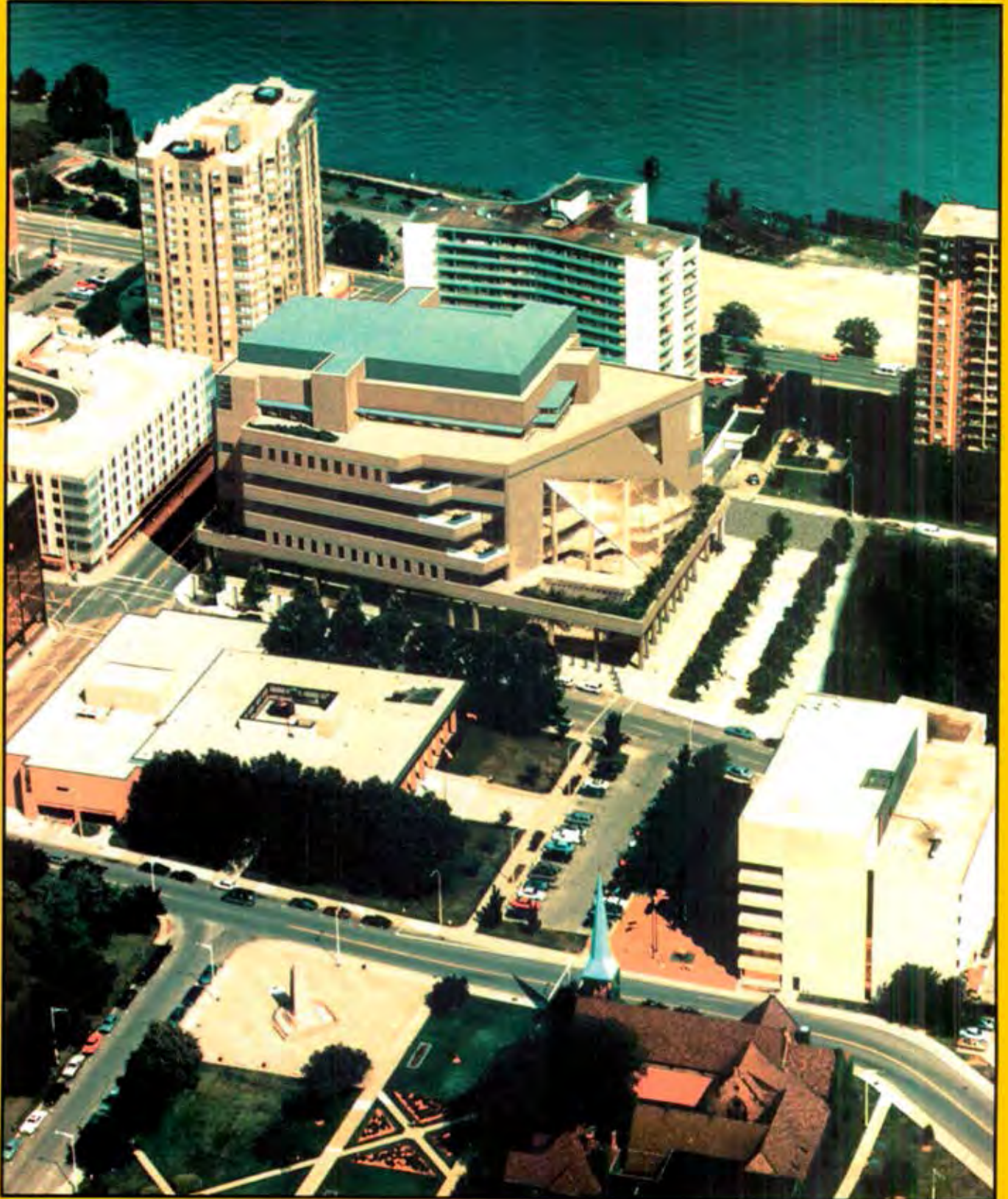


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June / July 1998



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Blue Line Magazine is published monthly, September to June, by Blue Line Magazine Incorporated with a mailing address of:  
12A - 4981 Hwy. 7 East, Ste. 254,  
Markham, Ontario, L3R 1N1.

Individual magazines are \$3.50 each. Subscriptions are \$25.00 per year or \$40.00 for 2 years. (U.S. & Foreign - \$50.00)

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Blue Line Magazine is printed in Canada  
by Garson Graphic Services Inc.

**- Affiliations -**

International Association of Law Enforcement Planners  
Canadian Advertising Rates & Data  
International Police Association  
The Canadian Press Newswire  
Periodical Publishers Exchange



ISSN #0847 8538

Canada Post Canadian Publications Mail  
Product Sales Agreement No. 176796

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Canada's National Law Enforcement Magazine June / July 1998

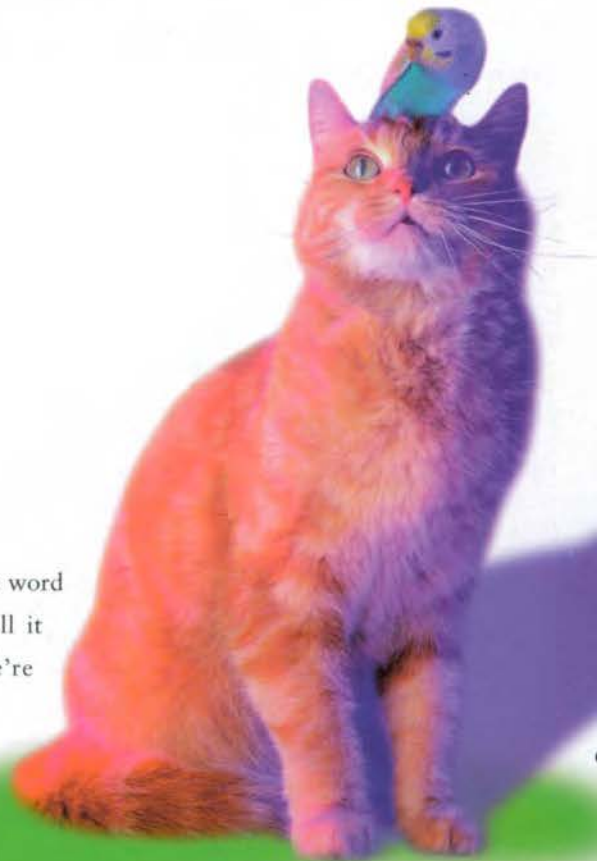


The new Windsor Police Service headquarters building makes an ideal cover for this edition of Blue Line on two counts. First the Windsor Police Service is the host to the 47th Annual Conference of the Ontario Association of Chiefs of Police Conference and Trade Show. You will find a floor plan of the Trade Show on Page 28 of this edition. Secondly the new building is particularly unique in both design and content. The structure also holds the Provincial Court House and the central lock-up facilities. You can read more about this facility beginning on page 6.

This being our June/July combined issue you will find lots of other material to keep you thinking and pondering over the summer months. We have columns of interest from Robert Lunney, Joel Johnston and Tom Rataj as well as our usual news and up-coming events.

Have a warm and safe summer and you will see us again in August.

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# Helicopters: We need action not more studies

by Morley Lymburner

As we were in the midst of laying out this edition of *Blue Line* a news story hit the wires regarding a police pursuit in Toronto ending in the death of a citizen (and two of his dogs) on a sidewalk when the vehicle that started the pursuit went out of control and struck him.

As this story hit the media we were laying out page 12 in this edition. It is a submission by ex-copper, now helicopter pilot, Steve Satow giving our readers a rundown on the state of helicopter usage in policing across Canada. As if this coincidence was not enough we also found Sue Pritzker's article on page 32 which outlines a doubling of auto thefts over the past ten years. Given the recent turn of events in the news it makes for some very prophetic reading indeed.

It is still shocking to me why police agencies can not be a lot more aggressive in the area of helicopter acquisition for general patrol work. The death of this gentleman in Toronto echoes the tragedy experienced by the city of Calgary when they lost a fine young police officer to a teenager in a stolen car being chased. This officer had just laid out a spike belt across the roadway and moved off the road to await the arrival of the young thief. The last thing this officer saw was a young man so desperate to get away that he actually entered the ditch area of the freeway at high speed in order to go around the clearly visible spikes. The shock of this one incident alone was enough to encourage that city to abandon studies, reports and budget approvals and fast-track the acquisition of a helicopter patrol unit.

What about the rest of the country? They have stood back and watched as Calgary has reported mammoth successes in curbing car thefts and all nature of criminal activities. In the first year of operation alone they were involved in 26 police pursuits. Not one citizen was hurt. Not one police officer was hurt. Not one suspect was hurt. And the reasons they know that no suspect was hurt is because in all 26 cases every suspect was arrested.

It is pretty foolish for people to ignore numbers like this.

Now let us focus on one area that is in serious need of such a program. The greater Toronto region has almost 6 million people living in it. There are 7 large police agencies responsible for the protection of these people. None of the Police Services Boards are convinced that human lives are more important than budgets. Even worse... none of these police agencies have managed to give an argument convincing enough to encourage them to take action.

When the subject was brought up to the Toronto Police Services Board last year the then Commissioner decided it was time for a study. The study was, in my opinion, very well researched and written. It did not come to any conclusions, however, and left the question of 'yes or no' up to the Police Services Board. The Board's decision was that sometime in the next five years helicopters may be acquired...

but not right now.

This is little comfort for the family of the citizen killed on that sidewalk. It is little comfort to the police officers who must endure an investigation on whether they used "good judgement" in pursuing someone who initiated the chase. (After all it was the young driver who started it... not the police!) Most of all it is little comfort to those living in the community who still have to ask the question "Who's next?"

Do police have a duty to the accused as well as the victim? I believe they do! I have often said that the vast proportion of police work is simply protecting people from their own mis-adventures. The biggest crime prevention tactic in the world is simply convincing people of the certainty of getting caught. Helicopter patrols are just one more tool that can be brought to bear on the foolhardy in society. It just makes good common sense.

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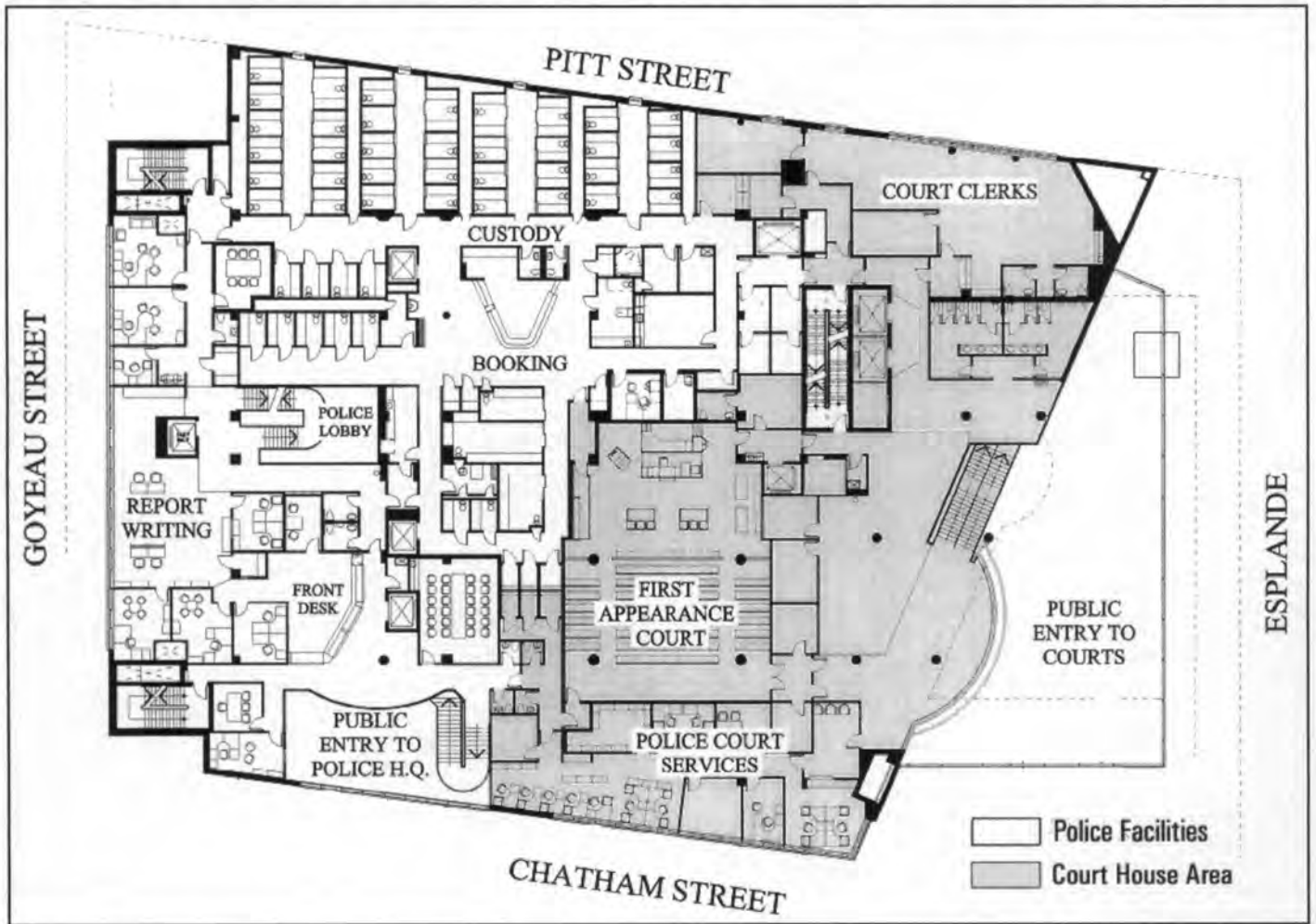
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# Windsor Justice Facility



The City of Windsor and the Province of Ontario have formed a partnership in order to construct a new Police Headquarters and Ontario Courts facility. One block west of the Casino, and with a panoramic view of the Detroit River, the building (which is featured on this month's cover) is expected to be ready for occupancy in the spring of 1999. A plan of the second floor level shows the reporting facility for Windsor's Downtown Patrol Unit (on the left), the shared 24-hour Custody area (central) and Court House accommodation (on the right). Each elevator is dedicated to a specific circulation route, including: prisoners, police staff, judges, public (Court side) and public (Police side).

by Barbara Ross



Until recently Windsor was a city whose economic life turned largely upon the fortunes of the automobile industry. Since the late 1970's, lasting memories of this downtown are of empty storefronts, pawn shops, bingo halls, and strip clubs. The Detroit skyline lies across the river, providing a constant reminder of how urban decay on a massive scale looks. On my first visit to Windsor, on a cold evening in early March of 1995, the CAW union had set up pickets lining Pitt Street. Small groups clustered around bonfires in several oil drums on the sidewalk. The Province's first attempt to breathe a little life back into downtown Windsor - the temporary Casino - was closed due to a strike.

But downtown Windsor isn't quiet

anymore. The bonfires have been replaced by visiting engineers. By the fall of 1995, seven tower cranes had been brought to town. Five of them were for the permanent Casino and two of them were on the property at Goyeau and Chatham. The Province's new consolidated Court House was under construction.

Meanwhile, the daily ritual of escorting prisoners from the old Police Headquarters to the old Provincial Court building was still practised. Down a steep staircase, under dripping hot water pipes, through a damp underground tunnel, up another steep staircase and slam - into a holding cell, which might have worked as a set for a movie in a Dickensian world, if it hadn't been so small.

With the new construction of the Provincial Courts, prisoner handling would be brought out of the dark ages. The Police would operate a 24-hour shared custody facility for their own, "first stop" detainees, together with those detainees returning from remand for trial. This custody facility would be within the

Courthouse, and would provide direct access to the new Courts and to the new Police Headquarters. Overground transport of prisoners from one building to another today is required for those Courtrooms in remote buildings not served by the tunnel. This would be eliminated with the new shared facility. Indoor prisoner movement would be through dedicated elevators; the dangerous stairways and dripping water pipes would be things of the past.

The Justice Facility will occupy a site which locally is known as the west half of the old Steinberg site. It forms the west boundary of "The Esplanade", which is a new, tree-lined urban green space extending from the City Hall to a waterfront park at Riverside Drive. The Esplanade is the central element in a network of open space in Civic Square, which is a focal point in the City of Windsor's Downtown Revitalization Plan. Chatham Street will be the main pedestrian route along which visitors to the Casino are to walk to the restaurant and hotel district. The front door to the Courthouse

would be on Chatham Street, at the corner of The Esplanade.

As construction of the Courthouse began, the City of Windsor was committing capital funds to construct its new Police Headquarters on the east half of the Steinberg site. Consideration was being given to the development of a "shared use" building, involving new accommodation for police operations as well as another use. The challenge would be to find a suitable co-habitant for the Police Headquarters.

#### **We're Known by the Company We Keep.**

Many communities have considered shared arrangements for various police uses. I believe these succeed or fail only partly through the quality of the design, but in very large measure through the choice of appropriate partners and an appropriate site. Candidates include municipal/regional offices, retail stores, even doughnut shops. In many instances, the presence of a viable partner appears to make the difference between proceeding with a new Police facility, and making do with the old dungeon for another few years.

The dominant issue must be, what does the choice of co-habitant say about the Police Service who is settling in for future decades of occupancy? Buildings are powerful symbols, and our public buildings are read as the material demonstration of what our society values and how we want to live. Is this police building - and, by extension, the agency which occupies it - part of its community? Is it so entangled in its neighbourhood as to be seen as the "long arm" of one element of society or another? Or does it maintain an objective position?

With the possibility of creating a shared police-court house building, a particular version of this set of questions arose among the future neighbours.

#### **Why Would Anybody Want to do This?**

The design team heard plenty of the reasons why one might NOT want to do this. Negative perceptions which might be fostered, should the Police and the Courts share one building included the idea that the courts would be unduly influenced by the police, or, perhaps that the sole mandate of the police is to prosecute criminals. Out would go community policing, and in would rush a real-live version of the worst of American television dramas. In Windsor, "busting heads and administering the law" would be the order of the day.

If the Courthouse and Police Headquarters did not have physical separation and if this separation were not obvious to the passer-by, the very foundations of the Canadian justice system might be threatened. Of course, no-one among the project co-ordinators, the future occupants of the building, nor the design team would have advocated this outcome.

#### **Both Image and Functionality: Issues in Shared-Use Facilities**

A "Win-Win", in which both project partners would benefit from co-habitation, would only be possible if the design was thoroughly worked out to:

- allow each partner to present its own clear image to the public, through the architectural character of the building, and



- without compromise, preserve every detailed aspect of functionality which each partner would require if it were in a freestanding building.

The Windsor Police Service wished its Headquarters to be the product of creative excellence on the part of an open, transparent, and accountable organization. A "non-threatening face" was essential, which would appear approachable at all hours, particularly to victims and distressed persons. The Police wished the building to be emblematic of the safe and secure downtown which the City of Windsor is committed to developing.

The Province of Ontario's Architectural Design Standards clearly articulate the desired image for a Court House as, above all, "dignified". Care and concern for the convenience of witnesses, jurors and litigants is to be emphasized in the design. An Ontario Court House is expected to make a positive visual contribution to its community, creating pride through attractiveness and accessibility. It is expected to be neither ostentatious nor sterile and oppressive.

Each partner wished to have its own identity, to be a prominent part of the community, and to be seen to be independent of undue influence of any other public agency.

#### **Making no Small plans....**

"Functionality" is equal in importance to "image" for the Court House in its own way and for the Police Headquarters in its own unique way.

The privacy and security of police operations, behind the restricted-access line, is of no less importance than an open image at the front door. In addition to its large Patrol Division, the Windsor Police Headquarters accommodates investigation of criminal suspects (who are not always cooperative), analysis of crime scene evidence and handling of controlled substances (activities which are loaded with health and safety issues), intelligence operations, deployment of ESU-EDU specialists, polygraph interviews, and 9-1-1 call taking. The design team conducted a series of very detailed problem-solving sessions with police user groups in order to tailor each of these individual work areas.

Functional and operations planning would need to take into account the distinction between Police areas which operate around the clock, and those which operate five days a week during business hours. Tracking of access to high-security areas, the location of particularly discreet units, as well as emergency preparedness were all considered in the design.

The "Police half" of the Justice Facility will be similar in size to the existing headquarters buildings in the Regions of Hamilton-Wentworth, York, and Halton. On move-in day, it will be the home office of 420 people (the facility has been designed to absorb up to 100 additional staff).

The "Courts half" is one of three major Provincial Courts which has been in progress since the early 1990's. It will include 10 courtrooms, one large First Appearance Court, and offices for judges and crown attorneys. (Hamilton and Brampton are the others in the group.) Functional planning for the Courthouse would be based upon three distinct sets of corridors: one public, one private (for judges and jurors), and one restricted (for prisoners), with no overlap between any of the three.

