

Blue Line Magazine

May 1989



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

DOESN'T YOUR JOB COME WITH ENOUGH RISKS?



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A PUBLIC SERVICE MESSAGE
TO THE POLICE OFFICERS OF CANADA
FROM
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Cover story:

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True Crime by Geoff Cotes is not available this month. Part 3 of **Three Sides of the Coin** will appear in the June issue of Blue Line Magazine

In 1988, the first female police Constable joined the Mounted Unit. This was just one of many new frontiers opened to women in the police profession. For many years the Metro Toronto Mounted Police Unit was a male domain. Times and attitudes are changing rapidly.

With recent court decisions holding that women can carry out combat duties in the armed forces, many women are now looking toward police tactical units as a suitable move. The suitability of many women in this area cannot be disputed.

For our series on women in policing we approached the Metropolitan Toronto Police Museum staff and invited them to present us with a photographic essay on the history of women in police work. This police force has long been recognized in Canada for its innovative concepts in police work. To date they have the largest number of female officers, the longest history of employing female officers, and the highest number of females in ranking positions.

The Metro Toronto experience has found that the use of female officers in large numbers does not have a negative impact on police services. They excel in diffusing aggressive behaviour in many circumstances and handle it effectively in many others.

The 90s is sure to be the decade when women come into their own in many areas of society. The police profession is one that women have proven themselves to be particularly adept. For them the future is now and yet still to come. Welcome aboard!

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Comment

What criminal did this damage?

- Morley Lymburner -

I sat in the car in astonishment. I can understand the coffee stains and the cigarette ashes on the seat and floor. What really got me was the torn dash and the gouges in the steering wheel. This was no punk's car. It was a police car.

The notch I found in the steering wheel was neatly cut by a knife. It was easy to see that someone took his time to do it. The damage to the dash was clearly caused by someone cutting, tearing and pulling at it. I thought this must be a real old car. The speedometer read 60,224 km. It couldn't be the second time around because nowadays they trade them in at 130,000.

I had to wonder what type of mind would do this kind of thing. How could a police officer permit the criminal he had arrested to do this damage? It amazed me that the officer would not charge the guy after he found that man had damaged his police car to that extent.

I was also amazed that the officer did not search his prisoner and find the knife he used to cut the notch in the steering wheel. But the thing that had me completely baffled was how this criminal got behind the wheel in the first place and was permitted all the time it took to do this?

Or could it be..... Naw! No way! It couldn't have been...

The police force has come a long way since the old days of six and four cylinder Faimonts with bench seats that left your partner chewing on his knee caps or crushing your shoulder on turns. I can still remember trying to respond to major occurrences with a two door slant six Plymouth and no roof lights. Flashing my headlights and honking my horn caused me to spend more time responding to calls on the sidewalks and boulevards than on the highway.

On hot summer days, while wearing my buttoned up long sleeve shirt, tie and

cross strap, and my hat firmly crushed onto my head, I would pick up speed and note the level of dust in the air came higher off the floor as my speed increased. Many a pursuit was called off due to the amount of dust in the air and in my eyes. One officer had written on the door that since the speedometer had not worked for the past six months the speed limit was when the dust was eight inches off the floor. He had drawn a line to indicate this. I tried it. He was right!

We have come a long way yet we have many, many more improvements to come. The biggest improvement necessary, however, is the attitude of the occupants. Proper respect for the issued equipment is more important than ever.

Police forces today are routinely ordering cars with air conditioning, split bench seats, cloth seats, tinted glass, and good sized engines. They are installing computerized video terminals, improved light and sound packages and better first aid kits. The police vehicles of today are painted better with some of the best reflective material in North America. Officers enjoy hat racks, night stick holders, hand radio holders, and in some instances even a place to put that cup of coffee. We now ride on the best tires that money can buy. And that ain't all. If you have any ideas on how to improve on perfection you can do this as well. Many forces have Equipment Committees set up for this very purpose.

All that is asked in return is to take reasonable care of YOUR office. If you find something wrong have it fixed or let the officer-in-charge know about it. Even better - let that slob who does this damage know how lucky we are to have the equipment we have. It was not too long ago we didn't have it. In most cases it isn't written anywhere that they have to give it to us.

Women in Policing - Part II

Staff Sergeant Irena Lawrenson: A career with challenge

- Louise Dueck -

Constable Irena Lawrenson's afternoon shift had been rather uneventful. The evening rush hour had been over for some time and she decided a cruise down Highway 53 would be in order. Suddenly the radio came to life, "Brantford 3314... we have a 10-50 and 10-45, Highway 24A at the 6th Concession." Irena answered with the only message expected. "Brantford 3314... 10-4 on the way."

The smashed Volkswagen was in the ditch. The two youths inside, a 19 year-old boy and an 18 year-old girl, were already dead of severe internal injuries.

"I remember looking at her. She was so young, so pretty," Lawrenson recalls. The force of the impact had split the seams of her jeans. There were no seat belts in the car.

After concluding details at the scene, Lawrenson and her partner went to the boy's home to notify his family. The girl's identity was still unknown.

"That's the hard part," Lawrenson

says. "That's when the deceased becomes real to you. You see the family, the siblings, the photographs sitting around."



It was 3:00 a.m. The lights were still on. The boy's parents had been waiting up for him. One last word of admonishment from her partner, "Don't you dare cry", as they approached the house.

At the home is when the sorrow starts. These had been good kids, returning home from a

church meeting. There was no evidence of alcohol or drugs. There were no skid marks. The parents really wanted to know what happened, but in this instance there was no way of knowing.

"You wish you could tell the parents, but you can't, because you've no answer yourself. All you can do, after the visit to the morgue, where you cry with them, is ensure a priest and some loved ones are there to provide comfort and support."

Notifying the girl's mother was even

harder. A single parent, the girl and her brother had been adopted. There was no adult support person. Only a minister could be found.

Lawrenson, now a Staff Sergeant with the Information Services Branch of the Ontario Provincial Police in downtown Toronto, re-lived the emotions of the incident as she recounted the story and reflected on her 15 year career and the expanding role of women in the force during that time.

Lawrenson had no thought of joining the police force when she was completing her B.A. studies in geography and anthropology in 1974. But then she chanced upon a news report of the first women hired by the OPP and the RCMP, and stunned at this reality, was challenged to enter this field where few had been before. Five months later she was accepted as a member of the Ontario Provincial Police.

Of traditional European parentage, Lawrenson had been brought up with the concept that teaching and nursing were the acceptable careers for women. But her family, who at first found her choice somewhat unusual, became very proud of her once they saw her in uniform at her graduation.

Lawrenson's first posting was to Brantford, a place she had to look up on a map, Toronto girl that she was. She was the first female to be posted to that detachment of 45 men. Many of her peers, Lawrenson recalls, were supportive from the first. Others, however, made it painfully clear that they felt policing was not for women and they would never accept it.

"I would think, breaking into any non-traditional role, you'll always have that," Lawrenson observes. "Regretfully, after 15 years I'm quite sure there are still a few people who will say this is a job for men only."

During her nine years in Brantford Lawrenson found that she was both given opportunities she would not have received as a man and also prevented from doing a lot of things because she was a woman.