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The Justice Facility incorporates 141,000 square feet of Police Headquarters, 141,000 square feet of Courthouse space, and 75,000 square feet of shared floor area. ("Shared spaces" include the large common custody area as well as service spaces, exits, a loading bay, and a two-storey underground parking garage.)

**Picturing It...**

At the corner of Goyeau and Chatham Streets (two hundred feet west of the front door to the Courthouse) is the front door to the Windsor Police Headquarters. This corner, is no less conspicuous than the Courthouse entrance. Signage and entrances to the public lobby on the Police side will be visible from several blocks away. Visitors driving across the Ambassador Bridge, or emerging from the Tunnel, immediately will get the signal that the peace is being maintained, on this side of the border.

Just inside the front door is a 2-storey public lobby, which will be filled with light from the south. The first-time visitor will have clear orientation to reach service counters for traffic reporting, records, and patrol. Visitors to investigative offices and administration will use a public-only elevator to reach the third and fourth floors.

Within the building is the 200-strong Downtown Patrol unit, which is the largest of Windsor's neighbourhood uniform divisions. Parking, elevators and stairs, locker rooms and reporting areas were designed with their routine movements in mind. Inspector Bill Stephens drew a cartoon which helped the design team imagine the daily flow of officers inside the building.



**The Headquarters Planning Process: It Takes Longer than You'd Think**

In March, 1995, Carruthers Shaw and Partners were commissioned by the City of Windsor to assess the space requirements for a new police headquarters. In this exercise, which preceded the design of any building, the



goals of the agency as a whole and the specific demands of each operating unit were clarified. This was an important step because it enabled the team to "try on" a series of options for different properties, and a variety of building co-habitants. The diagram reflects the kind of work and rework which is part of the process.

It has taken a whole lot of communication and a whole lot of teamwork to get this far. The Windsor Police Service is looking forward to the day when it can "show off" its new home.

Barbara Ross is an architect who is employed by Carruthers Shaw and Partners Limited, Architects in Toronto. She is a member of the IACP and the OAPE and conducts seminars on a wide variety of issues related to the design of police facilities.



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# WINDSOR OPENS NEW POLICE STATION

The Boarder Cities Star — December 24, 1921

WINDSOR, Ont. — Pomp and ceremony marked the official opening, by Attorney-General William Edgar Raney, K.C., of Windsor's new police building Friday afternoon. Several hundred were present during the ceremony, the attorney general afterward paying a visit to "Willistead," the new home of the Walkerville police and to the Ford City police station.

"I take it that this building is an expression of the self-confidence of the people of Windsor and of their confidence in the future of this great Province of Ontario and of our beloved Canada," Mr. Raney said to the gathering of citizens in the court room shortly after hoisting the British flag over the building.

More than 50 members of the police staff paraded for inspection, under the direction of Chief of Police Daniel Thompson, Inspector Mortimer S. Wigle and Inspector of Detectives William Reid. The force presented a very smart appearance and was complimented by the attorney general.

When addressing the gathering the attorney general said:

"This building will stand for a hundred years and by that time Canada will be a nation of 100 millions of people. It is a symbol of the ideals of the city of Windsor, which are identical with the civil ideas of every other community."

## RANEY OPENS NEW STATION: LAUDS POLICE

Says Building Stands For Ideals of Justice

Declares Confidence in Future of Canada as Nation

Pomp and ceremony marked the official opening, by Attorney-General William Edgar Raney, K.C., of Windsor's new police building Friday afternoon.



Judge Grundy spoke briefly, praising the efficiency of Windsor's police department. He stated that he doubted if the citizens of Wind-

son know the extent of the growth of the police department in the last year or two. In their work the department has been getting great results, he said. Judge Grundy also acted as chairman and master of ceremonies, escorting the attorney general through the new building. The attorney general stated that the building was the finest for police administration which he ever had the occasion to inspect.

Mayor H.W. Wilson, when called upon to make a few remarks, spoke of the action of the city in turning the building over to the police commission, saying that the city had taken a very wise step.

Judge J.J. Coughlin eulogized the city council for its foresight in setting aside funds for the building. "I feel that having a good police force and efficient equipment together with the proper administration of justice is a matter of the most importance," the judge said.

Following the flag raising ceremony the force, under direction of police Inspector Mortimer S. Wigle, was lined up on the roadway in front of the building and the motor equipment consisting of the police flier, the patrol car, a touring car and the motorcycle equipment turned out and were placed in front of the rows of constables while several official and newspaper photographs were taken.

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# 1998 Sexual Assault Investigators' Seminar



The Toronto Police Service Sexual Assault Squad held their annual Sexual Assault Investigators' Seminar from March 2 to 6 and it was deemed a tremendous success with close to three hundred in attendance.

Police officers from across Canada and United States represented over 37 Police Services. Also in attendance were representatives from organizations such as, the Toronto Transit Commission, Bell Canada Security, Victim Witness Programs, Children's Aid Societies, College of Physicians and Surgeons, Ontario College of Teachers, College of Veterinarians, Department of Defence, Social Services, Correctional Services, Community Colleges, Universities and Sexual Assault Care Centres.

The week began with a full day presentation by Geraldine Crisci, a specialist in the assessment and treatment of child sexual abuse. She presented a very practicable approach to child interviewing. The audience participated in a hands on exercise of structuring questions for children. During her presentation she covered, cognitive development of children, memory and suggestibility, cultural considerations and cues of sexual abuse.

Mary Ellen Cullen, an Assistant Crown Attorney from Peel Region lectured the audience on Tuesday morning about third party records. She explained what constitutes a record and the implications of the O'Connor

decision upon police and the crown in securing a victim's personal records. She stressed the need for victims to be truly informed of the implications in signing consent forms.

Two officers from the Toronto Sexual Assault Squad, Constable Peter Duggan and Constable Brian Thomson shared their investigation of Selva Subbiah in the form of a case study. Subbiah is a convicted serial sexual assault offender serving 20 years in Kingston Penitentiary. Prior to assaulting women, he drugged his victims with a pharmaceutical drug called Halcion. The officers' presentation took the audience through the investigation from the initial report, through the justice system, to his conviction.

Richard Owens a retired New York State Police Officer gave a captivating presentation on criminal interrogation. He shared with the audience, qualities of a successful interrogator, developing the required skills, creating and controlling the environment and evaluating somatic language. He also discussed new studies which reveal the impact of birth order on personality development. Critiques rated this presentation as the favourite and requests for future seminars were made by the attendees.

A panel discussion by Dr. Wayne Murray of the Centre of Forensic Sciences, Renee Pomerance and Scott Hutchison of the Crown Law Office reviewed case law, search and seizure and recent improvements in DNA analysis.

New to the seminar this year, were workshops entitled: Practical DNA, Victim Records,

Threat Assessment, Cultural Issues, 810's, and the Internet and Police. Each participant had the opportunity to attend two different workshops during Thursday afternoon.

The officer in charge of the Maple Leaf Gardens sexual assault investigation, Detective David Tredrea from 52 Division, presented a case study on this renowned case. His presentation was augmented by a video, 'Social Secret Pedophiles', produced by the Toronto Police Service Video Unit in conjunction with Detective Wendy Leaver and three convicted pedophiles.

Issues about the media and the 'Jane Doe' civil suit against the Toronto Police Service were discussed by Detective Sergeant Kim Derry. He made suggestions to the audience concerning the importance of timely and accurate press releases.

At the conclusion of the seminar, each candidate received a certificate, as well as information on all the participants. This list was to encourage future communication, expanding the networking which was developed over the course of the week.

Plans are already underway for the 1999 Seminar. It will be held at the Colony Hotel, from March 1 to 5, 1999. The details will be reported in *Blue Line Magazine*. The Sexual Assault Squad can be contacted directly at (416) 808-7474, fax: (416) 808-7472 or on e-mail: [mtpsas@interlog.com](mailto:mtpsas@interlog.com).

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## LETTERS TO THE EDITOR



Since its inception, I have enjoyed reading Blue Line Magazine. This is because in my opinion it portrays policing across Canada in a very true and professional manner. Every article holds great interest and is timely in its presentation.

I was pleased to see the article on the government reinvestment of criminal proceeds, however, imagine my disappointment and chagrin when it came to the issue of \$20,000 being delegated to the Dryden Police Service to implement a PC COPS Program. Right next to the "Dryden Police Service" is an Ontario Provincial Police Badge. I am sure you are well aware of the climate surrounding municipal and provincial police in this province at this time, and I, along with the other members of the Dryden Police Service, take considerable exception to this glaring oversight on the part of your magazine and whoever put this article together.

R.G. Imrie  
Chief of Police  
Dryden Police Service

### Editor's Response

I was, like yourself, horrified to see this error. It is indeed rare but this is no real excuse for such a huge gaff on our part. Not having a police background, our layout and design people rely heavily on the editorial people (like myself) to check their work for such mistakes. Obviously this error was not seen.

Silvan Tompkins, a great sociologist, once said that "shame is one step removed from heaven because shame can exist only when someone wants to re-establish a bond." We certainly feel the shame of such a mistake and wish to apologize for any difficulties that may have arisen. We are very proud of the bond we have established with the law enforcement community across Canada and will work very hard, both presently and in the future, to maintain it.

Thank you for bringing this matter to our attention.

I read with interest your two-part series on the Wild Pigs Motorcycle Club in the February and April editions.

While this group of enthusiastic motorcyclists, who happen to be peace officers, may be law abiding, upstanding citizens, perhaps they would consider a name change to more accurately reflect the desired image.

We can all live with "PIG" for it can stand for Perseverance, Integrity and Guts. As for "Wild", the dictionary definition offers up these frightening comparisons:

"not civilized, barbarous, unrestrained, disorderly, uncontrolled, tempestuous, violent, infuriated, angry, haphazard, ill-aimed, rash,

unchecked, undisciplined, uncouth, lacking refinement." When I add all these comparisons up it spells one thing, Outlaw Motorcycle Gang.

Under the banner "The Wild Pigs" I doubt they will ever completely convince anyone that they are who they claim to be. The Blue Knights (connoting society's saviours) is a name more in tune with the image peace officers should strive to convey.

I am not a motorcycle owner, yet, but in retirement I hope to motor around on a "HOG" myself. I will certainly distance myself from any club with a name as scary as "The Wild Pigs."

J. Andrew Black  
Ottawa, Ontario

I wish to inform your readers of three important aspects of parole warrants.

1. In accordance with Section 137 of the federal Corrections & Conditional Release Act, all warrants of apprehension issued by provincial parole boards in Canada have an automatic nation-wide application. These warrants are to be executed by any peace officer in Canada. The Ontario warrants of apprehension form is being revised to indicate Canada-wide application.

2. An agreement among all parole boards and respective Ministers allows for the transfer of jurisdiction for parolees across Canada. In other words, if an Ontario parolee is arrested in Newfoundland on an Ontario Board of Parole (OBP) warrant, he/she is not required to be transported back to Ontario. He/she can be taken to the nearest detention facility and the parole board which has jurisdiction in Newfoundland, (that is, the National Parole Board) will conduct a post-suspension hearing. There is no requirement for any parolee to be transferred back to the releasing province at the taxpayers' expense.

3. The National Joint Committee of the Canadian Association of Chiefs of Police and Correctional Services (Canada), Ontario Region, agreed to establish a subcommittee to examine ways to expedite warrants of arrest of parolees. The subcommittee is chaired by A/Inspector Don Jones of the Toronto Police and has a number of criminal justice agencies including OBP and OPP represented on it. We are all hopeful that this will be a major step towards establishing an improved system of warrant execution. The report of this committee is expected to be presented to the NJC-Ontario in the Spring.

Ken Sandhu  
Chair, Ontario Board of Parole

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# The slow road towards helicopters

## An Overview of the Progress made by the Police across Canada

by Steve Satow

Vancouver ranks second highest in North America when it comes to car theft. Last year the Insurance Corporation of British Columbia paid out 125 million dollars in auto theft claims alone. (source: The ICBC)

Add to this the fact that helicopters have been shown by numerous independent studies to reduce the occurrence of theft-of and theft-from autos by an average of 10-12% (source: Project Sky Knight) and there is an overwhelming financial reason to operate patrol helicopters.

Yet somehow these simple, but compelling facts are still not reaching those people responsible for vetoing the police in their quest for helicopters.

I am not suggesting that helicopters should be the 'Number One' priority, or that the police do not have many other important things to consider. Of course they do. But here in Canada the helicopter is still treated as an expensive toy rather than as a concept of modern policing that will have a significant impact on the services that the police provide to the community.

During 1997 the prospects of the police getting helicopters "inched" forward.

A number of departments across the country are pursuing the goal of airborne support with varying degrees of enthusiasm and success.

### South Vancouver Island

Departments in and around Victoria have begun discussion amongst themselves, and with local operators and businesses, into the feasibility of cooperating a helicopter.

### Vancouver and Lower Mainland

Vancouver has established a contract with a local operator to provide a helicopter on stand-by for ERT operations, but this machine does not provide any patrol or ground support function to the officers on the street.

In the lower mainland area of British Columbia, where the RCMP provide policing in a number of municipalities, they (the RCMP) have recently taken the initiative. Earlier this year the RCMP organised a meeting of the chiefs of all the police departments in the lower mainland to explore the implications and possibilities of collaborating in a Regional Air Support programme. Although the results of that meeting are not immediately known it is an encouraging development. Many pitfalls lie ahead of them - political, financial, administrative and technical being just a few.

### Alberta

In Edmonton, a recent operational helicopter trial was conducted on a Friday and Saturday night on an average weekend in September last year.

During the two nights they netted two armed



Photo - Schweizer Aircraft Corp.

robbery suspects, two theft-from auto suspects and an armed highspeed pursuit suspect who discharged a shotgun at an RCMP officer.

Edmonton police are amongst the forerunners in the struggle to convince the sceptics on their police services board that the helicopter is a vital tool rather than a toy. They have a civilian group who has expressed genuine interest in raising the money for a helicopter in much the same way as was done in Calgary, but the board, and even some senior officers, are still not convinced that they can afford and justify one.

Even the enormous first-hand evidence from neighbouring Calgary's operation has failed to dislodge the entrenched misconceptions that some board members cling to. Recently, four of Edmonton's seven board members have been replaced and only the future will tell if they will be more open-minded to the benefits of the helicopter.

The success of Calgary's HAWC-1 programme is well-documented and a source of very valuable information for the rest of the country and will not be a topic in this article.

### Ontario

In the city of London, powered by the commitment of Chief Fantino to equip his force with the tools of modern policing, it is perhaps realistic to use the term 'close' when it comes to helicopter patrol. London began seriously looking at the use of helicopters less than a year ago and in a relatively short period has clearly identified their need, capacity and mandate. A video,

illustrating the effectiveness of helicopters, has been made and is in the final stages of editing, and a business plan has been drawn up and submitted for discussion.

London's project has attracted the attention of a local fixed-wing company, who is developing a 'powered-glider' as a low-cost alternative to the helicopter.

Sudbury, with the possibility of a greatly enlarged jurisdiction in the future, has begun the process of researching the use of helicopters. But it is a long road and they have just taken the first tentative steps.

The next glimmer of hope lies in the collaboration between Halton and Hamilton-Wentworth. These two departments have recently been given the go-ahead by their respective boards to begin fund-raising for an operational trial. Initially for one year.

Niagara, with its busy border and waterways, has recognised the potential value of a patrol helicopter. Chief Waddell is interested in the possibility of doing a trial sometime this year but for the moment there seems to be little momentum.

A number of the police departments in the Greater Toronto Area (the 'Megacity') pay lip-service to the idea of helicopters. But, apart from Toronto, the region is bewilderingly silent.

The Toronto Police Service has been trying for almost fifteen years to get a helicopter. Their most recent submission to the board was once again refused but we must give them full marks for their tenacity. Out of the embers of their latest refusal already spread the wings of a new effort. And maybe this one will bring them a little closer to their objective.

It was encouraging to see Maureen Prinsloo, the ex-Toronto Chairperson, quoted as saying that getting a helicopter is now a question of 'When' rather than 'Whether'. But talk of "five years" is less encouraging. Before leaving her post as head of the Services Board, Prinsloo commissioned a study by an independent research company into the need for helicopters in Toronto. Amongst other things, the report concluded that there is a lack of substantive evidence available in Canada (a fact that needs to be seriously addressed) and that Toronto should consider doing an operational trial.

The report is public domain and available on request from the Toronto Police Services Board. The new Chair of the board is Mr. Norm Gardner and his positive attitude toward policing in general should be cause for optimism.

York Regional Police continue to romance the idea of getting a helicopter, but recent internal upheaval make it only a dream at the moment. For some years they have used the

Ontario Provincial Police helicopters, hired fixed-wing aircraft or helicopters from local commercial operators for such tasks as drugs surveillance, but no operational budget exists.

The recent report by the Solicitor General, demanding significant increases in the services and manpower provided by a number of departments, including York, Durham, Halton and Ottawa-Carleton, probably means that a helicopter in York has become even less of a reality.

Kingston, like Sudbury, is destined for major territorial change. Earlier enthusiasm has had to be put on the shelf for the foreseeable future while the lines are redrawn and the responsibilities are reallocated.

And that leaves Ottawa-Carleton and the Montreal region.

Ottawa-Carleton, much like Toronto, has just lost what momentum they had. This time through a change in Regional Government and the requirements of the Solicitor General's report. In November of 1997 it looked very positive that permission to begin actively procuring a helicopter would be granted from everyone concerned. But, yet again, changes in the political landscape have put the programme on indefinite hold.

Ottawa-Carleton has RCMP helicopters stationed on their doorstep, but with all their other responsibilities, these machines are seldom available for the rapid response that is the stock-in-trade of the patrol helicopter.

In the Montreal area, Laval has been using helicopters on an occasional and irregular

basis for several years. They utilise the helicopters of the Surete de Quebec or local commercial operators for about 35 - 50 hours of flying a year, mostly for surveillance and special operations.

With the exception of Calgary, Montreal Urban Police are probably the only other city

in Canada using a helicopter on a 'regular' basis. As reported in last month's Blue Line they have finalized a deal with the RCMP to use their Bell Long Ranger for between 200 and 300 hours per year spread over 22 weeks. The helicopter flies patrol missions on

(Continued...)



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East of Montreal there is little activity. The RCMP or Surete de Quebec provide services but few of the communities are big enough to justify operating their own machines.

The withdrawal of the RCMP helicopters from the Maritimes in 1997 (due to funding issues) has left the area without any coverage and the local police now rely on commercial operators to provide whatever air support they need.

The reasons for the stagnation in the process of getting helicopters are multiple and complex. The main hurdle has always been that most police board members have failed to inform themselves sufficiently of the capabilities, effectiveness and value of helicopters.

And on those occasions where individuals HAVE educated themselves, their tenure as board members is short-lived and they are replaced by new and uninformed people. Thus the process stalls and stagnates again.

Officers making submissions as proponents of helicopter patrols should be encouraged to put as much effort into the presentation of their case as they do into the contents. The power of any 'Business Plan' lies as much in the way it is drafted and presented, as in its contents. On occasions the police, firmly believing that the facts will speak for themselves, fail to make an effective case and the process flounders.

I do not suggest that helicopters are devoid of problems. Certainly there are genuine issues to be addressed. But they HAVE been addressed in departments all over the world for over 50 years, and workable solutions have been found which make helicopters one of the most effective tools available to the police.

All the arguments put forward against helicopters can be disproven or defused. Particularly the big three of Cost, Noise and Danger. Modern machines are not only extremely safe,

they are (relatively) cheap and produce noise signatures well within the tolerance of any urban community.

In this article I have made little attempt to present the arguments and evidence to support helicopter operations, the sheer volume of which would fill an issue of Blue Line. But I invite anyone interested in the subject of police aviation to contact me for further information.

I would like to reiterate one fact that I discussed in an article over a year ago, and which board members continue to avoid. Namely; that they will soon find themselves responsible and accountable for the consequences of NOT endorsing helicopters.

I would suggest that the police would do well to start recording all the situations in which a helicopter could have produced a safer, quicker, cheaper or more effective resolution to an incident and offer this information to their police services board on a regular basis. Perhaps, after enough anecdotal evidence has crossed their desks, the members will begin to see the justification.

Let me conclude by throwing one last pebble into the pool of Police aviation: In Great Britain, police aviation is overseen

and extensively funded by the Government through the 'Home Office'. The perception being that it is the government's responsibility to empower the police to do their job. Helicopters are seen as an important part of this process.