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A photographic history of women in policing

- Metropolitan Toronto Police Museum -

According to annual reports, the first police matron was appointed to the Toronto Police Force in 1888. She was required to live close to the station to be

available at all times to search and supervise female prisoners.

By 1913, Mary Minty and Maria Levitt were appointed as the first "policewomen" attached to the Toronto Force.

Duties included the supervision of dance halls, dealing with female prisoners and, as the 1913 annual report states: "...duties that their sex enables them to discharge with peculiar advantage."



*Circa 1920-5
Pioneers of women in police careers A group of policewomen and matrons in the 1920s.*



November 1958: Policewoman Kett directing traffic. Note the "airline stewardess" style of cap. It was not until 1945 that policewomen wore uniforms and received salaries comparable to policemen. In 1958, one year after amalgamation of the 13 municipal police departments around Toronto, the Metropolitan Toronto Police Force assigned women to traffic control in addition to the traditional roles in the Women's and Youth Bureaus.



June 1958: Policewoman Mary Anderson escorts two children.



March 1959: Dressed warmly to direct traffic in front of Eaton's and Simpson's.

All photographs courtesy The Metropolitan Toronto Police Museum



Policewoman Mary Sparrow helps a visitor with street directions. The style of cap changed.



Policewoman Audrey Speirs of the Youth Bureau.



Office duties at the Youth Bureau

The 1960s and 1970s were times of change. Female police constables' image, duties and uniforms evolved: women constables carried firearms, patrolled on foot and in scout cars, began climbing the promotional ladder and increased in number. In 1969 there were approximately 200 female police officers across Canada; twenty years later there are 350 on the Metro Toronto force alone.



Circa 1960 - Acting Detective Mary Anderson at her desk in the Fraud Squad.



Female cadet and policewoman use the radio in the scout car.



1975 - A policewoman with mitre set helps a youngster.

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An officer attending the scene of an accident last year found an ambulance crew talking to an obviously impaired driver at his car. The ambulance crew had been attempting to convince the man to go to the hospital as he had suffered a long laceration up the length of his left arm.

The subject had refused to accompany them but had agreed to let them put some gauze on the open wound. When the officer arrived he determined that the subject was not only impaired but acting quite contrary to any advice or aid that was offered.

The ambulance crew was about to leave when the officer directed the crew to return to the subject. The officer placed the accused under arrest for impaired driving and then ordered the ambulance crew to transport his prisoner to the hospital against his will.

At trial the officer was asked if he had given the arrested man his rights. The officer answered truthfully that he had not. He further advised the lawyer that he was more concerned with the safety and well-being of the suspect than his rights. He said he felt that had he given him his rights the accused would have used this as another delaying move, not going to the hospital and receiving the care he urgently required.

The trial judge ruled that the accused's rights had been infringed but that the infringement was reasonable under the circumstances and that it did not bring the administration of justice into disrepute. He also added that the officer should be commended for breaching the accused's rights in this manner.

Many courts have ruled in similar cases that the reading of the rights is not mandatory and in some circumstances it is recommended that the officer explain the right to counsel rather than merely recite off something with no regard as to the person's understanding of what was said. Under the Young Offenders Act it is paramount that the officer not only advise the accused of his/her rights but that he receive a response of understanding back from the accused and make note of that response.

Although it is not a requirement to actually "read" an arrested person his rights it is a good practice. In most circum-

Charter of Rights update

Section 10(b) - Reading of Rights

stances, when arresting adults, it might be a good practice merely to memorize it instead. In this fashion the officer need not have something in his one hand at the crucial point of effecting an arrest.

The main problem with merely telling a person he can speak to a lawyer is that upon cross examination the officer may forget the exact words he used. This could cause problems when trying to determine what an impaired driver really understood about what was said to him. If an officer merely makes an off-the-cuff statement of rights he could find himself embarrassed in the stand.

When looking through case law we find several points on this subject that would be of interest. The following is a brief rundown on this section.

- In one case an accused was deemed to have been properly advised of his rights to counsel by means of a sign in the police station. He had read and understood the sign so it was declared that he need not be further advised verbally.

- If a person has asked for access to counsel and has been refused by police this act would bring the administration of justice into disrepute.

- The accused's drunken assertion that there was "no point" in retaining counsel in face of a murder charge could not possibly have been taken seriously by the police as a true waiver of constitutional rights. By proceeding to take the statement the officers were in violation of section 10(b). To admit the statement would bring the administration of justice into disrepute.

- It is not the requirement of the Crown to prove that a person understood their Charter rights. It is rather up to the accused to prove to the court that he did not understand them or that he asked for them but was denied them.

- Section 10(b) imposes a duty upon

the police not only to inform the arrested person of his right to counsel but also to provide him with the opportunity to exercise it.

- An officer has the right to search a prisoner immediately after arrest and before he gives the accused his 10(b) charter.

- Although the accused has a right to privacy when speaking to counsel he does not have to be advised that the privacy is a right.

- In one case the wording "without delay" was deemed not to mean right away. Therefore a delay from the scene of the arrest to the police station in advising an accused of his rights was not fatal in the case of Regina Vs. Kelly

- Once an accused has retained counsel to the knowledge of the police, they cannot proceed to take a statement without giving counsel notice of their intention. However, in another matter the statement taken was admissible when the officers were not requested to wait until counsel arrived. The accused did not indicate that she wished to remain silent until counsel arrived.

- The requirement on an accused to produce a breath sample is in contravention of section 10(b) but it is an acceptable limitation under section 1 of the Charter.

- While a person who is required to supply a sample of breath into an approved screening device is detained he need not be advised of his right to counsel nor does the motorist have the right to speak to counsel. This is deemed a minimal and acceptable limitation on a motorist's rights.

- As reported in the April issue of Blue Line Magazine, in the matter of Regina Vs. Bain it was determined that the police are not the guardians of the

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Greater Police / Media understanding needed

- William J. McCormack -

Deputy Chief

Metropolitan Toronto Police Force

The following is an address to the Society of Investigative Journalism on April 13, 1989 by Deputy Chief McCormack. The occasion was a panel discussion, held at Ryerson Polytechnical Institute, regarding the role of media reporting in society today. We feel the Deputy's remarks are worth repeating.

There is a very great need for improvement of communication between the police and the media. There is a need of education and improvement on both sides. Unfortunately one of the things we are encountering on a daily basis is that there is a lack of understanding of the actual police function and what policing is all about.

If we can go back to the very basics we find that police officers are sworn to protect life and property and maintain order and to address the people who are breaking the law. Those basic principles are there to guide police officers.

The thing that I think is not always said is that a police officer while working in that particular profession is not a member of the judiciary or a member of the Bar. It is not his or her function to adjudicate. But yet there seems to be that expectation in the

minds of the media that police officers should be in that position.

But the law clearly says the offi-



cer on "reasonable and probable grounds" will carry out certain functions of his or her duty to bring certain people before the courts where adjudication takes place.

The reason I am bringing that up is that all too often we find ourselves in the position of being between, if you will excuse the expression, the devil and the deep blue sea. On the

one side you have the media and all the other people screaming for information. Wanting to know immediately what has happened. And when you look at the particular case it has resulted out of an instantaneous decision that a human being has had to make under very trying circumstances.