The Canadian Government recently sanctioned the purchase of a fleet of 15, brand new, fantastically well-equipped, EH101 Cormorant Search and Rescue helicopters for a price tag in excess of 700 million dollars. Whilst I do not deny the need for SAR helicopters, I wonder whether the balance between expenditure and value to the taxpayer has been achieved?

Steve Satow is a former police officer and Police helicopter specialist, presently working as a helicopter pilot for Heli North Corporation. You may contact Steve by calling him at 705 693-0856



Photo - Canadian Helicopters



### Calgary Police Helicopter Statistics Top 12 Calls July 1995 - July 1996

Total Calls: - 3251

1. Alarm	562
2. Suspicious Auto	288
3. Suspicious Person	245
4. Break & Enter - House	221
5. Break & Enter - Shops	194
6. Stolen Auto	168
7. Disturbance	163
8. Miscellaneous	132
9. Robbery	129
10. Theft	129
11. Hit and Run	81
12. Impaired Driver	77

#### Other

Missing Person	13
Possible Gunfire	44
Firearms involved	24

### FOOTNOTES

In Calgary's first year of operation they responded to 26 vehicle pursuits. In 100 percent of these cases vehicles were successfully stopped without any fatalities, injuries or significant damage.

In Warren, Michigan, the two-helicopter unit flies 1500 hours a year. Their entire operation, including fuel, maintenance, parts and administration costs around \$200,000 (Canadian) a year.

In West Palm Beach, Florida, the Police helicopter is partly funded by the Regional Water Board in return for anti-vandalism surveillance of the catchment area. Since the start of the programme vandalism has completely ceased.

In Calgary, targeted 'Deterrent Runs' have effected anywhere from 25 to 90 percent reductions in the target crimes.

In Columbus, Ohio, the helicopter responded to a search for a 5-year-old boy missing for several hours. Most of the regional cruisers from several agencies were already involved in the search. The helicopter spotted the boy within ten minutes and the search was called off and cars returned to regular patrol duties.

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# Selling history for future gain

by Blair McQuillan



The military police in Halifax will sell the Bluenose schooner in October for the bargain basement price of two dollars to raise money for charity.

A handcrafted scale model of Canada's most famous ship is being raffled off to raise money for the Military Police Fund for Blind Children.

"It looks just like the dime, only better," raffle organizer Cpl. Ted King said of the model.

The replica, constructed by Commissionaire Terry Little, took more than four months and two hundred hours to build. The finished model, which was built on a quarter inch scale, is 42 inches long, 36 inches high and eight inches wide.

"It's the biggest boat I've done so far," said Little, who has been building model ships since he was in high school.

King, who became the force's training and media relations NCO in April, came up with the idea of raffling off a replica of the Bluenose several years ago. He held off on plans to launch the initiative because up until this year the force had always raised money for the blind fund through an annual marathon.

"For the past 10 years in Halifax we have held the Fight for Sight Run, but it's been quite difficult to carry on as our manpower has decreased from year to year," King said. "They put out a survey this year and asked anyone who had a fund raising idea to step forward, so I started this up and everything fell into place."

King began by approaching Little and asking him if he'd be willing to donate his model of the Bluenose, which was on display in Lunenburg, N.S. When he agreed to sell it to the charity for cost, King went to work promoting the raffle.

"We're going to start the raffle on July 2," he said. "Tickets will be sold for two dollars a piece. We will be drawing for the prize on Oct. 15, at the Maritime Command Headquarters in Halifax. The reason we picked October is to commemorate the International Fisherman's Challenge Cup races. All of (the Bluenose's) cup wins were in October, so it's fitting that we hold the draw then."

The Bluenose was launched in Lunenburg in 1921. In the same year, Capt. Angus J. Walters sailed the ship into history with its first of three consecutive International Fisherman's Trophy wins. The Bluenose was only defeated once, by the Boston schooner Gertrude L. Thebaud, in the Lipton Cup in 1930. However, it triumphed over the Thebaud for the Fisherman's Trophy in 1931 and 1938.

The Bluenose was sold to a West Indies trading company in 1942 and wrecked off the coast of Haiti four years later.

While the Bluenose replica, worth an estimated \$1,200, will never win a racing title, Little is proud of it just the same. He built the model using copies of the original blueprints purchased from the Maritime Museum and the "plank on bulk head construction" method. This method is used by model builders who want to construct their work in the same manner that the actual ship would have been created.

"Mr. Little built it as the original Bluenose would have been built," King said. "You lay a keel down and make the ribs. Then you lay the planks



along. It's the same method of construction only miniaturized."

The replica will be housed in an oak and glass display case built by Commissionaire Gerry Mitchelmore. The Bluenose itself is cradled in a dry dock made by Little. A fisherman, built six-feet to scale, stands on the dock to give viewers an idea of how large the real schooner was.

King said he is hoping that the Bluenose, the most modelled ship in the world, will generate lots of interest across Canada.

"I'm hoping to sell 10,000 tickets," he said. "Down here in the Maritimes the Bluenose is a big thing. I thought it would be a nice fundraiser because someone would have something to take home with them and the kids would get the money."

The Military Police Fund for Blind Children was created in 1957, by Col. (ret.) James R. Stone after his daughter was diagnosed with a form of eye cancer called retinal blastoma.

While visiting his daughter at a Brantford, Ont., school for the blind, the only school of its kind at the time, Stone learned that some of the children couldn't go home over the Christmas holidays, or even purchase items at the school's tuck shop because they had no money in their trust fund.

Stone took it upon himself to provide for those who needed financial support. He started by contributing to their tuck fund, then began to collect money from officers while visiting Military Police detachments across the country.

By the end of the first year, Stone had managed to collect \$2,300. The money was used to send two girls home to Saskatchewan for Christmas for the first time in three years and ensure that no one would be denied goods from the tuck shop.

Since its inception, the Military Police Fund for Blind Children has expanded and now supports all blind schools in Canada. Over the past thirty-one years, the fund has raised \$2 million to pay for research and supply guide dogs and special equipment to children under 13.

King said he is proud to be part of such a noble cause and will work hard to help raise money and awareness through the raffle.

"I only wish I could do more," he said.

To purchase raffle tickets send a cheque to: The Military Police Fund for Blind Children c/o Cpl. Ted King Military Police Section Maritime Forces Atlantic P.O. Box 99000, Stn. Forces Halifax, NS B3K 5X5. Cpl. Ted King can be reached at (902) 427-0550 ext. 7960.

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# When does handcuffing equal control?

by Joel A. Johnston  
Tactical Control Editor

*The following is a fictional story, but represents similar scenarios that occur across Canada on a daily basis.*

An intoxicated man at home becomes involved in a violent argument with his common law wife. The argument is so loud and sounds so violent that the neighbours call the police. When they arrive the woman answers the door sobbing, she has a swollen cheek and bruises on her arm. The man comes to the door and attempts to get his wife to come back inside. The police, seeing the condition of the woman, draw the man outside and attempt to arrest him. He shrugs the police off and says "screw you, I'm goin' back in my house!" Several additional attempts to communicate the fact that the suspect is under arrest fail. The suspect remains non-compliant and verbally resistive, "piss off!" He violently pulls away from the officers attempting to arrest him, and begins to walk back to the front door.

The man is a large muscular person - used to physical contact, very goal-oriented and very uncooperative. He is not going to be arrested if he has his way. Unfortunately for the officers attending, they have a legal obligation to arrest this man because it appears that he has committed a criminal offence, they have a duty to protect the public, and they have a duty to enforce the law. As one officer again approaches the suspect he turns aggressively toward him, raises his hands and says "let's go!"

The officer uses his pepper spray, which has a minimal effect on the suspect, but does distract him. Several officers then forcibly take him to the ground where they struggle to get the suspect handcuffed. Finally they succeed in getting the second handcuff on. When they raise the man to his feet he begins spitting at the officers, twisting violently, attempting to head butt the officers behind him, back thrust kicking the officers near him with his work boots, and attempting to stomp their feet. Several officers have been spit on, two have been kicked in the shins and one has had his foot stomped on. The officers move in closer to restrain the suspect, four in all, and repeatedly yell at him to "stop fighting!", but in what some would describe as a 'roid rage' or a 'cocaine-like induced psychotic state', he continues to twist and turn, to thrash about, to kick, stomp and spit, and when one officer grabs one of his hands the suspect attempts to break his fingers.

Eventually the officers and the suspect fall to the ground where the suspect strikes his face and body on the walkway (the officers strike their elbows and knees on the ground). He continues to twist and turn, to spit and kick at the officers who sense they have lost control of the subject and feel that they cannot simply restrain the violent suspect.

Each of the officers apply several impact techniques to the suspect's legs and body. Because of the chaotic nature of the situation one officer who was attempting to forearm strike



the suspect in the torso strikes him in the head, the other officers apply knee strikes and elbow strikes to the suspects legs and torso. In all he is struck nine times (three times by one officer, twice by two officers and once by a fourth officer).

Neighbours have gathered and the common law wife is now swearing and yelling at the officers. Because of the egocentric nature of confrontation and combat, none of the officers knows how many times, or even if the other officers struck him at all. Finally after the strikes are applied the suspect stops struggling and he is escorted to the back of a squad car 'without further incident'.

The suspect has a large bump and cut on his head, he has a bleeding lip and scrapes on his elbows and knees. His shirt and blue jeans are torn. The officers ask for an ambulance to attend the scene and assess the suspect. After the suspect has settled down considerably the ambulance attendants treat him at the scene and authorize the police to take him to the lock-up as his injuries are not as severe as they appear.

For their part, the police officers are fatigued. Three have been spat upon, two have bruised shins from being kicked, one has a sore foot from being stomped, one has sore fingers from having them twisted, two have sore knees from falling to the ground, all of the uniforms are soiled with spit, dirt and/or blood, and two are torn at the knees. None of it is officially reported mind you. When one is put into the position of having to arrest a violent subject this sort of thing is expected, it is 'routine'.

However, later after the suspect has been charged with a variety of offences, has sobered up, and has begun to feel some of the pain associated with his injuries he decides to make a complaint to the police department. He claims that he was having an argument with his wife when the police showed up, pepper sprayed him, knocked him to the ground, handcuffed him and beat him while he did nothing to resist them. His common law wife corroborates his story. The police department is compelled to investigate such a complaint. The fact that the subject was in handcuffs makes the complaint appear to have more credibility. Neighbours are interviewed and they confirm that the suspect was in fact handcuffed, and was in fact struck several times. They also confirm

that the suspect was resisting.

In some circles there is the automatic assumption that if a subject is struck while in handcuffs it is necessarily a case of excessive force by the police. Probably because it conjures up the Hollywood image of overzealous cops smacking and beating a compliant subject while standing with his hands behind his back offering no resistance. Seldom is the scene described above envisioned, and if it is, the police must have done something wrong in allowing such a scene to develop. However unless one has been charged with the responsibility of arresting and detaining a violent, adrenalin-induced,

goal-oriented subject, who may be larger, stronger and more skilled, all the while being careful to use only the 'necessary' amount of force so as not to injure the subject, one would have a difficult time envisioning such a scene.

Handcuffs are temporary, partial restraint devices. They simply assist in restricting the movement of a subject's hands. Handcuffs are a step on the way to achieving control, but do not in and of themselves indicate that control has been achieved. Control is achieved when the upper hand has clearly been gained, when there exists no opportunity to fight back or escape, or when the subject submits and offers no resistance. For a handcuffed subject to be dangerous or to injure people he simply has to be 'goal-oriented' and refuse to submit to control. Goal-oriented means that they actively decide they are not going to be arrested, they are going to escape, they are going to injure anyone who gets in their way, they are going to assault a police officer, etc... etc.

A subject who is willing to assault a police officer certainly would not hesitate to attack a citizen. There are widely documented incidents where arrested and handcuffed subjects have escaped from, assaulted, stabbed, disarmed, and murdered police officers, and injured and killed members of the public. Police officers have a sworn duty to protect the public, but cannot carry out this duty if they cannot first protect themselves. Handcuffed subjects maintain the use of their primary power source and their most powerful personal weapons - their hips and their legs. They have the ability to generate power through movement, they have the ability to head butt, spit, bite, shoulder, elbow, grab, knee, kick, stomp, resist and run away. Handcuffed subjects need to be controlled!

Most subjects submit after handcuffing, but for whatever reason, some choose to resist, assault, escape, or engage in all of the above. The larger, stronger and more goal-oriented (mentally committed) that a subject is, the more difficult they are to control without having to physically impede them, which usually means striking them or rendering them unconscious.

Control of a violent subject is not a 50/50 proposition. Control must be achieved, and achieved as quickly as possible. The longer a



violent encounter goes on, the greater chance there is for injuries to occur. Unfortunately most officers use less force than is required to achieve control initially because they do not want to injure a subject, for a variety of reasons. However, unless force is used decisively, early on in a confrontation it is likely to degenerate and ultimately require an escalation of force while extending the time span of the confrontation, thereby increasing the likelihood of injury to all involved.

It is important to realize that when officer presence fails, tactical communication (in the form of lawful requests, commands and orders) fails, low level empty hand control (in the form of escort holds, restraint and pain compliance techniques, etc.) fails, pepper spray fails, then officers must necessarily escalate to higher response options. This may involve striking a subject with empty hand techniques, which include (but are not limited to) hand, forearm, elbow, knee, and foot strikes. It could mean the use of the impact weapon to momentarily 'stun' the subject in order to gain control. It may, depending on local procedures, also justify the application of vascular neck restraint in order to render such a violent subject, who is in immediate need of control, unconscious. All of this is regardless of whether the subject is handcuffed or not.

Striking a handcuffed subject does not necessarily equate with excessive force. Once control has been achieved all force must immediately be de-escalated and appropriate follow-up care provided. Officers, no matter how upset, injured, and/or angry, cannot play 'catch-up' or 'get even' after control has been achieved! We have all heard the expression: 'I could take you with both hands tied behind my back'. Well, some people will try, and some people actually can.

Handcuffs should assist in facilitating control of a resistive, or assaultive subject, but they are only a tool. We must make the tool work in conjunction with decisive, competent control tactics and effective teamwork.

Joel A. Johnston is the Control Tactics Coordinator for the Vancouver Police Department and Defensive Tactics Editor for Blue Line Magazine.

## Out of the Blue

by Dave Bluestein



"Okay! Who's going to cuff him?"

## A Solution to In-Custody Deaths

by Sue Pritzker

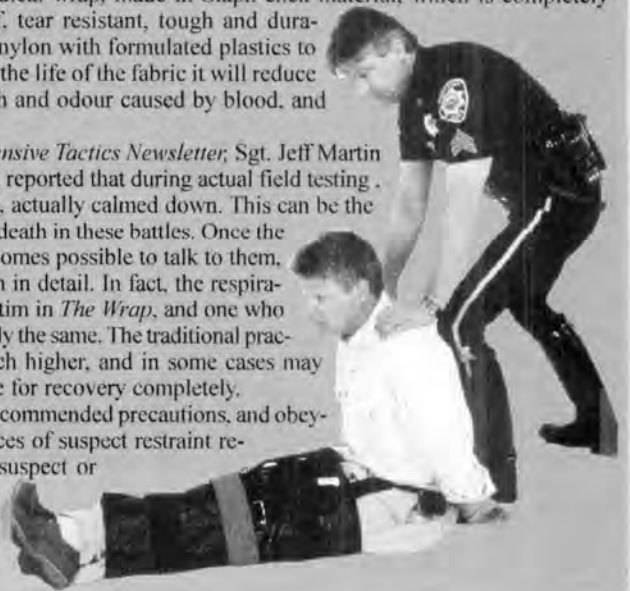
*The Wrap* is a safety immobilization system, distributed in Canada by Nicholls Distributors, that has been designed by law enforcement and medical experts to reduce the incidents of positional asphyxiation and injury.

*The Wrap* reduces suspect or detainee injury, while allowing for medical treatment while restrained. *The Wrap* is intended to limit agency and individual liability, and increase officer safety. It minimizes the time required to secure a person safely, return them to an upright position and prepare them for transport. This device has been field tested for medical safety, and allows for easier handling of individuals for transportation in vehicle or ambulance.

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In a 1996 article in *Defensive Tactics Newsletter*, Sgt. Jeff Martin of the San Jose Police Dept. reported that during actual field testing, the subjects once restrained, actually calmed down. This can be the difference between life and death in these battles. Once the offender calms down, it becomes possible to talk to them, and understand the situation in detail. In fact, the respiratory recovery times of a victim in *The Wrap*, and one who was unrestrained was virtually the same. The traditional practice of "hogtying" was much higher, and in some cases may damage the suspects chance for recovery completely.

Even while taking the recommended precautions, and obeying guidelines, most instances of suspect restraint result in injury to either the suspect or the officer. *The Wrap* provides an effective way of dealing with ultra-violent offenders.



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# Video surveillance: admissibility and weight in criminal courts

by Elliott Goldstein B.A., LL.B

*The R.C.M.P. suspected four persons who lived in a rooming house in Winnipeg, Manitoba, of trafficking in drugs. They planted a self-confessed drug addict in the rooming house and gave him marked money to purchase drugs from one of the suspects. On the balcony of a house directly across the street from the rooming house, R.C.M.P. officers were stationed with a surveillance camera. They observed a drug buy and filmed it. The film also showed the actual arrest of three of the accused after R.C.M.P. blocked the escape of the suspects' vehicle. The motion picture film was tendered in evidence at the trial of the four who were jointly charged with conspiracy in the sale of the narcotics. The year was 1950<sup>1</sup>*

By the late 1970's Canadian police regularly used video cameras and recorders during surveillance operations. Criminal acts such as conspiring to commit murder, attempting to commit murder, drug trafficking, theft, fraud, gambling, illegal picketing, mischief, and acts of gross indecency have been recorded on videotape by police and tendered in evidence.<sup>2</sup>

Surveillance videotapes and films are admissible in evidence in Canadian criminal courts if they are relevant, true and accurate reproductions (i.e., reliable), fair (i.e., not misleading), and verified on oath by a capable witness (i.e., authenticated).<sup>3</sup>

Surveillance videotapes are relevant only if their contents are material to an issue before the court. Tapes are not true and accurate reproductions if they contain distortion (e.g., colour, optical, tape speed, etc.). Editing of the sound (audio) or picture (video) track will result in a tape's rejection by the court, if such editing destroys the sequence and chronology of the tape.

A surveillance videotape may be authenticated by:

- (1) the person who operated the surveillance camera;
- (2) a person present when the recording was made;
- (3) a qualified witness; or,
- (4) an expert witness.

Witnesses in categories one and two - who see the event as it is being recorded - are eye-witnesses. An eye-witness testifies to two things: (a) what he saw, from memory; and (b) whether what he sees on the monitor screen in the courtroom is the same as what his memory tells him he saw at the scene.

Witnesses in categories three and four are



not eye-witnesses, but they can still authenticate the surveillance videotape either because of their familiarity with its subject matter or their knowledge of the operation of the equipment that produced it.

An example of a qualified witness is a police officer that watches the event take place on a surveillance monitor simultaneous with its occurrence. If the event was recorded by an automatic surveillance camera (e.g., time-lapse or one triggered by an alarm (such as a motion detector) then an expert witness would be called to verify the videotape and prove its "technical production".

Notwithstanding that a surveillance videotape has aforementioned four criteria, a trial judge (as trier of law) has a judicial discretion to reject a videotape if its prejudicial effect outweighs its probative value. For example, if the videotape's contents are gruesome, horrific, or would only serve to arouse the sympathy and passions of a jury it may be excluded. Prejudice may also arise if the videotape's soundtrack contains hearsay statements.

The weight afforded the videotape is determined by the trier of fact (i.e., the jury or the judge if sitting alone). The veracity of the authenticating witness and the quality of reproduction affect the emphasis that the trier of fact will put on the surveillance videotape. If the authenticating witness is not credible (not believable) then the jury may choose to ignore the videotape evidence.

Where identification is in issue, the Supreme Court of Canada has held that a videotape alone can provide the necessary evidence to enable the trier of fact to identify the accused as the perpetrator of the crime. If it is of good quality and gives a clear picture of

events and the perpetrator, the videotape may provided the best evidence of the identity of the perpetrator.

The number of video surveillance cases has more than doubled in the last decade. Canadian criminal courts have demonstrated a positive attitude toward the use of videotape to present evidence. In fact, the Supreme Court of Canada has commented that a videotape "may indeed be a silent, trustworthy, unemotional, unbiased and accurate witness who has complete and instant recall of events. It may provide such strong and convincing evidence that of itself it will demonstrate clearly either the innocence or guilt of the accused."<sup>4</sup>

The many uses for videotape by law enforcement officers will be discussed in future articles. Stay tuned!