That decision, rightfully or wrongfully made, will be subject to great investigation. Furthermore that decision will come, one way or the other, to haunt that individual personally through the media. I think what is lacking here is understanding in both areas.

What I am saying in effect is that we as police officers quite often are subject by law to the disclosure, and non-disclosure as well, of certain information because it may well stand from the evidence that it is pertinent in that particular case to a court of law. We as police officers could well be subject to a charge of contempt should we disclose information.

Yet the media is such a huge industry that they have the freedom to say what they like and can level all kinds of accusations. There use to be a saying in the old British system that in all things keep a tight lip until the matter has been completely aired before the court. The expression was that "you will be vindicated in the long run." This is no longer applicable and I know it.

I am very much for the communication, and the education, that is needed in this day and age to properly offset those problems the media encounters. But the one thing that I stress is that there should be communication between the public and the police. There should be comfort between the public and the police and there certainly should be understanding of each other's function between the media and the police.

Imagine you're on patrol during the night shift and you receive a radio call regarding a domestic dispute. You and your backup arrive at the address in question and meet the complainant, a female. She tells you that her estranged husband, an ex-psychiatric patient, broke in and assaulted her. You find evidence of a struggle, broken lamps, a smashed television and food scattered around. Before you go to an upstairs bedroom to confront the husband, the wife tells you that a few weeks before he had warned her that he had acquired a handgun.

You approach the man cautiously but find him calm and polite. You let your guard down. Then, without warning, the man pulls what appears to be a small handgun from his jacket. He hesitates momentarily as you draw your own weapon. You order him to drop his gun. He ignores you. Fearing for your life, you shoot, killing him. Only afterwards do you discover that his handgun was in fact a toy.

A hypothetical situation? No! It actually occurred in Brantford, Ontario in the

Toy guns aren't "kids stuff"

- Robert C. Hotston -

autumn of 1987.

As "look-alike" toy or replica firearms become increasingly popular with the public, more police officers are encountering them daily. No one who keeps abreast of current trends in the news can overlook the fact that tragedies have occurred as a result of these toys.

- In 1984, a hostage-taker was shot in Toronto while pointing a replica handgun at an officer.

- In 1988, two San Francisco police officers shot and killed a mentally-retarded 13 year-old boy who pointed a

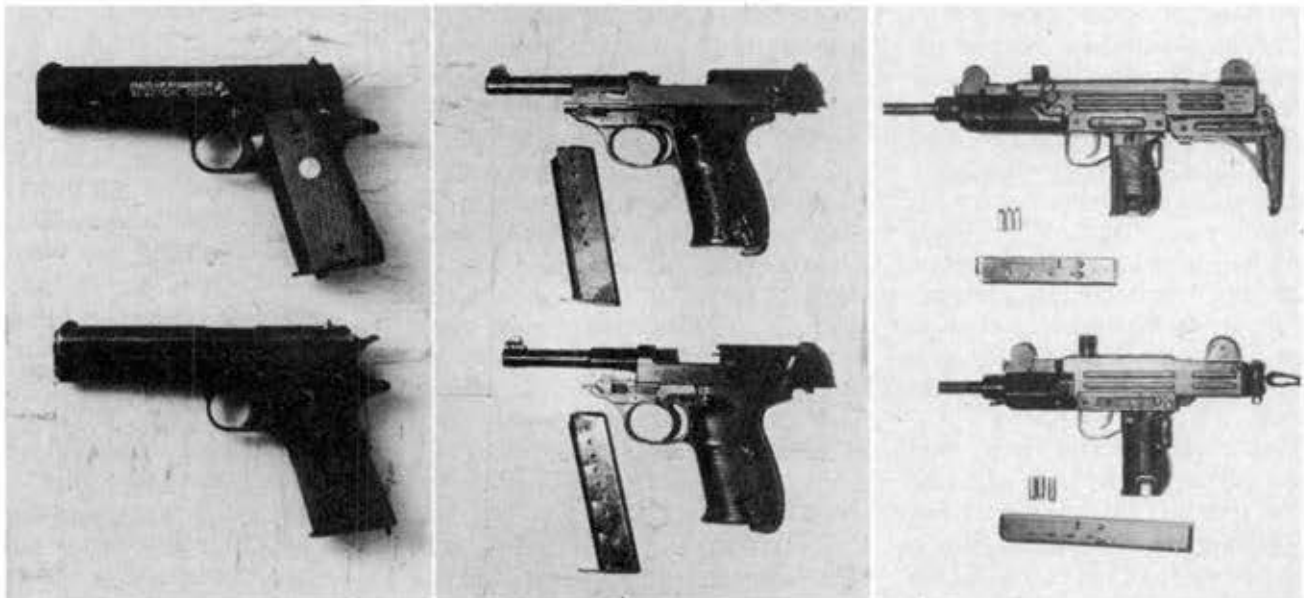
replica .22 calibre handgun at them.

- In February of this year, a potential tragedy was averted when a 14 year-old armed with a replica was grabbed by an off-duty Metro Toronto officer as the youth waltzed into a Scarborough restaurant.

In a world of real guns and real bullets few officers are willing to take the time to find out if the gun in the suspect's hand is fake or not. This is a life and death situation that can, quite understandably, evoke heated debate.

Without question, one of the most

Could you tell the difference if your life depended on it?



Is it real or not? Tragically, split second life and death decisions must be made when confronted with look-alike toy or replica weapons exactly like these. On the left, a Colt .45; centre, an Uzi submachine gun; right, a Walther P38. The hard question is - which one is the real thing? Think for a minute what you might have decided when confronted with one of these weapons. Would you make the right choice? In each photograph, the replica firearm is on the bottom.

demanding duties a police officer faces is making the decision to use deadly force. Segments of the media, and the public, like to perpetuate the image of the "cowboy" or "Rambo" types in our profession, who lie in wait for the opportunity to use their guns. The great majority of us who wear a police uniform hope that the time will never come when we will have to use our gun.

It's not that most of us harbour second thoughts about shooting someone who's actually firing at us. On the contrary, in a situation like that, the writing's on the wall and we all know what we'd do. The tricky part about using your gun in the line of duty is in sorting out all of the factors in a "grey area" encounter in the split-second required, knowing that if you fire too soon, people will be second-guessing your decision for days, if not weeks and months.

The other side of the coin is that if you don't react quickly and properly to the perceived threat when the time comes, your spouse could become a widow or widower. This is what makes the issue of replica and toy guns so important.

In support of your right to defend yourself on the street, the following suggestions are offered to help you prepare to deal with the popularity of the toy gun.

- Approach each situation as if it might be real, but look for visual clues that might indicate that there is something different about what's going on. For example, mannerisms and/or age which are inconsistent with the perceived threat.

- Become familiar with what's available in today's toy market.

- If a "weapon" is observed on or near a suspect, quickly assess it for pos-

sible fakery. Some toys have shapes and sizes which are not normally found on real guns.

- If approaching a person you think is possibly armed, use cover to your advantage, so you won't put yourself in a position where your only option is to react with deadly force, before you can establish the facts.

- Know just how far you're prepared to go in the presence of a suspected real gun before you take action.