Elliott Goldstein, B.A., LL.B. is a Toronto area lawyer who practices civil and commercial litigation and consults to the security industry.

Over the past 17 years Mr. Goldstein has written and published over four dozen articles and two books

on the topic of videotape and photographic evidence. These articles have been published in Canada, the United States, England, and South Africa. Mr. Goldstein has lectured extensively throughout Canada on the legal aspects of video surveillance to the RCMP in Regina, the OPP in Toronto, the Canadian Police College in Ottawa and at the Justice Institute of British Columbia in Vancouver.

Mr. Goldstein is a member in good standing of the Law Society of Upper Canada and has been practising law in Ontario since 1988. Prior to that he was a member of the Bar of British Columbia since 1984.

Mr. Goldstein's interest in the application of video technology to the legal process began in 1980 when he was in law school in Saskatchewan. Mr. Goldstein subsequently wrote one of the first articles ever published in Canada, on the use of videotape to record and present evidence in civil and criminal courts.

Mr. Goldstein's latest book entitled *Visual Evidence: A Practitioner's Manual* was published in 1991 by Carswell Legal Publishers. It is now two volumes and contains chapters on the law of video surveillance of criminal suspects, casino surveillance, and video conferencing.

Mr. Goldstein has agreed to write a continuing column for *Blue Line Magazine* on the subject of video evidence.

For more information or feedback call (905) 709-3936; fax (905) 709-3844 email: elgold@shaw.wave.ca.

## Footnotes

1. See *R. v. Kissick and Smallwood* (October 18, 1950, a decision of the Honourable Mr. Justice Montague of the Court of Queen's Bench of Manitoba, as reported in *The Vancouver Sun*, October 18, 1950, p. 11, *Winnipeg (Canadian Press)* "Mounties use films as dope evidence: Alleged pedlar photographed as he hands over narcotics.").
2. See chapter 22 "Surveillance of Criminal Suspects" in Goldstein: *Visual Evidence*.
3. These same criteria govern the admission of surveillance videotapes and films in the criminal courts of the United States, United Kingdom, Australia, New Zealand, and South Africa.
4. *R. v. Nikolovski* (1996), 141 D.L.R. (4th) 647 (S.C.C.)





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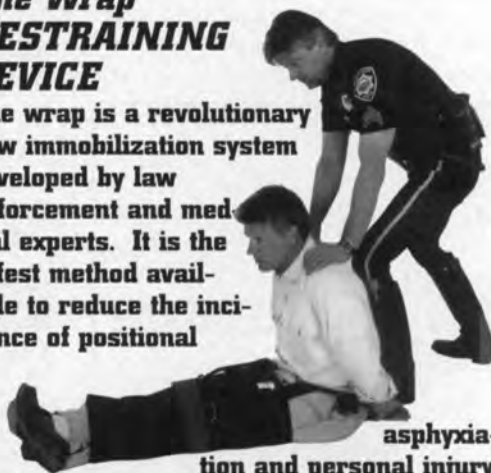
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# An Overwhelming Response

by Blair McQuillan

Two tactical officers enter an open door at the front of a building. A shotgun is racked. A siren wails in the distance and a man is hurled to the ground.

No it wasn't a police take-down, it was just some of the exhibits and training seminars that attendees saw at Response 98.

Response 98, Blue Line Magazine's second annual trade show, took place on April 21 and 22 at the Le Parc Conference Centre in Markham, Ont. During those two days more than 600 police service members and security officers had an opportunity to view, test and buy the thousands of products on display.

Martin Ransom, the forensic identification supervisor for the North Bay Police Service, said he was impressed with the variety of products and services he saw at the show.

"This trade show has been excellent," he said. "It's been a valuable experience."

Darren Montour, of the Six Nations Police Service agreed.

"It's a very good venue," the sergeant said. "I've seen a lot of interesting displays."

In fact, Response 98 hosted more than 70 exhibitors who displayed everything from criminal investigation software, to telecommunications equipment and all-terrain vehicles.

And let's not forget the pens.

Robert Matte, president of Matte Industries Inc., did a brisk business at the show. Many of the officers and security personnel who attended Response 98 were interested in his line of durable, all-weather Fisher Space Pens.

"They all seem to migrate towards the pens," Matte explains. "What Space Pens do is they write underwater, at minus 50 or plus 250 degrees Fahrenheit on carbonless paper."

"Officers generally use them for writing out tickets and not being stopped by rain or



other weather factors. So it's really a tool more than a pen."

Smith & Wesson also had a lot of traffic around their booth where Law Enforcement Manager John Podergois displayed a range of weapons and handcuffs. But while the shine of stainless steel handguns may have drawn people in, it was the company's new mountain bikes that seemed to interest attendees.

"We've had an excellent response with the bikes," Podergois said. "We sold five bikes at the show and five (mountain bike) light and siren packages."

But Response 98 didn't just offer attendees a chance to look at and purchase products.

Show organizers and interested companies also scheduled a total of nine seminars on topics including tactical ground control manoeuvres, shotgun techniques, firearms training and how to use the latest investigation software.

"We also had a use of force trainer demonstrating an innovative padded suit for use in hand-to-hand and baton training," said Dave Brown, Response 98's seminar director. "And a company that displayed some very durable tactical clothing and shelters."

Brown said that most seminars attracted a fairly large crowd.

"On average, the turnout for the seminars was quite good," he said. "The officers who attend the show are already motivated to learn about what's new in their profession and when they have a chance to take part in an exercise or use a piece of equipment first hand, they're more than willing to do so."

Blue Line Magazine publisher Morley Lymburner said the entire reason for starting the Response Trade Show was to allow law enforcement personnel to have access to the products and services they need to carry out their jobs effectively.

"It's good to see that so many officers are interested in this venue," Lymburner said. "It's important that officers have an opportunity to view the tools of the trade and see what's available to them."

But Lymburner was also quick to point out that although the Response Trade Shows are stationary, officers will have a chance to see some other products in different venues across the country this summer.

"The Ontario Association of Chiefs of Police will be holding their annual show in Windsor in June and the Canadian Association of Chief of Police has a show in Edmonton in August," he said. "Both of those shows, like our Response show, allow officers to take some time, meet the people who are selling the products they use and deal with them on a more personal level."

When asked what's in store for Response 99, "We'll just have to wait and see," he said. "But one thing is certain, we'll be back next year, and the show will keep getting better."

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**Smith & Wesson Hats**  
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"You talkin' to me?"

# Water Cops — Border Patrol and Water Safety



Photos — Dave Brown

by Dave Brown

"Where else can you work all day and then drop a line over the side of your cruiser to catch your evening meal?" enthused Constable Duncan Babchuk as he invited Blue Line along for what was to become the last RCMP patrol of northwest Ontario's Lake of the Woods.

The thought of fishing for my supper did not exactly thrill me, as I have been known to hook various appendages; none of which even remotely resemble the gill-breathing variety. I even squirm at the thought of baiting my own hook. However, the idea of "fishing" for some larger "game" did sound exciting. I volunteered to accompany Constable Babchuk and Constable Kevin Walker on a three day patrol of the lake.

With its 14,000 islands and over 65,000 miles of coastline, the Lake of the Woods is the second largest inland lake in Ontario. One million visitors are said to pass through the area each year, but it was the "unauthorized" visitors that most interested Babchuk and Walker. Lake of the Woods is unique in that it straddles the border of two Canadian provinces and one US state. In fact, the United States border splits the lower half of the lake, and multitudes of inlets and passages ensure that illegal activities can take place almost undetected.

The purpose of our patrol was to possibly intercept any smugglers operating in the patrol area, but mostly to provide a very visible RCMP presence on the lake in the hopes of deterring such activities, at least for a period of time. We also planned to conduct safety inspections on many of the numerous boats we would encounter.



The RCMP, the Ontario Ministry of Natural Resources and the Ontario Provincial Police all operate boats from Kenora, Ontario, but the sheer size of the lake ensures there is little chance that all these patrol boats will bump into each other. This means that the three enforcement agencies in the Kenora area have to be creative in maximizing their limited resources. Together with the Kenora Police Service, they work hard at maintaining a spirit of cooperation among themselves and resolving differences quickly. With such a vast area to patrol, there is little room for inter-agency rivalry. Officers will often share a patrol with another agency and cooperative training exercises are common.

Even with all these agencies, many areas of the lake may not see an enforcement officer for years. Motoring around one quiet bay near the western edge of the lake, the cottagers

gaped at the obviously unfamiliar police boat. "You would think a UFO has just landed here," wryly observed Constable Babchuk.

Part of the patrol mission was specifically to travel areas of the lake that are traditionally under-enforced. I was certainly surprised at the reception we received. The vast majority of safety inspections were conducted with friendly cooperation and often a sincere "thank you" for being out on the water protecting the citizens.

One week before this patrol, Constable Babchuk even managed to save a boater's life when he saw him tossed out of a small boat after an unexpected sharp turn. While the victim could swim, he was not wearing a lifejacket and his physical size made it impossible to re-board his boat. Tiring quickly in the cold water, he was just about exhausted within the two short minutes it took to speed over and recover him onto the police boat. Providence and the sharp eyes of an officer who happened to be in the right place of the lake at the right time prevented a possible tragedy.

Not all boaters we stopped were quite so glad to see us, however. The police on the lake have a policy of zero-tolerance on life-and-death items such as life-jackets, safety equipment and drinking on board. Even having an effective sound-signalling device on board seems pretty minor, until you run out of gas or suffer a breakdown in the middle of the lake one night. If you do make it safely to shore, there are still a million square miles of bush out there where your only companions are hungry bears.

In fact, our first stop of the day was to a

boat where everyone was wildly waving their arms. They had run out of gas and had drifted for hours until we came along. A short tow to the nearest gas dock got them back to an afternoon of fishing enjoyment.

Our next stop was another family of six out for a quiet day of fishing, but without any lifejackets. When asked, all they could produce was one soggy seat cushion that could not possibly have kept itself afloat. Grandfather was none too happy about receiving a ticket, just as his four-year-old grandson blissfully leaned over the edge of the boat, playfully splashing in the water.

Another perturbed boater did not appreciate the warning he received for lack of a fire extinguisher on board, in spite of the hazard of built-in fuel tanks. He especially did not like being told to stop fishing and head back to the lodge to pick up the extinguisher that he promised was "just forgotten in the cabin." After he calmed down somewhat, his wife confided to us that he was just embarrassed at being caught because he was a retired Fire Chief. From the marine officer's perspective, the worst offence on the water has to be the consumption of alcohol. It is viewed as a low risk activity and people will often drink on a boat when they would never consider doing the same thing in their car.

All enforcement agencies on the lake agree. The Ontario Provincial Police see this as one of their most significant duties. When Blue Line had an opportunity to interview the OPP Marine Patrol, they were asked about their number one problem. OPP Constable Brian Newton quickly answered... Alcohol. "Boating and drinking seem to be far more acceptable than drinking and driving in a car and yet it can be even more dangerous."

As Constable Babchuk points out, "A couple of drinks on the water in the hot sun can quickly lead to intoxication and a significant loss of judgement. After all, it takes more than average skill to operate a boat. There are no roads or lanes marked on the water. At night, there are no streetlights or headlights. We have had some unfortunate tragedies in this area in the last few years and one of the causes always seems to be excess alcohol consumption."

Drinking and boating are so closely intertwined in some people's eyes that there seems to be little attempt to conceal it. All three of us could not believe our eyes when a loud boatload of partyers could not resist tugging at beer bottles as our patrol boat slowly motored past them. A quick turn mid-river resulted in a ticket, and an expensive lesson about drinking directly in front of a police boat. The RCMP vessel is twenty-seven feet of blue hull with a bright yellow deck and P-O-L-I-C-E spelled out in four foot letters down the length of the sides. "I wonder what part of POLICE he did not understand," quipped Babchuk as we motored away from what was probably the easiest bust of the day.

The vast majority of safety inspections were received with smiles and an appreciation for the police presence on the lake. We met many friendly boaters from both countries and the two most frequently asked questions were "How big is the motor in your boat?" and "How fast does it go?" The answer varied, of course, depending on the apparent speed of the ques-



tioner's boat. I noticed the RCMP vessel even seemed to magically grow somewhat in engine displacement and top speed throughout the course of a day.

"Actually, there are many boats on the lake that we would not have a hope of catching," admitted Babchuk. "I would love to have a faster boat, but then we would also be burning more gas than this one." And it does burn a significant amount. This was illustrated as we fuelled up at 6:30 one morning at a lodge along the Rainy River. The owner apologized profusely for sleeping in, even though we woke them early on a Sunday morning, hoping for full tanks before we tackled the huge breakers sweeping across Big Traverse Bay. 150 gallons later, the owner's wife helped untie the boat and pushed us away with a very sincere wish to "Come back. Please. Anytime!"

Pulling into the dock at the Kenora detachment many sore hours later, we concluded a successful three days on the lake. Maybe we did not catch any smugglers, but the unexpected presence of a police boat along the miles of undefended border certainly made some of

them rethink their career path. Every taxpayer dollar that was spent on fuel for the boat was made up at least two-fold in ticket revenue. The most significant result, however, was an increased awareness that the police were out there, watching out for the safety and well-being of the hundreds of thousands that use the lake. We never did have time to drop a line over the side of the boat to catch supper but I came away with a new appreciation for the importance of border patrols and boat safety inspections. The first thing I did when I got home was to count the life jackets on board my own boat and make sure the fire extinguisher was fully charged.

Now, if I could just get the ground to stop rocking up and down.

#### Foot Note

Shortly after this patrol took place in the late summer of 1997, the RCMP removed their patrol vessel from the Lake of the Woods. Citing budgetary considerations, they are also rumored to be closing the detachments in Kenora and Fort Frances. They will provide all federal policing in the Lake of the Woods area from Thunder Bay, 500 kilometres to the east.

This brings to an end many decades of RCMP presence in this major recreational area of Canada, first by the Northwest Mounted Police and finally by many dedicated members of the RCMP over the years.

Raised in an RCMP family, this author will certainly be one more person sad to see the detachment house disappear where he and his brother and sister once grew up.



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# The Next Big Thing

## The Shape Of The Challenge And A Formula For Survival

by Robert F. Lunney

Make no mistake; policing is in deep trouble. Globalization of the economy is an unstoppable force, and competitive pressures are demanding efficiency and economy from the public sector. Frustrated governments are desperate to reduce expenditures. An increasingly capable and aggressive private security industry is probing for opportunities. The slow but steady erosion of market share we are now experiencing could rapidly escalate, driven by economic necessity.

### Private Security

Private security is both a valuable partner and a potentially serious business competitor. Security firms now provide efficient protection to privately owned assets throughout Canada. This role is most often carried out in privately owned spaces and in a style complementing and assisting the police.

Lately some companies are probing opportunities to expand into the patrolling of public spaces. This is a new development in our country, but common in the United States, where private security outnumbers the police by a ratio of eight to one. At the top end of the scale, consulting firms are pursuing an aggressive business strategy, providing specialized investigative and asset protection services in sectors where the capabilities of the police have been reduced by budget restraint. When a privately financed toll road was under construction in Ontario, it was rumoured the Province would employ private security for traffic control. This was later denied, and today the OPP patrols the road, but the spectre remains: Why not?

Private security wage rates undercut police salaries by approximately 60%. Most agents may not have the skills and education of the entry level police candidate, but when the tasks are essentially the watchman variety, the agent is adequate for the job and the savings are compelling. Security companies are constantly improving their product, displaying improved appearance and standards of deportment. Many of the young people entering the security field are graduates of College Law Enforcement programs. Increasingly, they are quality people, and their managers are capable and well qualified, many with a police background.

### Parallel with Nursing

The experience of the Nursing Profession is instructive. Years ago, hospitals began to transfer the lower skilled tasks of the professional nurse to aides and auxiliaries, reducing the number of Registered Nurses. Hospitals satisfied their need to lower the cost of labour. This occurred despite the excellent public image of the nurses and high standards of competence and education ensured by the Nursing Colleges. When the health sector adopted a bias for cost efficiency, administrators responded with a multi-tier system of human resource management.

### Public Support

For the past twenty years, accentuated by the practice of community policing, the Police have

focused on responding more precisely to public desires. This should have guaranteed a firm foundation of public support as evidenced by a recent international study awarding an 80% approval rating for Canadian police. Although this could be interpreted as unwavering public commitment to policing, it is less certain that this support will stand up if higher property taxes are the cost of maintaining service, particularly if a cheaper alternative is available. Brand loyalty often crumbles when price is a factor.

Public Policing has the option of finding new ways of holding the support and confidence of the public, or risk becoming marginalized. With the aggressive positioning of the private sector, the police may find themselves confined to providing limited services to the least privileged of society, in a shrinking locality.

### Surviving the Challenge

A formula for the survival of full service policing rests on two major strategic responses. The first is to build upon a public appreciation that justice in a democratic society depends upon maintaining public control over those forces empowered to maintain the public peace and to enforce the laws of government. Delegating or abrogating this responsibility to private enterprise risks arbitrary decision making and loss of democratic control. Business may argue that its services are subject to government regulation, but past experience does little to instill confidence. Private security has a vested interest in protecting its business position against external scrutiny, and of course, a profit margin must be included in the cost of service.

A second critical factor is that the Police must consistently demonstrate high ethical standards, a commitment to service, and a dedication to public accountability. This in itself may not be sufficient to tip the balance back to uncritical support of the police, but the absence of high standards would be deadly.

### Cost Reductions

The real challenge is in the arena of economic performance. Thus far the police have responded with load shedding, outsourcing, limited de-layering, reduction in numbers, postponement of improvements and a host of lesser efficiency measures. Real productivity is advancing, prompted by technology. Yet police executives, civic administrators and elected officials know that these options will not be sufficient. Drastic methods will be needed.

Policing is a labour intensive activity. In most police services, eighty to eighty-five percent of the total budget is allocated to salaries and benefits. If policing is to fend off the challenge of private security, the cost of labour must be reduced.



### Two Tier Policing and a New Compensation System

Re-structuring the levels of work while maintaining organizational integrity will both modernize the police and provide the vehicle for reducing costs. A few pioneering forces have taken measures to reduce non-essential layers of rank, but to this point there is no accepted organizational theory or body of experience to guide the process. This issue deserves concerted study, but pending the advent of a more considered formula, in my opinion there are but four legitimate full service ranks in a police organization.

#### Tier One - Full Service

##### Policing

- \* Front line Officers (Patrol and General Investigation)
- \* Supervisors/Specialists
- \* Managers
- \* Executive

With the use of extended pay bands to mitigate compression and provide incentives, this structure can deliver lower total salary costs and a fair method of recognizing merit and contribution.

#### Tier Two - Regulatory Enforcement and Community Service

- \* Community Service Officers (limited law enforcement duties)
- \* Auxiliary Officers (supplementing full service officers)
- \* Citizen Volunteers (supplementing police civilian staff)

Below the level of full service police officers, the levels and grades of limited appointments (Special Constable; Community Service Officer), could be expanded, replacing full service officers for many routine complaint taking and regulatory duties, including walking beat patrols and routine traffic law enforcement. There would be lower entry qualifications for the lower tier, based on educational and skill factors, but all tier two positions would be fully integrated organizationally. This is where real savings may be realized.

### Summary

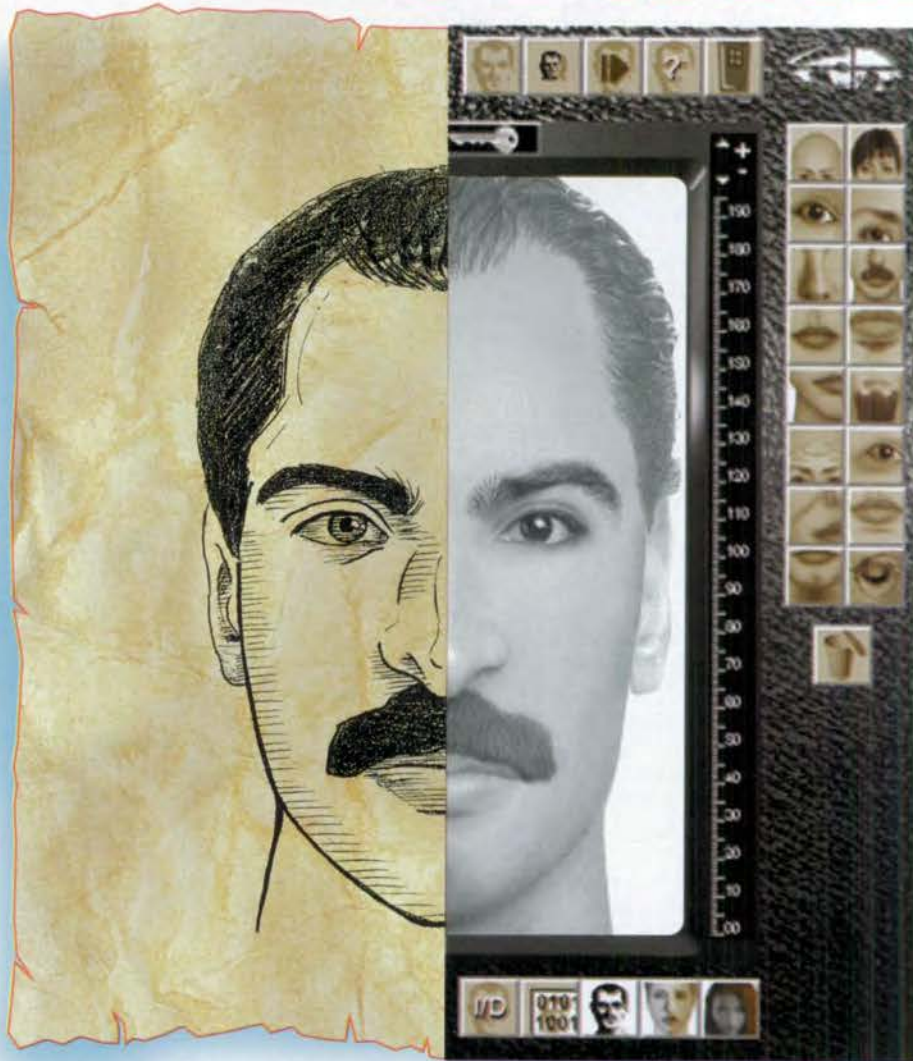
Police organizations must develop and install a new standard structural model for policing. With efficiencies in hand, the police may even restore some lost capacity to investigate business crime.

The proposals for change sketched out here are very basic and preliminary. Yet the challenge is clear: If policing is to survive as a full-service public institution of government, methods must be found to reduce the costs of labour. The challenge of delivering on demands for economy and efficiency must be met on its own terms.

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# Have you practiced getting out of hostage situations?

This new training video from Calibre Press may help you out of a dangerous situation

It took just one second for a New Mexico officer, making a traffic stop for speeding, to become the hostage of a gunman with a .380 calibre semi-automatic handgun.

"The thought of being taken as a hostage had never even entered my mind before that day," says the officer. "I never even saw it as a possibility.

"It's amazing how quickly I found myself staring down the barrel of a gun. One second I thought I was in control of the situation and the next second I was a hostage at the mercy of an agitated kid with a gun shoved in my face."

Portions of this officer's ordeal and how he handled it are critiqued in 'Hostage Officer Survival', the new video release from Calibre Press, Inc., of Northbrook, IL. Filmed in an action-packed, content-intensive style, the 82-minute home-training program is the first comprehensive training ever presented on how to escape alive from what many consider an officer's worst nightmare - being taken captive and placed in jeopardy of serious injury or death by one or more assailants who want to use control over an officer as leverage for reaching some goal.

The New Mexico officer forced himself to remain calm, despite the gun held to his head. Using calming techniques as demonstrated in Hostage Officer Survival is one of the most basic, yet important, keys to surviving being taken hostage. The officer also calmly convinced his captor that it would be in his best interest to remove his finger from the trigger to avoid an accidental shooting. The gunman complied.

This critical situation was resolved without the officer being injured. As a survivor, he offers this advice to officers everywhere:

"Educate yourself on escaping from a variety of different situations. And when you train, do it in a realistic fashion... Think ahead and have a backup plan."



By weaving remarkable real-life footage and photographs of actual hostage-takings with vivid recreations of captive-officer incidents and interviews with officer survivors, *Hostage Officer Survival* teaches the principles of offender motivation and appropriate strategies for regaining control that can help any officer potentially vulnerable to offender attack.

## Five Quick Tips That Can Help You Survive A Hostage-Taking

Any officer is vulnerable to offender attack, whether working on the street, in jails and correctional facilities, in the military or in probation/parole settings. And what you don't know about hostage officer dynamics can quickly get you into deep trouble.

No two officer hostage-takings are exactly alike. And no two are resolved exactly the same way. Yet the attributes they often share can provide a trained officer with the opportunity he or she needs to regain control and survive a hostage ordeal.

Among the many principles the video *Hostage Officer Survival* teaches about offender motivation and hostage strategies are these five tips:

1. Use "tactical communication" as a tool to gain freedom. As a hostage, the way you verbally communicate with your captor can be a tactic to build rapport, buy you time to spot an opportunity to escape, employ a well-rehearsed physical control technique, or use deadly force to save your life. One of your early goals is to calm your assailant by reassuring him that he's in control. Don't bark orders, argue, belittle or judge him. Try to present yourself as a non-threatening collaborator working with him to help solve his problem. (In *Hostage Officer Survival* you'll learn the 3 primary motivations of officer hostage-takers and how to use these as psychological leverage in gaining your freedom.)

2. Recognize and take advantage of the inevitable vulnerabilities that betray your captor. Over time, hostage takers do make themselves vulnerable to your practised physical release/control moves by changes in their positioning, their tension level, the strength of their grip on you or on their weapon, their fatigue level, and more. Be aware that there are three distinct stages during a hostage-taking when physical release/control tactics are most likely to work. (*Hostage Officer Survival* shows up close and in detail more than a dozen easy-to-learn physical tactics to defeat a hostage-taker holding you at gunpoint or with a knife to your throat.)

3. Carry extra handcuff keys... in clever locations. Against the possibility that your own handcuffs may be used against you, consider hidden handcuff keys a regular part of your duty gear. For example, a couple might be taped inside your trousers belt (not inside your duty belt! It's a good bet that's going to be taken away). But to acquire proficiency in unlocking handcuffs while wearing them requires extensive practice - especially since stress can erode your fine motor skills. (Other defeats of handcuffs as well as escapes from ropes, duct tape and car trunks are presented in *Hostage Officer Survival*.)

4. Keep an eye out for a tactical team response. At some point during a hostage-taking, tactical team members may arrive with the appropriate fire-power. As the hostage, stay alert for subtle movement off in the distance where a marksman and forward observer would take up positions. And if you are aware of their presence, be careful not to telegraph their location with your head or eye movements. (*Hostage Officer Survival* provides important instruction in how to work with responding officers so they help, rather than endanger, your safe release.)
5. Prepare yourself for the emotional aftermath. A traumatic experience like this will likely generate feelings of anger, relief, fear. One overriding need is compassionate treatment by your peers and supervisors at the scene. This will affect your recovery... later. (*Hostage Officer Survival* shows what should take place at the scene and offers revealing insights into hostage experiences from surviving officers.)



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Hostage Officer Survival is available in VHS format to law enforcement only for US\$49.95, plus \$6 S/H. It is also offered as part of a three-video set with Calibre Press' earlier home-training releases, *Surviving Edged Weapons* and *Ultimate Survivors*, for US\$129 (a savings of over \$20), plus \$7 S/H.

To order or for more information, contact: Calibre Press, Inc., 666 Dundee Rd., Ste. 1607, Northbrook, IL 60062-2760; (800) 323-0037 or (847) 498-5680. Fax: (847) 498-6869.

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# Ontario crackdown on biker gangs



The Ontario Provincial Police's Special Squad received more than \$3 million in funding from the provincial government in May to help crackdown on biker gangs.

"With this additional funding, our law enforcement agencies will be better equipped to combat the criminal activities of outlaw motorcycle gangs," Solicitor General Jim Flaherty said.

Among other things, the special squad will use the additional funds to continue and improve their work with 16 local police services in Ontario and the RCMP.

"They will now be able to launch sustained, co-ordinated and proactive strategies against this growing threat to the safety of our communities," Flaherty said. "We do not want Ontario to experience the violence that warring biker factions have brought to our neighborhoods in Quebec."

Quebec has been plagued by a biker gang war over the province's lucrative drug trade in recent years. The battle has claimed more than 50 people, including an 11-year-old Montreal boy who was killed in August 1995, by shrapnel from a car-bomb.

The Ontario government, which will contribute \$3.4 million to the squad for the 1998/99 fiscal year and \$2.7 million in subsequent years, plans to get tough on biker gangs, according to Bob Wood, the MPP for London South.

"Zero tolerance is the only approach that will work against these outlaw biker gangs," Wood said. "Any gang that wants to expand its activities or move into Ontario will now face

a much greater risk of apprehension, prosecution and incarceration."

The increase in funding to help combat the 12 biker gangs operating in Ontario will not only help the police, but communities as well, said London Police Chief Julian Fantino, who also heads the Committee for a National Strategy to Combat Outlaw Motorcycle Gangs.

"Make no mistake about it, outlaw bikers are now as sophisticated as other organized crime groups and far more prone to violence," he said. "Furthermore, a direct link exists between the activities of outlaw bikers and crime and quality of life issues at the community level."

The Ontario Provincial Police Special Squad was formed in 1968 to investigate and monitor the activities of outlaw motorcycle gangs in the province. With the additional funding the squad will increase its strength from seven members to 20.

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by Tony MacKinnon



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Floor Plan as of May 7, 1998

## Alphabetical Listing of Exhibitors

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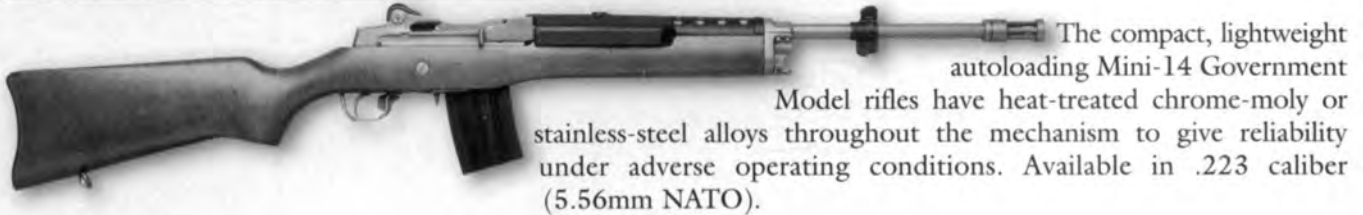
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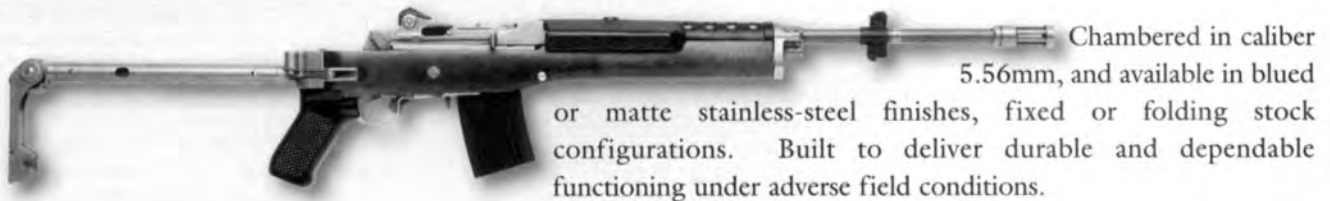
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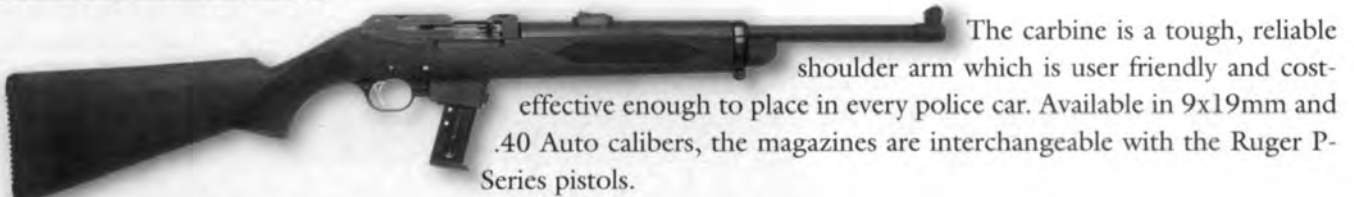
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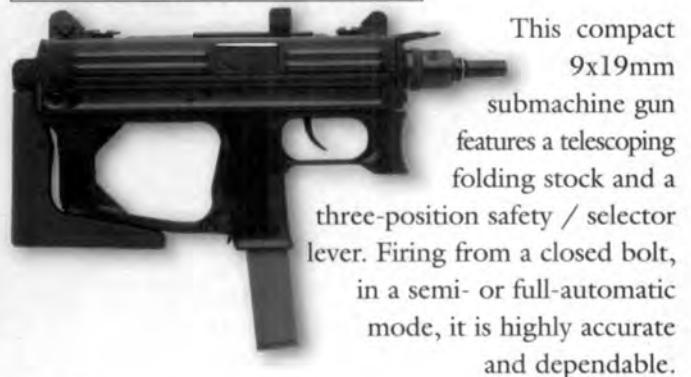
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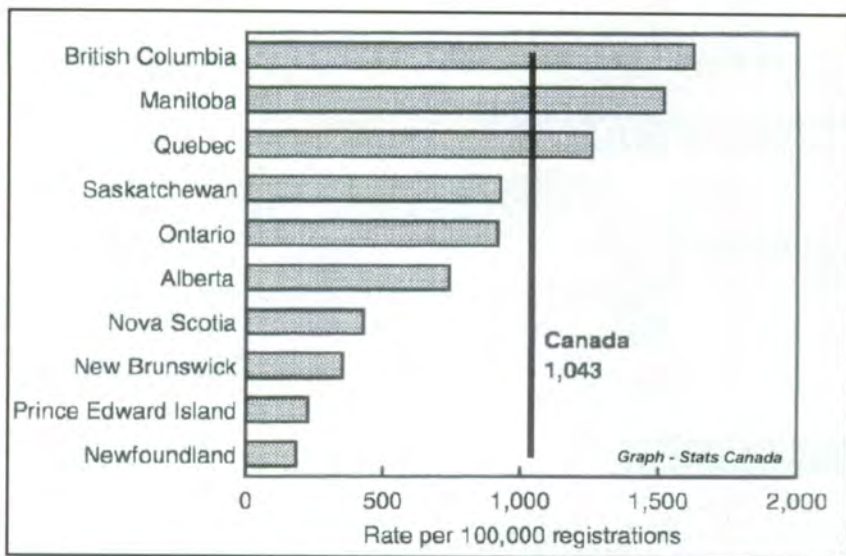
# Motor vehicle theft rate doubles

by Sue Pritzker

Motor vehicle theft has almost doubled in the past ten years and Manitoba has had its rate of motor vehicle theft almost triple in the past 5 years. In fact out of the nine largest metropolitan areas, Vancouver and Winnipeg reported the highest number of thefts.

In 1996 alone there was a 10 per cent increase in incidents of motor vehicle theft across the country. While British Columbia reported the highest rate of motor vehicle theft in 1996, the only province to decrease in the number of thefts was PEI, although Newfoundland had the lowest overall rate. Nova Scotia and Saskatchewan had the largest increases with 30 per cent and 20 per cent respectively. This is Saskatchewan's third year in a row with a significant increase in the number of thefts.

There was a wide variation in rates amongst the nine major metropolitan centres.



Quebec City had the lowest rate with approximately one third the rate of Vancouver. Only Quebec, Toronto and Edmonton were below the national average of thefts.

Motor vehicle theft is a growing problem. While two-thirds of the vehicles stolen are cars, the fastest growing type of theft is that of sport utility and minivans. Theft of motor vehicles and their components cost the insurance indus-

try almost \$600 million in 1995-96. One quarter of the stolen vehicles are never recovered, and police only identify an accused person 12 per cent of the time.

Over 40 per cent of the accused persons charged with motor vehicle theft in 1996 were between the ages of 12 and 17. Out of the females charged, 60 per cent were youths, compared to 40 per cent of males. Females continue to represent a small portion of those charged with 92 per cent of the accused being male.

Although the theft of motor vehicles has risen dramatically, the theft of parts and objects from within a vehicle has declined. The 1996 rate decreased one per cent from the rate in 1995. This is the fifth consecutive year in a row in which theft from a motor vehicle has continued its downward trend.

Currently, the automotive industry and law enforcement officials are looking into various methods of car theft prevention in order to reverse the rising rate of motor vehicle thefts.

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Given 2: John  
Maiden: N/A

Height: 190 cm Weight: 95 kg Race: Cau  
D.O.B: 1960/07/16 Age: 35 Build: Medium

Offences General Address Effects Alerts CheckList  
Features Marks Citizen Vehicle Alias Forensic

Desc: LT

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## Stopping crime in its tracks

The Calgary Police helicopter (HAWC1) worked in tandem with the police Canine Unit to catch two suspects in a convenience store robbery just after 4 a.m. on January 4, 1997. The helicopter crew spotlighted the culprits, who dropped their weapon and stolen goods as they ran from the scene. A canine officer and police dog tracked the suspects to one of their homes. The suspects were arrested and charged.

During February 1997 The Calgary Police helicopter darted to the scene of a reported auto theft — a parkade where a witness said several people were trying to steal a white car. Only 10 seconds after receiving the call, the police helicopter was circling above the parkade.

Using a cell phone, the witness reported the suspects leaving the parkade, and moments later the flight crew saw a van emerge, followed by a car with its lights off.

The police helicopter quietly followed the vehicles, telling officers in patrol cars that the suspects were heading northbound. As the police cars converged on the two suspect vehicles, the car fled eastbound, losing control on a northbound turn and rolling onto its side. Police immediately arrested the occupants.

The van tried to escape northbound but was boxed in by other police units. The driver and passengers were arrested. Police found two stolen, loaded weapons in the vehicles. One adult and four minors were charged.

The Calgary Police helicopter was on routine patrol Feb. 15, 1997 when the flight crew heard a report of a vehicle evading a CheckStop. A police Traffic Unit was attempting to stop the vehicle, which had jumped a median to avoid the barrier. When the flight crew trained their searchlight on the vehicle, the driver immediately stopped without incident.

Besides searching for suspects in 1997, the Calgary Police helicopter responded to 75 traffic collisions involving injuries, one aircraft accident, two hazardous material spills and 60 fires, including several the flight crew spotted first.

## High Tech Is Key To Stolen Cars

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# Search Incident to arrest

## A six hour delay between arrest and search - *R v. Caslake* (1998)

by Gino Arcaro

The simplicity of the common law authority to search after an arrest is apparent in most cases. After a lawful arrest is made, the police may automatically search the accused and immediate surroundings without forming reasonable grounds that the accused has possession of weapons or evidence.

After most arrests, searches incident to the arrest are conducted immediately or with minimal delay. However, the common law authority does not specify the amount of time that may elapse between the arrest and the search, or whether an "inventory" search of a vehicle after an arrest may be conducted without a warrant and consent, several hours after the arrest.

The Supreme Court of Canada, in *R. v. Caslake* (1998) ruled on admissibility of evidence seized as the result of an inventory search of a vehicle six hours after arrest without warrant and without consent.

### Offences:

1. possession of marijuana for the purpose of trafficking
2. possession of cocaine

### Circumstances:

A natural resources officer saw a car parked by the side of a highway and stopped to investigate. The officer saw the accused standing in tall grass, about forty feet from the roadway. The officer questioned the accused, who stated that he was relieving himself. They returned to their respective cars, and the accused drove away.

The officer returned to the area where the accused was standing. A garbage bag containing about nine pounds of marijuana wrapped in cellophane was found and seized. The officer returned to the cruiser and contacted the RCMP, pursued the accused stopped him and arrested him.

An RCMP officer arrived at the scene and took custody of the accused, transporting him to an RCMP detachment. The accused's car was towed to a garage.

Approximately six hours after the arrest, the RCMP officer went to the garage, unlocked the accused's car and searched it without a warrant and without consent. According to the officer's testimony, the search was conducted pursuant to RCMP policy requiring that inventory be taken of a vehicle's condition and contents, seized during a investigation. The officer testified that this was the sole reason for the search.

The search resulted in the seizure of two packages containing one quarter gram of cocaine each, and \$1400 cash.

### Trial:

The accused was convicted. His appeals were based on the grounds that the search violated section 8 Charter and that the evidence should be excluded under sec. 24(2) Charter. The accused argued that the six hour delay between the arrest and the search was excessive to make the search "indecent" to the arrest. Appeals to the Manitoba Court of Queen's Bench and to the Manitoba Court of Appeal were both dismissed because no substantial wrong or miscarriage of justice had occurred. *S.C.C.:*

The Supreme Court of Canada dismissed the accused's appeal. The Court was unanimous in deciding to admit the seized evidence. However the reasons given by the majority differed from the minority. The majority ruled that a sec. 8 Charter violation occurred but admitted evidence under sec. 24(2) Charter. The minority ruled that no sec. 8 Charter violation occurred.