Until the various levels of government decide to act on the problems posed by replica and toy firearms, the current trend of realistic toy guns can only make the police officer's job more difficult. No one has all of the answers, but an awareness of the subject will better prepare the average officer for most types of unanticipated encounters with replica firearms.

CASE LAW: Punishment and Sentencing

Deportation is not punishment

(Hurd Vs. Ministry of Employment & Immigration)

A decision brought down last December by Mr. Justice MacGuigan of the Federal Court of Appeal states that an immigration deportation order is not punishment in the sense of the Charter of Rights and Freedoms.

The case involved a Jamaican who arrived in Canada in 1971 and had accumulated a lengthy record for various criminal offences. His last conviction was for drug trafficking for which he received an eight month sentence. The Immigration Act states that any person with "landed" status who is sent to jail for a term exceeding six months is subject to deportation.

When officers from the Immigration Department put the wheels in motion the suspect appealed that he was being punished twice for the same offence contrary to section 11(h) of the Charter of Rights. This section reads: "Any person charged with an offence has the right (h) if finally acquitted of the offence, not to be tried again and, if finally found guilty and punished for the offence, not to be tried or punished for it again."

The court ruled that the key word is "punished" and that the Immigration Department's actions were not an act of punishment. This was supported by reference to a Supreme Court of Canada decision (Wigglesworth Vs. Regina) whereby it was decided that an organization's code of conduct was not a penalty of a public nature that is designed to keep public order. In the case of Wigglesworth it was a police officer charged with a breach of the RCMP's code of conduct. The code is established to regulate, protect, and correct day to day operations of a private interest.

In throwing out the appeal by the Jamaican immigrant Justice MacGuigan concluded that "the necessary redressing of the wrong done to society, and the goal of deterrence of others, has already been accomplished through the criminal conviction." He continued by saying the purpose of deportation was individual deterrence, not social deterrence. He stated it was the same as the loss of a licence, dismissal from a police force, or prevention from practicing a profession.

Regional correspondents wanted

Do you have an interest in the police profession? If you do and you have a talent or interest in some facet of police work we would like to hear from you.

We are interested in people who can write to communicate and not just to impress. Whether you would like to write about your specialty, experience, training, humour or become a freelance writer from your area we would like to hear from you.

If you are interested we would like you to send us a brief resume about yourself, a photograph if available, and a sample of your writing or material. Please send to

Blue Line Magazine,
118 Main Street North,
Markham, Ontario,
L3P1Y1.

Four members of the Windsor Police Force have been given the opportunity to introduce a radical change in policing policy in a west side neighbourhood.

The officers, all veterans of several years, have opened a combination mini-precinct/drop-in center in a housing project. The particular area chosen is one where serious assaults up to and including several murders have occurred over the past several years.

The program is known as Police And Community Together (PACT) and the officers recently held a contest for area residents to name their new mini-station. The winner was a student at General Brock Elementary School. He won a skateboard for his suggestion to call the mini-precinct the PACT Co-operation Station.

After studying increasing crime rates in the area and determining that conventional police methods such as random patrol and reactive policing (acting after the fact of a crime or occurrence) were not accomplishing any reduction, administrators on the Windsor Force decided to implement a tailored version of a program instituted in Flint, Michigan.

A team consisting of Constables Mike Lenahan, Lanny Ronson, Dave Doidge, and Mike MacKenzie was formed to get involved; and involved they are to a great degree.

The old method of utilizing officers to visit schools, conduct programs for students, have random meetings with business and community citizen groups was seen by some as a half-hearted attempt to show individual groups that the police were good guys, or "lollipop cops". The PACT team incorporates portions of these programs with some modern methods of implementation.

Officers spend their shifts at the office, or patrolling on foot or on bicycles in suitable weather. They are directly involved in many roles in the community. They may be called upon for traditional police duties such as handling disturbance complaints, investigating thefts or writing tickets; but added to these duties are the roles of advisor, counsellor and friend.

Officers selected for this project are specially trained at the Ontario Police College and while other cities have also implemented this program, Windsor is believed to be the only department carrying out the program in a geared-to-in-

Radical change in police policy

- Al Porter -

Windsor Correspondent

come housing project.

On a recent day, a Michigan Police Beat News member accompanied Doidge and MacKenzie on their patrol. From their office, the officers walked to a nearby high school where the officers say they have been warmly received. "We've been given the same authority in the schools as the teachers," MacKenzie says.

The officers entered the school and made their way to the office of Don Hancock, the vice-principal. The journey through the hallway was different than many experienced in the past. The students greeted the officers by name and there were no instances of the sullen glares of the past.

They spoke with Hancock and then went on their way. Hancock says, "They have a tremendous program, both inside and out," and he believes this new method of dealing with students has been very productive.

From there the team walked several blocks to a children's center. Recent amendments in provincial law have mandated some additional duties to this center. As well as being utilized for children with mental and emotional handicaps, it is now to serve as a secure facility for young offenders - a jail.

The team met with the director of the facility and received a tour of the newest section of the building. When completed, this new section will be used as a detention area for young offenders up to the age of 16.

The director wanted to make sure the team was familiar with the physical layout of the facility and also had the opportunity to meet the staff with whom they are likely to be working closely.

The team then continued their stroll, making their way back to the mini-station for their lunch break. Several of the neighbours dropped by for advice concerning a citizen's committee meeting planned for that evening. Doidge was discussing options with the members of

the committee when a youth came running to the door and alerted the officers to an accident just down the street. Ronson and MacKenzie immediately went to the scene of the collision and rendered assistance until an ambulance and a traffic unit attended.

The team then started back to their office once again. The youth who had come to tell the officers of the accident received Ronson's thanks. The boy said, "My mother sent me to do it." Ronson took that as an indication that his efforts are bearing fruit. "Remember a few years back, how difficult it was to find someone who had seen anything around here?"

The officers all agree that this new method appears to be accomplishing far more than the old methods. Ronson pointed out statistics contained in a monthly report submitted to the department administration. According to this report, in November of 1988, break-ins were down 133 percent from the same period a year prior; thefts were down 30 percent and assaults were down 21 percent. In addition it was discovered that calls to the area had declined 18 percent.

Team members have conducted surveys on several occasions to determine the area in which the people want them to have more impact. The results of the surveys are interesting. Most of the people surveyed said they had three main areas of concern: drug trafficking, loitering and noise - basically the same areas which concern people who live in the more affluent neighbourhoods.

The PACT team intends to concentrate on these issues and can readily call upon any of the department's assets for assistance in their campaign to make this area a decent place to live. Theorists say that the advent of the patrol car was also the onset of the isolation of the patrol officers from the citizens they serve. This program is getting back to basics and having the officers deal with the same citizens on a day-to-day basis.

Copper's signature on ticket okay

A British Columbia County Court Judge has ruled that a Vancouver police officer who signs his traffic tickets with a dash, instead of his real signature, is not in violation of the Motor Vehicle Act.

The officer advised the court that he signs with a dash so that he will not get hassled by phone calls from motorists wishing to argue about the ticket. According to the Act, an officer must "complete and sign" a traffic ticket before he serves it.

The person appealing the ticket claimed his ticket was invalid because the signature was not legible. His argument was that the signature had to be capable of being identified by a third party as the officer's mark. His argument was that the officer's dash had no distinguishing characteristics and was not valid.

However at the trial in Provincial Court the officer identified the dash as his mark and admitted that the mark was contrived by himself so as to not make his name legible. The Crown argued that the purpose of having the officer sign the ticket was not for identification purposes but simply to assist the officer in identifying the ticket as his own.

In dismissing the appeal the presiding judge concluded by stating "since the officer has clearly identified the mark as his own, and there is no evidence of any possible mischief, the appellant has not shown that he has been prejudiced in any way by the officer's action in marking rather than signing the violation report."

Kenyan officers jailed five years

Four police officers from Kenya have been sentenced to five years in prison for the beating death of a robbery suspect.

The suspect was arrested in regard to the theft of 4.1 million shillings (\$350,000 Canadian) from a security van. The per-

son, from Zaire, was taken to a police station in Mombasa and was interviewed and beaten by a chief inspector and three other detectives. The suspect subsequently died from the beating.

The original charge of first degree murder was reduced to manslaughter as the court felt the intention of the officers was to elicit information about other members of the gang and the whereabouts of the money but not to cause death.

Another man questioned about the same robbery also died in police custody.

Mental patient gets guns returned

Last month a San Diego mental hospital was ordered to return an ex-patient's guns. The patient's arsenal included a shotgun, four rifles, one handgun and a knife.

The patient was taken to a mental health unit that made a habit of taking any guns or weapons belonging to the patients and locking them up until the patients were stable enough to handle them. However a Court of Appeal in California stated they did not have the right to take property belonging to others and hold it.

Upon ordering the return the judge emphasized that the action was unconstitutional and that when property is taken it must be subject to judicial review and the person it is taken from be given notice and opportunity to be heard.

Officer faces laughter charges

A Metropolitan Toronto Police officer has been charged under the provincial Police Act because he may have laughed at a citizen.

Sergeant Stewart Ferguson has been charged with acting in a disorderly manner or in a manner likely to bring discredit to the police force between May and

November 1986. The charge alleges he "laughed, sneered, smirked and gestured in an offensive manner" at Gary Tucker.

Mr. Tucker, who has been described as a chronic complainer, advised the complaints tribunal that he had been given three tickets by the Sergeant at a subway station in 1986. He advised that he kept seeing the officer from time to time and on each occasion the officer would smile at him or point to him to his partner and laugh.

Mr. Tucker had charges brought against another sergeant in charge of the police station because he had not taken his "laughing" complaint in writing for investigation.

When asked how many times he had laid complaints against the police, Mr. Tucker advised he could not remember.

Columbian cocaine labs destroyed

In the past three months Colombian police have destroyed at least nine cocaine laboratories and are now dynamiting clandestine runways used to fly the drugs out of the country.

In one operation in Cordoba province, police seized 270 kg of high quality cocaine that had been hidden in a cave ready for export. Five people were arrested during the raid.

In another related operation south of Bogota police destroyed a large quantity of chemicals used to refine coca paste into cocaine. In the raid police seized a helicopter, destroyed a modern helicopter air station and seized 130 kg. of refined cocaine ready for delivery.

Police in an area east of the Andes mountains destroyed three runways and the laboratory equipment found with them. Police, in the past year, have discovered 104 clandestine runways in Columbia and are now undertaking the job of demolition. Some of the runways have been so modern that demolition has proven to be quite time consuming and some are being considered for use by the military.

Appointment needed to turn in guns

Los Angeles police have warned people not to turn up at police stations unannounced with their firearms following an offer from a City councilman to buy back assault rifles and machine guns.

Police said a woman came into a station with an Uzi machine gun she had kept under her bed and wanted to turn it in for the 300 dollar bounty put up by Councilor Nate Holden.

A teenager then surrendered an AK-47 assault rifle - the same type of weapon drifter Patrick Purdy used to kill five school children in Stockton, California.

But when the young man pulled into the car park at the police station and removed a rifle from his car, he caught police off guard and rattled the station sergeant a bit. Police urged gun owners to telephone before they go to the stations.

Holden, who is running for mayor, had originally asked people to bring the guns into his office. He later took the advice of police when they suggested it was not a good idea to have assault rifles brought into city hall.

Letters to the Editor

Dear Sir,

Your concept for the magazine is excellent and very appropriate. Therefore please find enclosed my paid subscription.

You may wish to avoid the same pitfall that the Globe & Mail has fallen into. They represent themselves as a national newspaper but they are really just a Toronto paper that gives lip service to the rest of the country. The informative tips in "Blue Line" appear to relate only to the Ontario Statutes and procedures.

As an ex-Metro P.C. that came to Regina in 1982 I have found that there is a subtle but very real difference in the statutes, case law, procedures and attitudes toward policing.

So here's some free, unsolicited (probably unnecessary) advice: When Blue Line goes to press, does it reflect a national scope or does it tend to say "In Toronto we do it this way."

Yours truly
J.R. Hinchcliffe

Editor's Note:

The Globe & Mail we are not but Ontario based we are. I am a Metro Toronto Police officer myself but I agree with your sentiments completely. I will not, however, apologize for our content because any publication is only as good as the material it has to publish. We made the decision to go national after the March issue had gone to press. For this reason it still reflected a lot of the Ontario content for which it had originally been published. We hope the April issue reflected a more national view toward policing.

Blue Line Magazine is still in its infancy and we are trying to get the resources together to supply our readers with information that is vital to them. We can do this with our readers help. If you find a particular instance that you feel other officers should know about, or a particular tactic that worked for you, write it down and send it to us.

You may wish to use the postage paid card sent out with each issue to jot down some notes or questions you need answered. We want to hear from you.

We do not wish to eliminate all the provincial law information. If you have a new statute released in your province send us a story about it. There are two valuable points to this. First the officers from that province will learn more about it. Secondly other members across the country will be able to read the story and perhaps make recommendations for their own jurisdictions to enact similar legislation. No one particular police force, province, or individual has a monopoly on good ideas.

We need you to help us by sending us the information that is important to your members. Our mandate is to publish a monthly police profession magazine with whatever resources are at our disposal. We are a totally private operation that wishes to be supported by rank and file officers through their subscriptions, either individually or as a group. The quality of publication presented will be a reflection of the quality of support given. That really says it all.

We encourage our readers to submit articles to us. If you wish to be a "featured writer" we would like you to send along a photograph and a brief resume of yourself along with the essay. Photographs will be returned if you include a self-addressed stamped envelope.

FLASHES by Tony MacKinnon

"Wow George... just how long has it been since you last worked old clothes?"



Irena Lawrenson

Continued from Page 6

Public exposure, due to the newness of the female presence in the OPP, was inevitable. The publicity and newspaper articles were positive, Lawrenson admits, but they also had drawbacks. Being so much in the public eye made her afraid to take risks, afraid of making mistakes. It also caused a lot of resentment from the male officers.

Lawrenson found "it took a long time for people to start trusting you, to know that you wouldn't turn your back, that you'd do a thorough investigation." She definitely had to prove herself.