### Majority Reasons:

1. The three main purposes of an incident to an arrest are:
  - i) ensuring the safety of the police and the public
  - ii) Preventing destruction of evidence
  - iii) discovering evidence which can be used at the accused's trial

A search conducted after an arrest must be truly incidental to the arrest, meaning that the police must be attempting to achieve a valid purpose relating to the arrest.

2. Ordinarily the accused has the onus to prove the commission of a Charter violation except in cases involving warrantless searches, which are unreasonable unless the Crown proves otherwise.

Consequently, the Crown has the onus to prove that a warrantless search is reasonable. In order to be reasonable, a search must be authorized by a statute or common law. If a search is not authorized by law, a theft or trespass may have occurred.

There are three ways that a Crown may fail to prove that a search was authorized by law:

- i) no statute or common law actually authorized the search.
  - ii) the search was authorized by law, but was not executed in accordance with the regulations stipulated by law
  - iii) the search exceeded the scope of the search authority, relating to factors including the place, items seized and time of search.
3. The Crown relied on the common law search incident to arrest authority to prove reasonableness.

No readily ascertainable limits exist

relating to the scope of this search authority because it is a common law power. Consequently, the courts are responsible for establishing procedural boundaries that may limit the authority.

4. The scope of the search incident to arrest extends to both persons and places, including vehicles.

The Supreme Court of Canada, in this decision, stated that this power to search may be used to search automobiles if it constitutes the accused's immediate surroundings because no "heightened expectation of privacy" exists to prohibit the search. However, some limits are imposed relating to vehicle searches incident to arrest. The reasonable of a vehicle search incident to arrest will depend on certain factors including:

- i) the basis for the search,
  - ii) the location of the vehicle in relation to the place of the accused's arrest, and
  - iii) other relevant circumstances such as "temporal" factors, referring to the time that the search was conducted after the arrest.
5. No specific amount of time exists that may be used as a procedural guideline to determine when a search of a vehicle is "incidental" to an arrest. Time limits do exist and are derived from the same principles that are used to determine whether a search of a vehicle incident to arrest is reasonable. A substantial delay between arrest and vehicle search will not automatically make the search unreasonable. A reasonable explanation may justify a substantial delay.
  6. In this case, the six hour delay itself was not the problem. Instead, the officer's reason for searching, to conduct an "inventory search", caused the search to fall outside the scope of the common law authority. An inventory search does not serve a "valid objective in pursuit of the ends of criminal justice." The inventory search in this case constituted a sec. 8 Charter violation.

Despite the commission of the Charter violation, the evidence was admitted under sec. 24(2) Charter because the trial was fair, the Charter violation was not serious, and the exclusion of evidence would have a "detrimental impact" on the administration of justice.

The S.C.C. minority ruled that no sec. 8 Charter violation occurred for the following reasons: -a search incident to arrest extends to an accused's automobile as part of the accused's immediate surroundings -the inventory search was justified because its purpose was related to the lawful arrest and impounding of the car, and was "incidental" to the arrest.

# New youth strategy announced

Canada's Young Offenders Act could be scrapped under a new strategic proposal aimed at reducing youth crime, Justice Minister Anne McLellan announced in May.



**Anne McLellan**

"The current system is not working as it should in many significant areas," McLellan said. "We need to do more to prevent youth crime in the first place, to develop meaningful responses to youth crime that emphasize responsibility and respect for the victim and the community, and to deal more firmly and effectively with violent and repeat young offenders."

The strategy is based on three key directions that work together to better protect the public: prevention, meaningful consequences for youth crime and intensified rehabilitation.

Some of the proposals include:

- replacing the Young Offenders Act with a new youth criminal justice act that will put public protection first and that will command respect, foster values such as accountability and responsibility, and make it clear that criminal behaviour will lead to meaningful consequences.
- a strong prevention component linked to other federal government initiatives aimed at children and youth, including the \$32 million Crime Prevention Initiative, National Children's Agenda, and response to the Royal Commission on Aboriginal Peoples.
- encouraging the development of a full range of community-based sentences and effective alternatives to the justice system for non-violent young offenders that foster respect, emphasize responsibility to the victim and community, help youth understand the impact of their actions, and allow them to see a clear connection between the offence and its consequences.
- expanding the offences for which a young offender would be liable to adult sentences from murder, attempted murder, manslaughter, and aggravated sexual assault to include a pattern of serious violent offences. In addition, the age limit for young offenders who are presumed to be liable to adult sentences would be lowered from 16 to 14.
- permitting the publication of the names of all young offenders who have been convicted and qualify for an adult sentence. Publication of the names of 14- and 15-year olds convicted of murder, attempted murder, manslaughter, aggravated sexual assault or who have a pattern of convictions for serious violent offences could also be permitted.
- establishing a special sentencing option for the most violent, high-risk young offenders.



The regime would require these offenders to participate in intensive rehabilitation and treatment programs and be subject to extended periods of controlled supervision in the community once released.

- reducing the legal complexities in determining whether voluntary statements by youth can be admitted as evidence.

The government's new youth justice strategy also proposes provisions that would simplify and streamline procedures so that the system works more efficiently, placing less of a burden on victims and families, and ensuring that young offenders see a clear

connection between their offence and the sentence they receive.

Emphasis will also be placed on providing more support to victims, ensuring better victim notification and improving public participation and information in the youth justice system.

"We are responding to calls for necessary changes to the law, but we are doing much more than that," McLellan said. "Our new youth justice strategy looks beyond legislation and even the youth justice system itself to explore ways society as a whole can address youth crime and associated factors such as poverty and child abuse."

The minister indicated that the provinces and others working in the youth justice system will be immediately consulted on the development and implementation of the proposals, and that detailed measures, including new legislation, will follow.

The government's strategy responds to recommendations made by the House of Commons Standing Committee that conducted a year-long review of Canada's approach to youth justice. The Committee travelled across Canada hearing from victims' organizations, the law enforcement community, municipal and provincial officials and many others on how Canada's youth justice system could be improved. The committee issued its report in April, 1997.

"Canadians want a youth justice system that protects society and that helps youth avoid crime or turn their lives around if they do become involved in crime," McLellan said. "The government's youth justice strategy will accomplish this."

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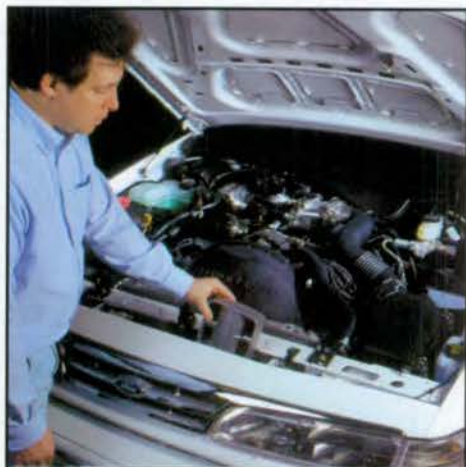
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# Reasons for collisions focus of research group

by Sue Pritzker

Over the past 34 years, the Traffic Injury Research Foundation (TIRF) has worked with many groups, including the Canadian government to reduce the number of road user fatalities.

A non-profit group, TIRF, examines the high risk driving groups, including young, inexperienced drivers and hard core drunk drivers.

In order to prevent road collisions, TIRF launched a total of four programs aimed at improving the driving safety of these two groups.

In 1994 Nova Scotia, and Ontario in reaction to the high level of collisions among new drivers instituted a new program of graduated licensing. The acceptance and understanding of the program was at a high level with both the parents and the drivers affected, according to the Insurance Institute for Highway Safety.

While there is no concrete evidence available to substantiate the validity of implementing graduated licensing in Canada, New Zealand reported a 25 per cent decrease in the first year of the program.

In 1996, TIRF published a study which found that while drivers education courses do teach vehicle safety, the methods are not put in to practice by young drivers. Reasons for this remain a mystery, but TIRF is looking into ways to keep the skills learned in use.

Other new programs they have begun to look into are the Administrative License Suspension and Vehicle Seizure and Impoundment. This program targets hard core drivers, and the risk they pose on the roads. TIRF defines hard core drivers as individuals who continuously drink, and drive especially with high BACs.

In November 1989, Manitoba introduced these two programs. Their Administrative License Suspension (ALS) imposed a 90 day driving suspension on those drivers who are found to have a BAC over the legal limit, or refuse to have a breath sample taken. This suspension was independent of the courts, and was separate of any sentencing to be placed at the time of conviction. The guidelines of the Vehicle Seizure and Impoundment (VSI) allowed an officer to seize and impound the vehicle of any driver whose license has been suspended, disqualified, or otherwise prohibited from driving.

In the six years following the implementation of the ALS and VSI programs in Manitoba, the rate of drinking driver fatalities decreased 12 per cent. The net decrease in casualty crashes over the same period of time was 40.8 per cent. Since VSI has been introduced the rate of people driving while suspended has declined 38 per cent. Some of this decrease may be contributed to the new enforcement strategies as well. Overall, ALS and VSI have proved a significant aid in the war against drunk driving.

Another interesting initiative is Alberta's Ignition Interlock Program. The alcohol ignition interlock is a small device which attaches to the ignition of a motor vehicle. It prohibits the driver of the vehicle from operating it unless they blow into the device and have a BAC lower than the legal amount.

Offenders are often ordered by the driver



control board to have this device installed as a condition for the reinstatement of their license. If an offender volunteers for the program, they may receive early reinstatement.

The interlock device has the ability to log unsuccessful attempts to start the vehicle, which is useful to the control board when looking at the possible reinstatement of a license. Multiple attempts to drive the vehicle may result in an extension in the length of time the offender is involved with the program.

In the initial 36 months of the pilot program, the number of offenders who were convicted for DWI decreased 15 per cent. While these results were merely preliminary, the program continues to look promising in prevent-

ing drunk drivers.

While the search for methods of reducing fatalities on our roads continues, we can see that through these various new initiatives, the collisions on our roads have decreased. By reducing the number of high risk situations on our roadways we are that much closer to safer driving.

For more information contact Diane Fahlman, Communications & Marketing Manager, TIRF, 171 Nepean St., Suite 200, Ottawa, Ontario, Canada K2P 0B4  
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# Innovative drinking driver book has a different perspective

by Blair McQuillan

When a drunk driver causes an accident, everyone involved is victimized. No one knows this better than Kathleen Ferguson.

When Ferguson's long-time friends, Rin and Alex Van Hemert, lost their daughter, son in-law and unborn grandchild in a car accident caused by an impaired motorist, she saw first-hand the pain and suffering that such a tragedy can bring to a family.

"Witnessing what they went through was terrible," Ferguson said. "You never really get over something like that."

But Ferguson, 44, isn't one to dwell in the past. Instead, she has taken an active role in helping to prevent further tragedies like the one her friends went through from happening.

Since 1992, Ferguson has been the vice-president of a volunteer organization called Prevention of Impaired Driving Injuries. Launched by the Van Hemerts, PIDI is a Newmarket, Ont., based organization that tries to raise awareness about the dangers of drunk driving.

Over the past six-years, Ferguson has dedicated much of her time to doing everything from scheduling and taking part in speaking engagements, to organizing fund-raising drives throughout York Region.

However, her latest endeavour in the crusade against impaired driving has taken her in a new direction. On April 27, Ferguson officially released a children's book entitled *Waiting For Dad*.

Two years in the making, *Waiting For Dad*



takes a unique look at the affects drinking and driving has on the family of an impaired motorist.

Told through the eyes of a young boy named Danny, *Waiting For Dad* chronicles the emotions, confusion and pain a child goes through after his father is arrested for hitting a girl while driving under the influence.

"I feel that to really get at the problem, you need to work with the offender groups and a lot of anti-drinking driving groups don't do that," Ferguson said of her reason for writing the book. "I felt we needed a perspective from the child of

the offender's family because they're victims too."

While Ferguson used words to capture the emotion and tell the tale, she enlisted Sheridan College student Robert Glazer to illustrate the scenes. Ferguson said she learned of Glazer and his artistic ability by chance, while swimming at a local hotel owned by his parents.

"I happened to be speaking to his family about what PIDI was doing," she explained. "His mother mentioned that her son was at Sheridan in the animation department. We got to talking and he volunteered his talents."

Ferguson said that both she and Glazer collaborated on picture ideas, but she left it up to the artist to decide how to present the story visually.

"I had an idea of what I wanted to see with the illustrations," she said. "I blocked the story as I wanted it to appear on the pages. But ultimately he came up with the design. He did a fantastic job."

Ferguson said she is pleased with the work she and Glazer did and that they aren't the only ones who are glad to have the book in print.

"Addiction services was really happy seeing they work with families in crisis," said the married mother of three. "The police were real excited to see it and the York Region Board of Education would like to have it in all of their schools."

The York Region police are thinking of including the book in their RIDE program, but distributing that many copies is an added expense that neither the police, nor PIDI can afford to undertake. PIDI is already looking for a corporate sponsor to pay for the books to be used in RIDE programs.

However, the seven-member organization was able to print 10,000 copies of *Waiting For Dad* and will be distributing them free of charge, thanks to private and corporate sponsorship.

"The book is free," Ferguson said. "Obviously we'd love donations, but we want the message to be free for anyone."

And what message does Ferguson want readers to find?

"I hope that a child that's going through this can find some support in the book," she said. "But more than that I hope that children will be encouraged to talk about the issue of drinking."

"From the adult's point of view, I hope they look at it and see that their choice to drink and drive will affect the whole family."

As for future publications, Ferguson is already working on a sequel. The second book will tell a story from the victim's point of view.

"It's the story of a little girl that was hit by a drunk driver," she said.

While Ferguson expects the book to be completed in less time than the first, she said no definite release date has been set.

"It depends on the donations that we get in."



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# Rendering racial tolerance

by Blair McQuillan



Police and emergency crews in Toronto's 13 Division have been raising awareness about their jobs and promoting racial tolerance in the community over the past three years thanks to an annual open house.

Held on or before March 21, the International Day for the Elimination of Racism, the open house helps to bring the community and police closer together, said Const. Harold Webber.

"We've held an annual open house in conjunction with that day since 1996," the school liaison officer with the public and media relations unit said. "This division is in a very multi-cultural area. We have a mix of the richest people in Toronto and the poorest people in Toronto. This is a way of bringing everybody together and getting the community involved in policing."

But this open house doesn't just break down barriers by allowing members of the public to meet face to face with fire, ambulance and police service members. This open house promotes brotherhood and community pride through an art exhibition that gives local children a chance to display works expressing their views on racial harmony.

"It's a way to bring people in and get the kids involved in the community," Webber said of the exhibition. "We run it for grade five students in elementary schools in 13 Division."

Webber said the art exhibition concept was created by two constables, Kimberly Quigley and John Pierrepont, in an effort to give youngsters a forum to display their talents and promote the annual open house.

"When it first started we decided we needed some kind of attraction here at the station," Webber said. "We thought that if we involved the kids we'd be more likely to have parents come out and get involved."

The officers were right. This year an estimated two hundred people passed through 13 Division on March 11 during the three-hour open house. Organizers chose the 11th to hold the event because children were on March break during the 21st.

"All of our offices were open to show the different units within our division," Webber said. "Any officers that were walking through were in conversation with the community members."

"It's a way to open it up because most people would never get to see past the front desk."

This year citizens had a chance to tour the station and take in displays created by emergency crews and members of the community who work with the Toronto force. They also had the opportunity to view art work from the eight elementary schools that took part in the event.

Webber said it's hard to get schools involved because many teachers don't have time to include the event in their schedule.

"It's something else added on to their cur-



riculum," he said. "It depends on their school and whether they have time for it."

But the bicycle patrol officer is quick to point out that eight schools is enough.

"If we had everybody participate we would need a station the size of headquarters to display everything. With eight schools our hallways were full."

Webber said police generally begin to invite local elementary schools to take part in the exhibition in January. This gives the children plenty of time to decide how they want to express what racial harmony means to them.

And their art isn't confined to a piece of paper.

"They can do anything from sculptures to posters," Webber said. "We didn't put any constricting guidelines on it. I figure as long as I can get it into the van and bring it to the station it's fine. If it's too big for the van, it's too big for our hallways too."

After viewing the works during the open house, citizens have the opportunity to vote for their favourite piece.

This year's winner was Alexandra Sleghel from Cedarvale Community School. Sleghel, who came to Canada from Romania last year, drew a picture which she said attempted to show the earth as a home and people as residents who live in different rooms.

"The piece of work was quite unique," Webber said.

For her hard work and effort, Sleghel received a trophy which will be displayed at her school for a year. The award was donated by Toronto police officer Joseph Eves prior to his retirement in 1996.

Plaques for the first, second and third place winners, are donated by the Toronto Raptors basketball team.

Aside from having the chance to display their work and win prizes, the open house gives children a chance to learn about the police, their community and racial tolerance, Webber said.

"You have to start young. It's hard to change older people, but it's not too hard to get young people to think in that way."



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## Left handed firearms holster and the magazine release button problem

The Coaldale Alberta Police Service, along with Lethbridge, Medicine Hat, and the RCMP are all using Smith & Wesson 5946 9mm pistols. We carry this weapon in a Safariland Level III holster.

The problem arises with left handed police officers. The weapon carried on the left side leaves the magazine release button completely exposed, where as on a right handed person the button is inside towards the body.

I continually must check the magazine as the button is easily pushed and the magazine is released. The magazine must be clicked back in several times a shift. Arm rests on chairs, seatbelts in the car, a simple bump against something all result in this occurring. I religiously check this, however, it is an obvious safety issue for left handlers. Worse case scenario would result if the weapon is drawn and the magazine falls to the street.

Is this not happening across the country and what can be done?

Jason Dobirstein  
Coaldale Police Service, Alberta

### We found out . . .

Blue Line went to work on this quickly due to the serious nature of the problem and the potential danger to officers. We received positive information from Michaels of Oregon regarding a holster solution and from Sigarms, Smith & Wesson and even the RCMP Armourers Office in Regina with regard to a firearms solution.

Initially we contacted a few firearms manufacturers and we were advised by some that the problem could be the holster manufacturer's problem as well. The official line of some gun manufacturers was that not only would it be major re-tooling to accommodate an ambidextrous mag release but presently trained left handed officers would have to be retrained to the right hand thumb release process as opposed to the more established left hand index finger release procedure. Coupled with this would be the incompatibility of magazines from the weapons carried by right handed officers.

#### The Firearm Solution

Checking with RCMP Armourer Norm Fradet in Regina revealed they were made aware of the problem with the first issue of Smith & Wesson



Model 5946 weapons that went with officers to Haiti several years back. They were so concerned that they sent one of their people down to check out the problem and make a temporary alteration until a permanent solution could be found. Further investigation revealed that S&W has got a model 5946 which can be ordered specifically with a right side thumb release for the magazine. He advised that it was only about a \$10.00 adjustment on price. When the Armourers looked at the model 3953 weapons there was no similar solution. These are a more compact weapon and more suited for smaller hands and plain clothes work. To solve this problem they asked Smith & Wesson for the design prints and went to work milling an in-house solution to the problem. They were successful and re-issued their own customized version two years ago.

Blue Line received word that the Sig Saur model 226 comes with a left-hand mag release option. Ontario Provincial Police Sgt. Brent Thomas advised that they were aware of the left handed officer situation and original specifications for a firearm suggested a left handed officer mag release option on the right side of the firearm.

#### The Holster Solution

The OPP and RCMP solution was okay for a larger agency, which would include roughly 500 and 1500 weapons respectively. This is not a real solution, however, to smaller agencies who may

or may not have left handed officers at any given time. In financial terms they do not wish to keep extra weapons in inventory. It was felt for these agencies the only real solution would be to look at a holster design that would protect the mag release.

Upon checking all the major manufacturers we found only one that had a solution. "Our Pro-3 line holsters have always protected the mag release button for left hand officers," says David Nau, V.P. in charge of Marketing for Michaels or Oregon. "With the benefit of having a left handed person in the design stage of these holsters we were sensitized to the issue." At a retail price of around \$65(US) per holster this solution appears to be the most cost effective way to protect left handed officers.

Other manufacturers contacted were sensitive to the issue and advised they would be looking into the problem further. "It is one of those situations that many people quietly suffer with and never bother to give us feed-back about," one manufacturer stated.

#### The Training Solution

"It's a training issue - pure and simple," came one reply. "We simply train the left handed officers that they have to get use to it. We point out the problem to left handed officers and train them to constantly sweep the magazine. We know that if they lean over a desk the wrong way or sit in an arm chair it could come loose. So we train them to constantly sweep the magazine area to ensure it isn't loose. If any left handed officer can't do this simple thing then he is not competent enough to handle the firearm."

Although sweeping the magazine could be a good habit to get into for all officers it should not be the sole solution to such a hazardous problem. When this solution was presented to one left handed officer the response was simple. "In Canada we don't have the death penalty for the most horrific offender. Why should it be so for a left handed officer who forgets to check it that one time when he should have?"

#### CONTACTS

Michaels of Oregon - 503 255-6890  
Smith & Wesson - 800-331-0852 X2904  
Safariland - 800-347-1200  
Norm Fradet (RCMP Armourer) - 306-780-5832  
Sigarms - 603-772-2302

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# RCMP planning conference on money-laundering



MONTREAL (CP) - Despite the advantages of computer banking, some people still prefer making deposits the old-fashioned way - especially when they have suitcases full of \$1,000 bills.

The cash-stuffed luggage is the most obvious element in money-laundering, a giant criminal industry that's the focus of an international conference the RCMP will hold in Montreal Sept. 21-23.

"Getting your money into a bank legitimizes your ill-gotten gains," Wayne Blackburn, a security specialist and former Mountie, said at a press conference last month.

"Then you can move that relatively easily, by just giving instructions to whoever runs the financial institution."

Crooks are also eager to get money into a bank "so it won't get stolen," said Blackburn, director of corporate security services for Deloitte and Touche, a chartered accounting firm.

"The problem when you have large sums of cash is that a lot of the criminal element don't trust each other - for good cause," said Blackburn, of Toronto, who spent 28 years in the RCMP.

RCMP Insp. Yves Duguay said the conference will draw about 500 delegates, who

will listen to 27 speakers. Discussions will be in English, French, Spanish and Italian.

Bankers must be suspicious when dealing with businesses with an absurdly high income, said Duguay, citing the example of an Edmonton pizza parlor that was only a front for drug-dealing.

"Within the year and a half that we investigated, there were very few pizzas that were sold. It was actually cocaine that was being sold. There were daily deposits of around \$60,000 in cash."

The case led RCMP to seize more than \$1 million from a Swiss bank account, said Duguay. Every year in Canada, \$15 billion to \$30 billion in dirty money gets laundered, he added.

Duguay said RCMP want tighter limits on how much cash can be brought into Canada from the United States.

Blackburn said once dirty money gets into a bank, criminals can transfer it anywhere electronically and they gain the appearance of respectability through the banking connection.

He said if someone tries to buy a mansion "with a suitcase full of a million dollars cash, everybody looks at you."

"If you write a cheque and it clears through a bank, people think maybe you're an astute businessman."

For further information contact S/Sgt. Fred Pratts at (613) 998-6050.

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by Tom Rataj

## Millennium Chaos?

**Will we be ready for the next millennium, or will a history of bad decisions in the computer industry result in worldwide chaos?**

At precisely 00:01 hrs., January 01, 2000 — the world won't end. There will likely be some very big problems though. The Year 2000 (Y2K) problem, or "Millennium Bug" as some people refer to it, threatens to be a very big problem for all of modern society.

If you haven't heard about it yet, or have and don't understand it, read on because it will almost certainly affect you personally and professionally.

In essence, the Y2K problem is one involving computers and computerised systems and how they deal with the year portion of the date. Instead of using all four numbers to represent the year, many computers and software programs use only the last two numbers of the year, assuming that the first two will always be "19".

Therefore, when the internal clocks on these computers rolls over from 23:59 on Friday, December 31, 1999 to 00:01 on Saturday, January 01, 2000, they will continue to assume that the first two numbers of the year are 19 instead of 20. It is at this point that many experts have suggested that problems could be encountered in such things as older airplane

navigation systems, older software programs and even elevators and other systems relying on dates burned into microchips. Big problems could result in untouched historical data in financial institutions or other archival databases.

### History

In the binary language of computers, each character, whether a letter or a number is represented (dependent on interpretation) by a number of "bits" of code. Therefore, using all 4 numbers for the year would require more bits than using only 2 numbers for the year. In the early days of computers, the savings in process-

ing power, memory, and information storage space, made this process a logical and acceptable practice. It soon became the industry norm and its eventual ramifications were apparently not well contemplated.

Many of the people and companies involved in the early days certainly did not in their wildest dreams assume that 30 or 40 years later, their equipment, or at the very least, their software would still be in widespread use. Besides that, it wouldn't be their problem to fix anyway.

In addition to this, the year-end bonuses offered to Information Technology (IT) Managers have always been based on reaching certain goals within the business year. Devoting significant resources to solving a complex (and future) problem such as Y2K would almost certainly interfere with meeting the goals and hence endangering the often-generous year-end bonus. It is no wonder that many in the industry have procrastinated for so long.

The recent rapid increases in computer power, and the almost unbelievable price reductions for such things as memory, haven't induced the industry to tackle the problem (i.e.: endanger the bonus). Instead, complacency and a focus on surviving the lean economic times of the early 1990's resulted in many industries putting the problem on the back burner. And since there is nothing better than deadlines to spur on work, many industries have finally begun to tackle the problem.

Some reports into this issue suggest that nearly every desktop computer manufactured before 1996 will fail to work on January 01, 2000. The problem though, is not just with computers themselves. Many high-tech devices with built-in computer chips are not compliant, and simply will not work anymore or will not work correctly. These may be as simple as the VCR in your house, where the built-in calendar for programming recordings only goes to December 31, 1999. Others have no date sensitive chips in them, but the data they generate will cause problems for other systems that use the data.

### Are You Ready?

The mad rush towards Y2K compliance seems to be picking up momentum. A recent Statistics Canada survey estimated that 54% of private sector firms are dealing with the problem in some way, while the remaining 46% are doing little or nothing about it.

On the other hand, the Federal Government is hard at work on the issue, with an estimated \$1 billion spending allocated to the problem, and a reported 44% completion rate on mission critical applications. The government has established a deadline of April 01, 1999 for completion of all projects, allowing for 8 months of final testing. All the big names in the industry are involved, with teams headed by SHL Systemhouse Inc.,



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IBM Canada Ltd., DMR Consulting Group Inc., EDS Canada, and others.

Despite this, major non-compliance problems plague such organisations as the Canadian Blood Agency, which will soon replace the Red Cross as the national blood supply service. After having spent tens of millions of dollars on a new computerised system, the lead vendor was dismissed, and industry projections suggest the agency will not be ready with a new system in time for the new millennium.

The Gartner Group, of Stamford, CT, a major American consulting company, has rated Canada as the best-prepared country in the world, just ahead of Australia, and significantly ahead of the United States.

In Europe, the Y2K problem is even further complicated because of the introduction of the new "Euro" currency, which begins to get phased in on January 01, 1999. Because the Y2K problem is so big on its own, several members of the European Monetary Union have urged that the transition to the "Euro" be postponed until well after the Y2K problem has been successfully dealt with.

Germany's Lufthansa Airlines is even so worried about the problem, that they have already planned their schedule so that their entire fleet of aircraft will be parked on the tarmac or in a hanger on the evening of December 31, 1999.

Some organisations, such as Nav Canada, the organisation that oversees the Canadian air-traffic control system, is in the process of replacing its system with a brand new system that is being designed from the ground-up to be compliant. South of the border though, the American equivalent of Nav Canada, has already publicly admitted that they expect that their system will not be ready in time.

#### Liability

The legal community is already licking its proverbial chops on this mess. Several lawsuits have already been filed in the US, alleging economic losses, lost customers and other damages as a result of non-compliant systems. In one of the first cases, a retailer sued their cash register vendor and manufacturer because the system could not deal with credit card trans-

actions when the expiry date of the card was anywhere in the year 2000.

Many large corporations already have their lawyers doing an in-depth audit of their contracts to determine Y2K liability and/or exposure.

Recommendations are already being made as to how companies can protect themselves against general and specific liability issues. Many of the recommendations deal with wordings in service agreements and contracts for computer hardware and software. Even Y2K specific insurance coverage is already being made available.

#### Recommendations

"Right now" is the main recommendation being touted in the industry. With so many companies not even having started to work on the problem, immediate action is required. The problem in many cases seems to be far more complicated than many people expect, and any degree of procrastination will certainly be a prescription for disaster.

There are a number of Y2K compliance testing and repair software packages on the market both in the mainframe and desktop markets. Check under "So You Want More Information" below for a list of sites containing testing utilities.

For single desktop PCs the following test was posted on several Web sites. It tests to see if the BIOS (Basic Input/Output System) chip correctly rolls the internal clock over to the year 2000 when the machine is turned off at the be-witching hour. Additionally, it checks to see if the PC correctly deals with the year 2000 as a leap year.

- \* Set date and time to 12/31/99 11:59:00pm
- \* Turn system off and wait at least 1 minute
- \* Turn system on and enter BIOS setup
- \* Verify date reported by BIOS setup is 1/1/2000
- \* Set date and time to 2/28/2000 11:59:00pm
- \* Turn system off and wait at least 1 minute
- \* Turn system on and enter BIOS setup
- \* Verify date reported by BIOS setup is 2/29/2000
- \* Reset your date and time to the current settings

#### So You Want More Information!

In addition to the basic information in this article, there is a mountain of information available in books, periodicals, and of course on the Internet. Here are a few sites that provide general information, as well as specific product information and services that deal with the issue:

**Toronto Computes Newspaper** — [www.tcp.ca/gsb/pc/y2k.html](http://www.tcp.ca/gsb/pc/y2k.html) — Articles with a variety of general information about the Y2K problem.

**Computer Associates** — [www.cai.com](http://www.cai.com) — Their Discovery 2000 package, consists of several components which deal with tackling the problems in programs written in COBOL.

**Cipher Systems Ltd.** (Calgary) — [www.ciphersys.com](http://www.ciphersys.com) — Their Renaissance2000 Plus is a COBOL conversion tool which analyses COBOL code, automatically expanding all dates and other related fields at over 1,500 lines per minute. You may also phone them at (800) 661-9961.

**Microsoft Corporation** — [www.microsoft.com](http://www.microsoft.com) Their Web site features a complete section on the issues, dealing in general terms such as how products deal with dates, two-digit dates, common errors, as well as testing recommendations.

**Novell Canada Inc.** — [www.novell.com/canada](http://www.novell.com/canada) — Novell's NetWare 3.2 Enhancement Pack and intraNetWare products are fully Y2K compliant and are available today.

#### Testing Software For Y2K Compliance

**Humix Company of Cleveland, Ohio**, — [www.humix.com/y2k/fix.html](http://www.humix.com/y2k/fix.html) —

**AMI BIOS (American Megatrends)** — [www.megatrends.com/](http://www.megatrends.com/) —

**Unicore Software** — [www.unicore.com/millennium.html](http://www.unicore.com/millennium.html) — Basic tests are free, with a complete testing package available for US\$49.95.



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Forensitek Limited began operations in March of this year and they advise business is brisk. Technicians working for Forensitek have previous police experience and specialized forensic training. All personnel have received recognition of their forensic expertise by the court system and are prepared to testify as to the circumstances surrounding the detection of a fingerprint in the event a client wishes to pursue civil or criminal litigation.

In addition to lending their credibility to a court process Forensitek personnel are prepared to tender comparison charts and other graphical illustrations to enhance the impact of evidence obtained.

"All material handled and processed by Forensitek is subject to continuity procedures which ensure that the 'best evidence rule' is adhered to in the event a client's case is brought before the courts," advises Rod Spencer, President of Forensitek. "Our clients are assigned in-



Photo: Sirchie Fingerprint Laboratories

dividual case reference numbers which are used to further annotate fingerprint impressions and other evidentiary matter."

Spencer, a retired police superintendent with the Toronto Police, and a qualified fingerprint expert, advised that every fingerprint impression identified is subject to an assessment and verifi-

cation of a minimum of two separate qualified fingerprint specialists. "We will provide clients with opinions regarding the evidentiary value of fingerprint impressions developed and will provide certificates which establish whether two impressions have a common source or not."

In addition a detailed report outlining all aspects of a forensic case and the ensuing results are provided to clients along with relevant recommendations.

In addition to on-scene examinations Forensitek is also prepared to supply clients with employee fingerprinting and document processing with all materials supplied with appropriate 'continuity seals' and 'case receipts.' In addition Forensitek can supply "Forensic Case Kits" which contain all the necessary articles and forms necessary to send documents by courier.

Although the targeted user of Forensitek services is private individuals and industry they also see extensive possibilities as a resource to law firms as well as police agencies that are either over burdened or wish to have a second analysis of internal investigations.

"Our primary focus will be private sector corporations and private investigators who wish to obtain proper evidence of internal improprieties without resorting to a public prosecution," Spencer stated. "In most cases uncovering an internal problem and dealing with it under existing labour relations processes can be every bit as complicated, and the repercussions even more dramatic, than it is within the criminal justice system," Spencer concluded.

Present associates with Forensitek are all members of the Canadian Identification Society and Fellows of the International Fingerprints Society.

For further details and a schedule of fees charged you may call 905 815-1452 or Fax 905 845-5258 or Email to forensic@interlog.com.

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Again in 1997, Robinson Helicopter Company produced more commercial helicopters than any other manufacturer worldwide. A total of 246 R22 and R44 helicopters were produced. Bell Canada was second with a total of 233 commercial helicopters, according to the Aerospace Industries Association. Robinson has led the industry in the production of commercial helicopters for nine of the last ten years. With the increased popularity of the R44, Robinson expects 1998 sales to be even better than 1997.

For more information contact Judy Neily  
Ph: (310) 539-0508 ext. 151.



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# THE CLIPBOARD

**Acquitted:** An Ontario Provincial Court judge acquitted four Peel Regional Police officers of charges relating to a pursuit in February 1996.



The suspect was wounded during the early morning pursuit, which covered approximately 15 kilometres. Charges were brought against the four officers following an investigation by the province's Special Investigations Unit.

In his summation, the judge noted that there was insufficient evidence to support the charges.

Officers Bruce Thomson, Donald Cousineau and William McGarry were discharged of all charges on April 8. Const. Napoleon Quimpo was acquitted on March 4.

**Filed:** A justice minister should have no part in potentially sensitive criminal investigations like the Airbus affair, according to a report released in April.



**Mulroney**

International requests against high-profile suspects should be handled by senior officials, said the 83-page report commissioned by the federal government after the Airbus scandal.

In 1995, justice officials sent a letter to authorities in Switzerland alleging former prime minister Brian Mulroney was involved in a kick-back scam over the 1988 sale of Airbus planes to Air Canada.

The federal government eventually apologized to Mulroney and agreed to pay \$2 million to cover his legal fees and other costs after he launched a libel suit.

Health Minister Alan Rock, who was justice minister when the letter was sent, said he never knew about the letter. Rock also told critics that a minister shouldn't get involved in a police investigation.

The report supports Rock's philosophy by concluding that, in order to remain free of political influence, such requests should never be reviewed by the minister of justice.

**Confiscated:** A joint forces operation resulted in the seizure of a biker gang clubhouse in April.



The clubhouse seizure is believed to be the first of its kind under the federal proceeds of crime legislation.

The raid on the Satan's Choice clubhouse in Hamilton, Ont., followed an 18-month investigation.

The investigation, which was conducted by Hamilton-Wentworth, Toronto, Thunder Bay, Durham, Halton, York and the provincial police, was partially funded by the solicitor general through the Criminal Intelligence Service of Ontario as part of the national strategy to combat outlaw motorcycle gangs.

**Hired:** The Ontario Provincial Police named Dr. Peter Collins of Toronto's Clarke Institute of Psychiatry as the head of the force's new forensic psychiatry unit in April.



The unit, which is part of the OPP's behavioural sciences section, will help investigators with a variety of crimes including arsons, sexual assaults and homicides.

The new unit will also train officers to deal with emotionally disturbed people and hostage negotiations.

The new psychiatry unit will also be available to lend its services to other police agencies across the province.

**Cleared:** Calgary police officers were cleared of criminal wrongdoing in April following an Alberta Justice review into the suicide of a teen last year.



The review decided there was no chance of gaining a conviction on a charge of criminal negligence causing death.

However, the review was also critical of the slow police response

to a suicide warning for Isaac Mercer. The 16-year-old hung himself by his shoelaces in a police station interview room in January 1997.

Justice Minister Jon Havelock ordered the review following a fatality inquiry report which said police botched the arrest, detention and charter of rights of Mercer.

The Alberta Justice review found the initial police investigations of Mercer's death to be thorough and complete.

"I'm very pleased," Calgary Police Chief Christine Silverberg was quoted as saying. "I had a great deal of confidence in my investigators and the findings support my confidence in the thoroughness and fairness of the investigation."

**Absorbed:** Municipal police in Dalhousie, N.B. replaced their old uniforms and guns with the sidearm and red serge of the Royal Canadian Mounted Police.



The Mounted force officially took over policing in the town during a ceremony in late April.

The municipal force was comprised of 10 officers, including the chief and one civilian employee.

**Busted:** An organized drug trafficking ring operating out of bars and cafes in northern Montreal was broken by police in April.

Police said the raid resulted in the seizure of \$115,000 in heroin, cocaine, hashish and marijuana. Authorities also confiscated five cars and \$30,000 in cash.

Seventeen people were charged with various weapons and trafficking offences.

**Running:** Former Montreal police director Jacques Duchesneau ended months of rumours and officially announced he was running for mayor as head of a new party,



**Duchesneau**  
New Montreal.

The polls show Duchesneau is ahead of other declared and potential rivals in the bid to govern Canada's second-largest city.

Duchesneau retired from the Montreal police service on April 3, after 30 years of service.

**Awarded:** The Toronto Humane Society honoured a Canada Customs detection dog in May as part of Be Kind to Animals Week.



Shad, a four-year-old black Labrador Retriever, was recognized for his part in fighting the war on crime.

During his three-year career, Shad and his partner Scott Cable, have been directly involved in the seizure of over 2,400 kilograms of narcotics worth an estimated \$60 million.

**Corrected:** Justice Department officials and the RCMP have worked out a discrepancy over gun-related crime statistics, an assistant RCMP commissioner said.



The discrepancy was found last year when researchers were gathering information on the use of firearms in violent crime in Canada as part of the background work for drafting new gun-control laws.

Of 88,162 violent crime investigations, RCMP statistics showed that 73 firearms were involved, while the Justice Department reported there were 623.

But in a recent letter to the Ottawa Citizen, assistant commissioner D.C. Cooper said police and justice researchers fixed the problem in December.

"There was simply a different methodology used by the RCMP and the Firearms Smuggling Work Group," Cooper was quoted as saying. "We were focusing on criminals incidents in which a firearm was actually used in the commission of a crime" while Justice researchers recorded "all firearms recovered by police" even if they weren't used during the commission of a crime.

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## Up-Coming Events

**June 22 - 27, 1998**  
**Canadian Law Enforcement Games**  
**Guelph - Ontario**

The organizers hope to welcome you to this year's games. Open to law enforcement officials and their spouses, this year's games will include mountain bike racing, martial arts, golf, running and the toughest cop alive competition. Call Mike Mathieu at (613) 226-2815.

**June 22 - 28, 1998**  
**SaskTel Ericsson Can-Am Police-Fire Games**  
**Regina - Saskatchewan**

Plan now to be part of an event dedicated to the physical excellence and positive public profile of police and fire protection services throughout North America. For information call the games office at (888) 229-2698.

**June 26, 1998**  
**Can/Am Mounted Police Competition**  
**Toronto - Ontario**

Sponsored by the Toronto Police Mounted Unit, this event will have competitions including equitation and uniform dress in addition to an obstacle course. For more details call Sgt. Lorna Kozmik at (416) 808-1730.

**June 26 - July 1, 1998**  
**Disaster Forum '98**  
**Edmonton - Alberta**

Local authorities, individuals and organizations who plan for, respond to and recover from disasters should plan to attend this year's conference. For more information regarding registration fax (403) 422-1549.

**June 29 - July 3, 1998**  
**21st Annual Conference on Forensic Identification**  
**Kitchener - Ontario**

This conference, hosted by The Canadian Identification Society, will be held at Conestoga College. Contact Don Taylor at (519) 623-5388.

**July 12 - 15, 1998**  
**29th Annual NASSLEO Conference**  
**Toronto - Ontario**

The National Association of School Safety and Law Enforcement Officers is holding a 3-day conference. Register early as spaces are limited. For details contact T.M. Dorward at (416) 394-6865.

**July 27 - 31, 1998**  
**Crime Prevention Through Environmental Design**  
**Winnipeg - Manitoba**

CCSA Consultants Inc. and Security Training Academy of Manitoba is sponsoring a certificate five-day seminar on Crime Prevention Through Environmental Design with the creator of the CPTED training program, Timothy D. Crowe. For further information, contact Herb Stephen or Kevin Gamble at (204) 982-6837.