Lawrenson admits that some experiences are frightening. "I don't think, as a police officer, you can avoid having frightening experiences. Whenever you have a call to a domestic or a robbery or are in a high speed pursuit or an accident, those are frightening experiences. And especially when there are weapons involved."

But there are pleasures too. For Lawrenson, this came from 'being there' for the victims of an occurrence rather than the apprehension of criminals.

"Whether investigating an accident or a house break-in, working with the victims and helping them through crises gave me the most pleasure," Lawrenson recalls.

After nine years of what Lawrenson describes as "a great learning experience", it was time to move on. Once more looking for a challenge, she perceived that automation would become the wave of the future. Though computers were not yet big on the force in 1982-83, she enrolled in data processing, automation and computerization courses at Conestoga College.

As she guessed, it wasn't long thereafter that the OPP started recruiting for Computer Services Branch, and Lawrenson was quick to put in her application. She was given the opportunity to come back to Toronto where it was located.

In its initial phase, the job entailed daily computer maintenance, security, audit and training. The computers contained the system which was used pri-

marily for intelligence work. Thus intelligence dossiers were maintained along with wiretap information. These were entered onto the computer where a variety of analytical searches could be extracted to further the investigation. Eventually that information would be brought into court.

At the time 32 forces were hooked into the system. As more and more police forces came on, the data became larger and the need for the branch to specialize became evident.

Lawrenson, promoted to Corporal in 1985, was particularly interested in the training aspect - training officers in how to use the computer; how to get

"Policing no longer revolves around physical strength. It revolves around interpersonal skills and mental acuteness, skills which women share equally with men."

through the different screens; how to do the different searches.

When the Computer Services Branch merged a year later with the Telecommunications Branch, Lawrenson became the Section Head of the Training and Education Section of the new Computer and Telecommunications Branch.

In April 1988, she was promoted to Sergeant and transferred to the Information Services Branch. Six months later, due to the elimination of the Corporal rank, she became a Staff Sergeant.

In reviewing her 15 years with the force, Lawrenson muses about the amount of time spent in each job area.

"If I'd do anything now in my career, I'd like to move every three years to a different position to get a much broader perspective of what our force does. By the time I hit a three-year span, I feel I have done as much as I can in that job and it's time to move on, take on a new challenge and let someone else come into the job with fresh ideas and approaches so they can take it the next step further."

A next step needing attention, ac-

ording to Lawrenson, is the unique needs of the women on the force. "Fifteen years ago," she says, "when we were starting out, we were very hesitant about wanting anything different, wanting anything special. We wanted very much to be trusted by the men, to show them that we could do the job."

"Well, we've been here now for 15 years and I think everybody has to give the women credit that they have done the job, that they are doing the job."

But, she points out, women also have different needs than men, and those needs have still not been addressed. Retaining women on the force has become as important as recruiting them in the first place. The difficulties of being a wife and mother, balancing a family and shift work are so difficult to overcome that women are forced to make choices.

"I personally believe that if a woman has to make a choice between her family and her career, the family will win," Lawrenson says. "I think the family should win, but then the time invested in pursuing that career is lost."

"At this point we don't have an easy answer for that, but there are answers out there. It's just a matter of working through them and having people accept the fact that, yes, women do get pregnant, and yes, women do have families, and maybe flex hours or part-time policing could be accommodated."

Lawrenson would like to see parental privileges extended to the male officer as well. She believes that child rearing can no longer be just a women's issue, that it must be a men's issue as well. "Men should have the opportunity to have the time off to bond with their child, be there with their wife, to get up nights, too."

With the force as a whole talking about moving into the area of employment equity, multiculturalism and French language - "all very good, positive steps not only for the OPP but for the community at large" - Lawrenson believes this is a wonderful time for women to be entering the force.

Opportunities, she says, are the same as for a man. An initial five years is spent in uniform on general patrol, after which one can specialize into other areas.

"Some people enjoy general duties and remain in that area for their entire career, and do exceptionally well at it. Others do want to specialize, and it's up to you to decide which areas you're interested in and then do everything you can to obtain as much knowledge about that subject as possible."

"Then let it be known that you're interested in going into that line of work. Especially let your boss know you're interested, because the only way that you're going to get those jobs is if you promote your own marketable skills."

Lawrenson says there's definitely a need for women in policing. "Our population is 50% women, our victims are 50% women, or more, and it's a good time to join and contribute to this aspect of society."

"Policing no longer revolves around physical strength," she adds. "It revolves around interpersonal skills and mental acuteness, skills which women share equally with men."

Lawrenson and her husband, also a Staff Sergeant in the OPP, work long days, arriving ahead of the morning rush

hour and leaving after it's thinned out in the evening. She is a Big Sister with Big Sisters of York, and participates in Kiwanis projects including the upcoming Art Show in Markham in June. She has been chosen chairperson of the United Way campaign for the Ministry of the Solicitor General for 1989.

This month marks the 15th Anniversary of Women in the Ontario Provincial Police Force. Lawrenson, an example of those who have stayed the course, has demonstrated that the OPP does indeed have a place for women in policing.

A photographic history of women in policing

Continued from Page 8

August, 1977 - March past rehearsal in new uniforms of red shirts and blue culottes.

The progression towards equality with the male counterpart continues in the 80s with the discontinuation of the skirt as part of the uniform. Women on the job receive motorbike training, have joined the Mounted Unit and can train in the Marine Unit. (So when is the ETF's turn?!)



Female constables and cadets now share the same style of uniform and duties as male constables.



Training on the bikes ...



and at the Marine Unit.

It's time the downtrodden masses received true justice

P.I.R.L.A.

- Morley Lyburner -

Several years ago we were introduced to the Citizens Independent Review of Police Practices. Known as CIRPA, this group of crusading people made a lot of noise in the media about police investigating complaints about themselves.

The name CIRPA was a bit of a misnomer. It would appear that it was far from mere citizens running this group. It was quite clear that the big wheels behind it were all lawyers who worked in the criminal justice system.

With these noble persons in charge we now should be aware that the group should have been called LJRP. In any event these crusading lawyers certainly made a name for themselves. I am quite sure they made a good buck as well. In a profession that, at that time, did not allow advertising I think they could have made any Madison Avenue advertising agency blush.

It came to my attention that the legal profession does not allow outside agencies to investigate their own people for wrongdoing. Lawyers, much the same as police officers, have certain protections under the criminal code. However the Law Society of Upper Canada is the sole investigator of complaints against the members of their profession.

I would therefore propose we start a new organization. Since it is my idea, and in the interest of my freedom of expression, I would choose the name PIRLA. This group would supply an Independent Review of Lawyers Activities.

As suggested by the title the organization would be made up of a cross section of society. It should be a true representative of all groups in each community they serve. It should cham-

plion the cause of many a destitute person awaiting his lawyer in the hallways of the court house. Lawyers who have double booked a jury trial with this poor shmuck's shoplifting charge.

The group should be made up of fine up-standing persons within the community. They should be of excellent character. They should be genuinely concerned about the best interests of the accused persons victimized by all these money grubbing profit oriented persons who cruise the hallways of the courts.

Now don't get us wrong. We do not wish to say for a second that all lawyers are this type. Well we would be the first to say that there has got to be some honest ones out there. The law of averages says there has to be some.