**August 23- 25, 1998**  
**98th Annual Canadian Association of Chiefs of Police Trade Show**  
**Edmonton - Alberta**

The CACP Conference is sure to be an exciting and well attended event. For more information call Sgt. Phil Bailey at (403) 421-3505.

**September 3 - 6, 1998**  
**Canadian Police Canine Association Seminar & Championship Dog Trials**  
**Edmonton - Alberta**

The Edmonton Police Service's Dog Unit hosts this conference offered to all law enforcement dog handlers. For further information on the event and seminar contact the Edmonton Police Service Dog Unit at (403) 496-8618.

**September 19, 1998**  
**25th Anniversary Antique & Custom Car Show**  
**Cambridge - Ontario**

Hosted by the Waterloo Regional Police Service the show will display a number of classic cars along with displays by officers from the canine, tactical and scuba units. Admission is free with a non perishable food donation. For additional information call (519) 653-7700, ext. 786.

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## Patch Swap Meets

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# TEN-SEVEN

Law Enforcement News From Blue Line Magazine

## Police agencies need better resources to battle organized criminal groups, Scott told

Law enforcement officers from across the country had an opportunity to speak with Solicitor General Andy Scott in April about what they need to catch criminals.

The solicitor general met with 40 police officers and prosecutors during a day-long session on how to combat organized crime.

Julian Fantino, chief of the London, Ont., police, said organized crime has changed so much over the years, law enforcement agencies are having trouble keeping up.

Organized criminal groups have the technology and money to stay ahead of authorities, Fantino said.

"We cannot any longer be held accountable for optimum public safety if the Cana-



**Fantino**

dian public and the political folks are not going to dedicate the resources necessary," Fantino, the head of the organized crime committee of the Canadian Associations of Chiefs of Police, was quoted as saying.

"And it's foolishness to expect that the law enforcement community be held accountable for public safety solely."

The meeting heard that organized crime is generating illicit profits of \$20 billion annually.

Scott said the federal government thinks it can do more to help combat criminal groups. He said he hoped to use what he learned during the meeting to develop a plan of action to take to the cabinet.

He added that any plan would have to be

affordable and have wide support from the provinces, police and justice officials across Canada.

It has been suggested that one of the things the federal government should do is reinstate the Canada Ports Police because ports are most often used as a gateway for drugs entering the country. The ports police were disbanded last year by Transport Canada as part of a restructuring of port administration.

Fantino said there is no immediate solution that will help the law enforcement community catch up, but added that hitting criminals in their pocketbooks through proceeds of crime legislation is the best way to fight back.

Scott said he plans to meet with provincial ministers in the fall to discuss the results of the April meeting.

## Blue Line writer now Justice of the Peace

by Morley Lyburner



**Miller**

Gary Miller, a long time contributor to Blue Line Magazine, has accepted an appointment by the Ontario Attorney General as a Justice of the Peace in Toronto.

Gary will be fondly remembered (or not, depending on your point of view) for his biting editorial commentary in

Blue Line Magazine over the past five years. He was also a frequent contributor of feature stories for Blue Line and several of his exposes have made considerable impact over the years.

Gary has indeed covered a wide array of topics. In 1994 he presented a series of articles regarding women in policing which was followed by a second series on the problems associated with aging police personnel and its impact upon policing services. In more recent years he produced an insightful series on Parole Boards and their function.

A life-time resident of Toronto Gary joined the Toronto Police Service (Metropolitan Toronto) in 1964 and retired with over 32 years of service.

Late last year he was offered and accepted the opportunity to serve as a Justice of the Peace. He was sworn in on March 16th this year.

## SWHAT

by Dave Bluestein





## United Nations to host global drug summit



Stating that "a grand alliance of nations can and will conquer the global plague of drugs," UN Undersecretary-General Pino Arlacchi announced last month that heads of state and government leaders from 186 UN member states will participate in a General Assembly Special Session on the world drug problem.

The event, to be held in New York on June 8-10, 1998 is expected to be the largest multi-lateral gathering ever held on combating illegal drug trafficking and abuse.

The Drug Summit marks a critical new juncture in the global fight against drug supply and demand. For the first time, national leaders from throughout the world will gather together to agree to:

- The first truly global strategy to control drugs;
- The goal of substantially reducing and eventually eradicating the illicit cultivation of opium, coca and other narcotic crops in the next ten years;
- The first international agreement on demand reduction;
- Find solutions to the problems posed by amphetamines and "designer" drugs; and
- Identify specific timetables to strengthen and harmonize member states' laws on money laundering, extradition of drug traffickers,

and sharing information on drug cartels.

The UN announced that leaders who have expressed interest in attending the Drug Summit include the heads of state or government from Canada, the United States, France, Mexico, Colombia, Italy, Belgium, Sweden, Peru, Spain, Ukraine, among others.

According to Mr. Arlacchi, who also serves as Executive Director of the UN International Drug Control Program and the UN's Office of Drug Control and Crime Prevention, "Narcotics and organized crime are the major threats to the world in the next century. With the involvement of so many world leaders, we now have an opportunity for the first time to meet a global threat with a global response."

Mr. Arlacchi, who previously served as a leading strategist in the Italian government's successful campaign against organized crime stated that "This is a fight that can be won, given the political will illustrated by the international community's participation in this Drug Summit."

"Global coca leaf and opium poppy acreage totals an area less than half the size of Puerto Rico. There is no reason it cannot be eliminated in little more than a decade."

The Drug Summit will feature Plenary Sessions for adopting specific political declarations and operational resolutions, as well as six symposia devoted to topics such as:

1. Attacking the Profits of Crime;

2. Cutting the Supply Lines;
3. Children, Youth and Drug Abuse;
4. Drugs and Productivity;
5. Drug Abuse and HIV/AIDS;
6. Drugs and Development; and
7. A Workshop on Media Coverage of the Global Drug Problem, featuring leading journalists, academics and community activists.

For further information: Don Nathan or Bill Bodie, New York, 212-484-7782, for UNDCP/CO.

### The Great Mac Attack

by Tony MacKinnon



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## Feds, province enter prison agreement

New Brunswick and Ottawa announced major changes to the province's prison system in April, which would allow the two jurisdictions to exchange prisoners and share services.

The exchange of services agreement is exclusive to New Brunswick, but other provinces are interested in entering a similar deal, federal Solicitor General Andy Scott said.

The program will allow the provincial government to place its more serious offenders into federal prisons, while federal parolees will have an opportunity to use provincial rehabilitation services.

"What we're doing is taking advantage of our expertise in federal prisons in terms of programming, which is world-renowned and the province's expertise in terms of community services," Scott was quoted as saying.

Normally, anyone sentenced to two years less a day is sent to a provincial jail.

Under the new corrections agreement, sex offenders serving six months or more and other criminals sentenced to a year or more, will be considered for placement in one of New Brunswick's two federal prisons, Solicitor General Jane Barry said.

Graham Stewart of the John Howard Society of Canada said he had concerns about placing short-term prisoners into federal prisons.



**Barry**

"I'm worried about short-term people being held in facilities that are oriented towards long-term prison offenders," he was quoted as saying. "The environment is generally perceived to be higher risk."

But Stewart also said he didn't have a problem with offering special groups, such as sex offenders, the best services at a nominal cost.

New Brunswick plans to gradually transfer about 125 provincial offenders, roughly one-third of the province's total prison population, into federal jails.

The transfer will save the province more than \$1 million annually. New Brunswick has already closed four provincial jails over the last couple of years to save money.

But Barry said the province isn't just trying to cut costs.

"This is not about closing jails," she was quoted as saying. "This is about maximizing services between the two jurisdictions."

Canada has the second-highest rate of incarceration among developed countries with a rate of 133 prisoners per 100,000 people, Scott said. The United States has the highest rate with 600 inmates for every 100,000 people.

The average annual cost of keeping a federal offender in a Canadian prison is roughly \$50,000.

"It's important for Canadians to know that we do incarcerate more often than most and we should be looking at ways to provide alternatives to incarceration where appropriate," Scott was quoted as saying.

### Prisons to hire additional guards

Federal prisons will be able to hire 1,000 new guards over the next two to three years to improve security and safety thanks to an increase in funding.

An estimated \$40 million a year will be needed to cover the cost of salaries and benefits for the new correctional officers, but an increase in security is needed because the prison population is growing and changing, Solicitor General Andy Scott said.

Several federal prisons already have part-time workers and many of those will be hired full-time.

The decision to increase staff was made after Correctional Services Canada workers said they don't feel as safe on the job as they used to.

The new guards will bring the total number of federal correctional officers up to 6,500.

## Drug dealers suspected in police station bombing



Saint John police are taking a harder stance against the city's drug trade following the April bombing of a police station.

Investigators said they believe the bombing was an act of revenge orchestrated by local drug

dealers.

"It's a direct retaliation as a result of our ongoing, aggressive manner in stopping drugs in the city and other criminal activity that's going on," Sgt. Pat Bonner said.

The early morning blast followed a raid on a crack house three days earlier, Det. Bob Powers said. Threats had been made against police at the time.

Const. Gordon Redburn, who was off duty, discovered dynamite on the doorstep of the station about 2 a.m., Sgt. Bonner said. The quick-thinking officer ran around the side of the building and yelled at the officers inside to get out.

The bomb went off while officers were attempting to leave the building.

The station was "severely damaged" by the blast Bonner said. A door was shattered and some damage was caused by flying glass.



This Saint John police station was bombed on April 23. The bomb was placed on the deck of the side entrance (arrow). Const. Gordon Redburn discovered the bomb and alerted officers inside.

"We're still working out of it now," he said. "There's some major work to be done to the doorways and entrance ways."

Three officers were taken to hospital with minor injuries and later released.

Police are "very actively" continuing their investigation of the incident, Bonner said.

Meanwhile, police have tightened security at their stations and stepped up operations against local drug dealers.

"That didn't slow us down any," Bonner

said. "That made us step it up more."

Direct attacks on police facilities are rare in Canada. In December 1996, a bomb blew a hole in the wall of the police headquarters building in Sudbury, Ont. Arrests were made in the case exactly one year after the bombing.

In the 1970s, a bomb was planted on the roof of the police headquarters in London, Ont. It was safely removed by the force's bomb disposal unit.

# Provincial force swears in new police commissioner



**Commissioner Gwen Boniface**

The first female Ontario Provincial Police commissioner was sworn in at police headquarters in Orillia on May 28.

Gwen Boniface, a 20-year veteran of the

provincial force, replaced Thomas O'Grady who retired after 40 years of service.

Boniface began her career with the OPP in 1977 as a constable. Since that time, she has held a number of positions including Superintendent in the First Nations and Contract Policing Branch, and Chief Superintendent in the Organizational Development Bureau.

She was the Chief Superintendent, regional commander in Western Ontario, before accepting the top job.

The new commissioner holds a Bachelor of Arts degree from York University and a Bachelor of Laws degree from Osgoode Hall Law School. She is a member of the Law Society of Upper Canada and Ontario Association of Chiefs of Police and is a director for the Canadian Association of Chiefs of Police.

Aside from being a police officer, Boniface has contributed to the field of justice as an adjunct professor at the University of Western Ontario Law School and her appointment to the Law Commission of Canada in 1997.

"She is capable of taking the Ontario Provincial Police into the 21st Century," former Solicitor General Bob Runciman said.

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## Ontario set to hire 115 police cadets



The Ontario government will spend \$6 million to help get more provincial police officers back on the streets, Solicitor General James Flaherty said in May.

The government plans to hire 115 police cadets, over 18 months, to perform operational support duties currently handled by police officers.

"The work of the cadets will free up officers from non-operational duties and let them get back on the street," Flaherty said.

Among other duties, cadets will answer non-emergency calls from the public, respond to basic inquiries by phone at detachments and assist in processing reports at collision reporting centres.

The government feels the cadet program will appeal to young adults looking to gain experience in the policing field.

"This is a wonderful opportunity for cadets to learn about policing first hand," Commissioner Gwen Boniface said.

"It will also allow more of our front-line members to get back to what they do best, protecting the people of Ontario."

The program is part of the provincial government's recent five-year commitment to invest \$150 million to make Ontario communities safer.

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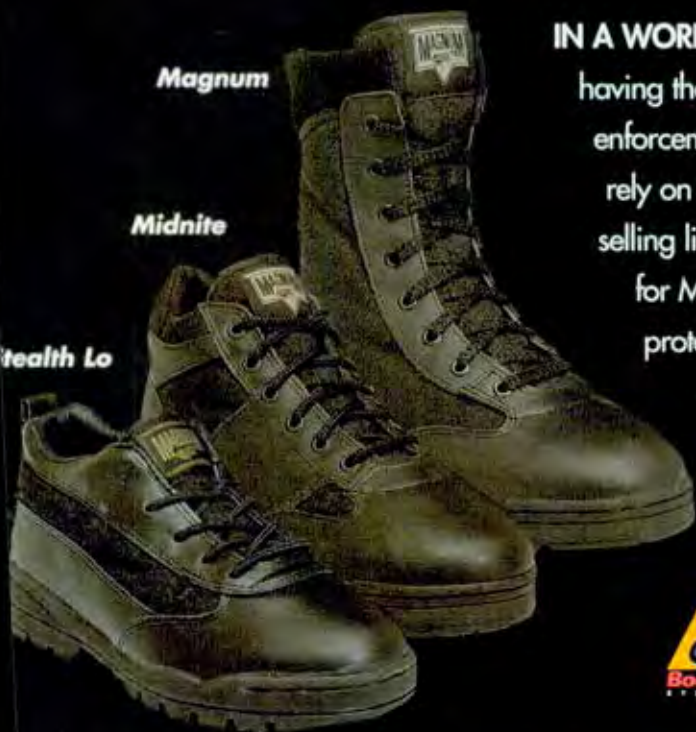
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## British Columbia introduces chase regulations



Dosanjh

Regulations outlining police chase procedures came into effect in British Columbia in late April.

Under the new rules police can only engage in a chase when an officer has reasonable grounds to believe

the seriousness of a suspected offence outweighs any risk to the public that may result from a pursuit.

"These regulations try to create a balance between apprehending criminals and public safety," Attorney General Ujjal Dosanjh was quoted as saying.

The main difference between the old and new rules is the focus on pursuit.

"Pursuit is now defined," Hal Yacowar of the ministry's criminal justice branch was quoted as saying. "There is a requirement for risk assessment."

Another change involves the use of lights and sirens. Police used to be able to keep their lights and sirens off to close the distance between them and a suspect.

While they still have the option to use the tactic under the new rules, they must always use both lights and siren when passing through a red light, stop sign, school or playground area.

The need for pursuit regulations was sparked by the 1995 deaths of Erik Thomson, 19 and Krystal Bartusek, 18.

The two teens were killed when an RCMP vehicle struck their car as they returned home from a family reunion in Kamloops. The officer, travelling between 125 and 140 kilometres an hour, didn't have his car's siren or emergency lights on.

The Mountie was later acquitted of dangerous driving causing death by a B.C. Supreme Court jury.

Police feel that the new regulations strike a balance between justice and safety, Abbotsford Chief Const. Barry Daniel said. He also pointed out that criminals initiate pursuits, not police.

"Stronger sentences are needed for those who cause the pursuits," Daniel was quoted as saying.

Dosanjh also said the government will pay out a total of \$480,000 for new spike belts and police training.

## Owen Sound swears in new chief of police

The Owen Sound, Ont., police force swore in a new chief in May.

Tom Kaye, who was promoted from deputy chief, said his first priority will be to create a management team and set a firm direction for the police service.

Owen Sound Police Services Board Chair Rick Beany said Kaye was the only person considered for the job because he excels in training, community policing and communi-

cation.

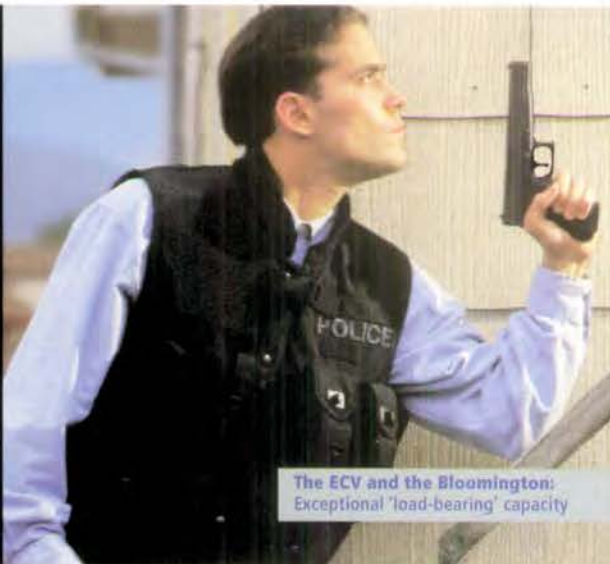
The 40-year-old officer began his career in Toronto in 1976. He has also worked in Smith Falls, Coburg and Shelburne.

Kaye was hired by the Owen Sound police in November 1995.

He had been acting chief for seven months following the resignation of former chief Bert Faragher, who left the force prior to the release of a critical auditor's report.

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# CRIMINALLY FUNNY



*Humorous tales of laughable oddities from both sides of the thin blue line*

## Elderly women defend their homes against would be thieves in two separate incidents

Two elderly women defended their homes and drove off burglars in two separate incidents between March and April.

In the latest case, a 79-year-old woman used a pillowcase to drive off two knife-toting thieves who broke into her home.

The woman, who didn't want to be identified, said she awoke at about 12:45 a.m., after a light came on in the hallway.

The woman said she reacted quickly after realizing the shadow in the room was too tall and thin to belong to her sister, whom she lives with.

"I jumped up and grabbed the pillow sham and hit him in the face," she was quoted as saying. "I didn't stop to think. It happened too fast to be scared."

After the woman hit the home invader, he

ran downstairs as she yelled at him to get out of her house.

The burglar fled the home and ran right into two security officers who had been alerted by a passer-by.

A 17-year-old youth and an 18-year-old man were charged with break and enter.

In an earlier incident, 70-year-old Annie MacDougall managed to frighten off two burglars with an umbrella and still make it to church for morning mass.

The Sydney, N.S., resident was on her way to church from her apartment when she stopped to check on her vacant family home.

When she unlocked the door she found two

men inside ransacking her house.

"One of them said to me as he was walking towards me that somebody had broken into the house and he was trying to look after

it," MacDougall was quoted as saying.

"So I told him to get out right away and I hit him over the head with my umbrella, then I poked him in the back and said, 'You get out and stay out!'"

She gave the second suspect the same treatment and then led them both to the door.

Two men were arrested by police, who were notified of the break-in prior to MacDougall's encounter with the intruders.

Despite the ordeal, MacDougall almost made it to church on time for Sunday mass.

"Oh, I was a few minutes late," she was quoted as saying.

**"I jumped up and grabbed the pillow sham and hit him in the face. I didn't stop to think."**

**- Elderly victim**

**"I hit him over the head with my umbrella, then I poked him in the back and said, 'You get out and stay out!'"**

**- Annie MacDougall**



## Clumsy thief breaks leg

The third time wasn't lucky for a would-be thief who broke his leg while attempting to flee a crime scene in March.

The ill-fated burglary attempt began when the man tried to break through the glass at the rear door of a home, Toronto police Det. Daryle Garry said.

According to the detective, the man secured the glass with tape so it wouldn't shatter, but he hit it too hard and the whole door caved in.

The man left the scene, but returned to the home when no police officers arrived. He then made off with jewelry and a fax machine.

But according to Garry, the man wasn't satisfied, so he returned yet again. This time for a microscope.

The thief tried to escape by climbing over a fence in the backyard, but he fell and broke his right leg in two places.

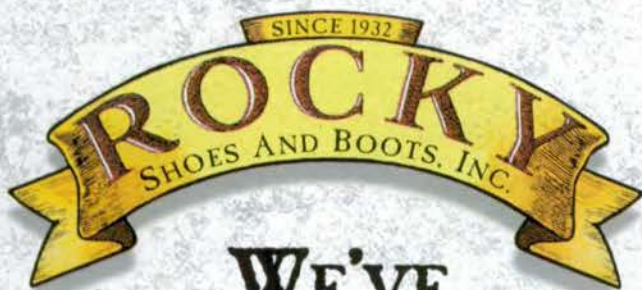
Neighbours alerted the police when they heard a man screaming, Garry said. Officers followed the yelps through the neighbourhood and arrested the man as he attempted to crawl home.

The suspect was charged with break and enter and possession of stolen property.





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