Our concern, as a truly independent spokesman for the downtrodden, is to make sure that complaints against lawyers receive a fair and impartial hearing. It will be our cause to create an atmosphere of trust between the public and the lawyer. This will be due to our completely detached and independent way of thinking.

It will be our position that no person should have to be subjected to the cruel tortures of some of these unscrupulous persons. We will demand an immediate end to the practice of "dry submarining". As you know this is a practice of charging so much for services that the person is buried under an ocean of bills and civil litigation for services rendered.

We will demand an end to "introducenus an flogganus". This is when lawyers introduce themselves to their clients in the front of the court just prior to the plea of guilty.

We would like to introduce a program called "midnightus interuptus". In layman's terms this means we will demand that all lawyers be made available on a 24 hour basis to take calls from potential clients. We feel that if the legislators enshrine such make-work programs as section 10(b) of the Charter of Rights and Freedoms the legal profession should be ready to back it up. We would like their home phone numbers to help do this. The downtrodden masses that PIRLA will represent should have the right to counsel of their choice, not the choice of the legal aid program.

We also want them to work three shifts. Citizens should be able to go see their lawyer at convenient times that do not clash with their own work.

As was stated before, PIRLA would be a completely independent review of lawyers' practices. We will have no interest other than improving legal services to the community. Oh! Did I mention that the "P" in PIRLA stands for "Police?"

Blue Line Magazine Flash Cards

The Judge's Rules - Number 3

"Persons in custody should not be questioned without the usual caution being first administered."

No questions should be put to a person after his arrest until he has been given his caution. With this common law rule we now have to add the Charter of Rights and Freedoms. As well as cautioning a person in custody it is incumbent upon each officer to further advise the person they have a right to counsel even after spending time in jail and previously speaking to counsel.

Right to counsel before line-up

(Leclair & Ross Vs. Regina)

The Supreme Court of Canada, in a majority January ruling, stated that an accused person has a right to counsel before participating in a line-up. The court also determined that once an accused has made it known that he wishes to speak to counsel there is no way the police can put him in a line-up until he has spoken to counsel.

The ruling is important also because of the other situations to which it can be expanded. Such things as taking fingerprint scrapings and taking hair samples would fall under the same ruling. The ruling in effect states that the accused is not required to participate in gathering evidence against himself without being informed of his right to counsel.

In the case two youths were picked up in a neighbourhood in Sault Ste. Marie where a burglary had taken place. A witness had seen two people in the house

but failed to catch them. The two youths were informed of their right to counsel and at about 2:00 A.M. they attempted to get hold of a lawyer with no success.

The police went to a nearby pinball arcade where they found seven youths who volunteered to participate in the line-up. Both accused were placed in this line-up without being advised that they were not required to participate or without being advised they could speak to a lawyer before taking part.

Subsequently both were identified as taking part in the break and entry. The Supreme Court of Canada in throwing out the evidence of the line-up stated: "The (accused) clearly asserted their right to counsel and there was no urgency of any kind to explain the behaviour of the police. Nothing prevented them from holding the line-up later in the day."

There was also a minority decision in

the matter where two judges disagreed somewhat with the majority decision. In Madam Justice L'Heureux-Dube's decision she held that "evidence that could not have been obtained but for the participation of the accused will not automatically render the trial process unfair. While this might be so in some cases, it will not necessarily be so in all cases." She also added that she could not see how the admission of the evidence could bring the administration of justice into disrepute.

In any event it is worth the officers' time to advise the accused he can speak to counsel before placing him in a line-up. Otherwise other alternate means should be employed. Many officers prefer photographic line-ups while others prefer to buy the suspect a coffee and have him sit in an all night donut shop and invite the neighbourhood over to point out anyone they know.

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You asked for it!

We find the answers to your questions

Court order of firearms prohibition

Is it possible to obtain a court order prohibiting the possession of firearms, ammunition or explosive substances even if they have not been used in a weapons offence?

Yes. Section 98(4) of the Criminal Code states, "where a peace officer has reasonable grounds to believe that it is not desirable in the interest of the safety of any person that a particular person should possess any firearm or any ammunition or explosive substance, he may apply to a provincial court judge for an order prohibiting that particular person from having in his possession any firearm or any ammunition or explosive substance."

After a hearing in which the officer and the subject person has an opportunity to present their case the judge can make a finding. If he agrees with the officer he can make the prohibition last for up to five years. The judge makes his decision based on a balance of probabilities and not beyond a reasonable doubt.

Many officers have used this section in relation to violent domestic situations or when a person is taken to a psychiatric facility leaving behind firearms.

If a person is convicted of an offence of violence, where he is liable to imprisonment for ten years or more, the court may order a prohibition against that person not to have firearms, ammunition or explosives for a minimum of five years. By the way, the offence does not have to involve the use of weapons.

Police and disturbances

With regard to section 171 (Cause Disturbance) in the Criminal Code, can a police officer be the person that is disturbed?

For many years it was stated case that a police officer could not be the person who is disturbed in this offence. In the 1978 decision in Regina Vs. Whitaker it was determined that a police officer was a member of the public and was entitled to be a disturbed person. (Did I say that right?) I mean a person who is disturbed.... okay then how about "complainant."

Do you have a question about laws that are a little obscure or confusing? Drop us a line explaining your problem and we will seek the proper advice for you. It could be that others are struggling with the same problem. We will not publish the names of the writers but we ask that you give us your name and a return phone number in case we have to call for more details.

If you have some tips that you have found useful please send them along as well. We will print these with names unless you ask to be anonymous. Use the postage paid card which has been included at the front of the magazine.

OPP officers and staff didn't take the cake ...or donuts or wings...

Well, the trophy has been awarded, the cheque presented, and the scales lowered (but not forgotten) - the Battle of the Badges is over. The OPP were declared the grand losers at the closing ceremonies at RCMP headquarters in Toronto on April 5th.

The battle started in January with a challenge between the Toronto detachments of the OPP and the RCMP's "O" Division to lose weight on the Weight Watchers plan for 10 weeks and at the same time raise money for the Sunshine Foundation.

Enthusiastic teams from both groups, believing in the philosophy of "fitness", and wishing to shed extra pounds, began the Weight Watchers At-Work program and met weekly in both OPP and RCMP headquarters. The winning team was declared based on how close the com-

petitors came to reaching their goal weight.

The team of 23 OPP officers and staff lost 377 pounds. The RCMP team gave it a great effort, with 28 officers and staff losing 410 pounds. Special awards were issued to Ted Christie of the RCMP for losing 38.5 pounds and Brian Adkins of the OPP for losing 36 pounds. Howard Hall of the RCMP and Brian Adkins of the OPP were also honoured for raising the most funds individually for the Sunshine Foundation.

A cheque in the amount of \$8,500 was presented to Kelly Robinson and Aaron Smith, residents of Bloorview Hospital who represented Sunshine Foundation of Canada. Sean McCann, who plays the part of Lieutenant Hogan on 'Night Heat', presented the cheque on behalf of the OPP, RCMP, and Weight

Watchers. He congratulated the participants, Weight Watchers and the Sunshine Foundation for their weight loss and fundraising efforts indicating that "every youngster should have at least one dream come true."

Constable Ed Czach, National President of the Sunshine Foundation of Canada was on hand to thank the "losers". The Sunshine Foundation of Canada was incorporated in Canada in 1987. It raises funds to fulfill special dreams of chronically ill, terminally ill, and severely disabled children.

Weight Watchers' Linda Shrive, who co-ordinated the program, was thrilled with its success. "Both teams were enthusiastic right from the start and their weight losses show it. A total of 787 pounds lost in total is a terrific accomplishment. It's great to see these people lose the weight and raise this money for the Sunshine Foundation of Canada." Weight Watchers also donated all registration fees collected from participants.

Two provinces sign "fine" deal

Ontario Minister of Transportation Ed Fulton and Quebec Transport Minister Marc-Yvan Cote have signed the first reciprocal agreement between two Canadian provinces to monitor road infractions.

Under the terms of the new agreement, which came into effect April 1, 1989, infractions committed under the Traffic Act of the neighbouring province will result in demerit points being recorded on the driver's record just as if those infractions were committed in the home province.

The agreement also provides for the suspension of the right to drive in the neighbouring province when any fine or a traffic violation has not been paid. Furthermore, it will facilitate exchange of driver's licences for Quebecers and Ontarians moving to the other province.

In 1987, Ontario drivers were responsible for 17,913 infractions under the Quebec Highway Safety Code. Those infractions represented 65 per cent of the total number of offences committed in Quebec by non-resident drivers. During the same period, there were 18,631 offences committed by Quebecers under the Ontario Highway Traffic Act.

In both Quebec and Ontario, offences such as exceeding the speed limit and failing to obey a red light or a stop sign represent 94 per cent of all demerit point infractions committed by drivers from the neighbouring province.

During 1987, approximately 500 infractions under the Criminal Code were committed by Ontarians in Quebec and 304 were committed by Quebecers in Ontario.

While this agreement is the first to be signed between two Canadian provinces, Quebec has had a similar pact with the state of New York since the beginning of 1988.

Cote and Fulton said they hope the signing will mark the first step toward a series of similar agreements which will eventually bind all the Canadian provinces and American states.

Motorists admit driving faster when they use "Fuzz Buster"

- Courtesy of Status Report -

More than half of the drivers who use radar detectors admit to driving faster than they would without their "fuzz busters," according to a recent survey from the United States.

Many drivers who do not use detectors themselves report that their driving environment is influenced by those who do. Nearly half the survey respondents who did not report using radar detectors thought they had been passed by another vehicle using one. And many drivers reported that they follow in the wake of those with detectors. Nearly one-third of those who have been passed by a car with a radar detector, admit they speed up to tag along with the detector car because they believe they will be safe from the police speeding ticket.

A national telephone survey asked people if they ever use a radar detector. About 15 percent say they do. In the survey conducted by Opinion Research Corporation for the Insurance Institute of Highway Safety, men were twice as likely as women to have used a detector.

Radar detectors are not legal in Connecticut, Virginia and the District of Columbia in the United States and five Canadian provinces.

Three-quarters of those who drive faster with their radar detectors say they drive at least 10 mph faster. Eighteen percent say they drive 15 mph faster, 11 percent admit they drive 20 mph faster, and 5 percent say 25 mph or more.

Two telephone surveys of a national probability sample of people 18 or older were conducted. In August last year, 503 men and 505 women were interviewed. Detailed results are available in the report, "A Survey About Radar Detectors and Driving Behaviour," by writing Publications, Insurance Institute for Highway Safety, 1005 N. Glebe Road, Arlington, Virginia, 22201, USA.

Paralegal governing body suggested

The Canadian Bar Association of Ontario has recommended the setting up of a licensing and disciplinary body for the burgeoning paralegal industry.

The CBAO, in its 44 page report released last month, recommended that it would be in "the public interest that all paralegal activity be restricted until proper measures to protect the public" has been established.

The report stated that currently the public in Ontario is not protected from financial loss or misconduct, and no provisions exist for disciplining or supervising paralegals.

Last year a task force was set up by Ontario Attorney General Ian Scott to investigate the state of the paralegal industry in that province. Paralegals, mostly all of whom are former or retired police officers, came into existence as a result of the wording in the Ontario Provincial Offences Act that stated a person could be represented by either a lawyer or "agent". Since no definition was forthcoming as to what an "agent" was the paralegal industry commenced with a booming business.

The preliminary report lists eight points that should be addressed immediately.

- Ontario should clarify the legislation governing the role that paralegals may take.

- All paralegal activity should be restricted until proper measures are in place. The measures should include the setting of educational standards, certification and the creation of a disciplinary and regulatory authority.

- Specify areas of legal activity in which a regulated body of paralegals should be permitted to work.

- Ontario's Law Society should initially establish the criteria for the education and licensing of paralegals. This should be done in consultation with others. Other controls should include restrictions on franchising.

•Paralegals' activities should be monitored either directly or indirectly by the Law Society to ensure no conflict with the independence of the legal profession. This is so the organization would be independent of governmental control.

•Educational programs set up should allow for limited specialization and areas of activity involving narrow, specialized expertise should be considered for full exemption from general legal training with a limited certification being granted.

•Rules of conduct should be prescribed to define ethical conduct between lawyers and paralegals.

•Paralegals should be required to observe ethical standards in the delivery of legal services, including the concept of privileged communication, client secrecy and duty to personally account.

The committee is expected to submit a full report later this year.

National Association of Police Planners to hold conference in Toronto

September 10 to the 15 marks the first time the National Association of Police Planners (NAPP) will hold its conference outside of the United States. They have chosen Toronto for the conference which will be co-hosted by the Ontario Provincial Police and Metropolitan Toronto Police at the Downtown Holiday Inn.

The National Association of Police Planners, chartered in 1981, is a non-profit organization dedicated to improving communication and cooperation among police planners on all levels of law enforcement. It is also dedicated to providing a forum for the exchange of innovative strategies, programs, and policies. By pooling expertise on a national level, economic conditions can be countered through the exchange of programs and ideas which will increase administrative and operational efficiency.

As early as 1967, the United States President's Commission on Law Enforce-

ment and Administration of Justice emphasized the need for the exchange of management and operational information on a state and national basis. It was perceived that many police administrators encountered barriers in seeking to improve their organizations because of constraints of time, manpower, and finances.

Inter-agency communication and cooperation was seen as a catalyst for improved effectiveness and efficiency. Subsequently, presidential commissions reaffirmed the importance of developing such mutual relationships.

The National Association of Police Planners, which is comprised of over 350 members representing 39 U.S. states, five Canadian provinces and three foreign countries was formed to provide a technological transfer network between municipal, county, state and federal law enforcement agencies. Association members have access to NAPP's Planning Abstract Listing Service, providing summary and contact information on newly developed programs and policies; receive a quarterly newsletter on the latest legislation, technology, and state of the art developments in police planning; and are provided with a national mailing list containing names, organizations, addresses, and telephone numbers of the National Association of Police Planners. It is envisioned that through this international network, policing in North America will be dramatically improved.

This year's conference theme, "Horizon 1990", will focus on various law enforcement and planning issues. Guest speakers include Robert Lunney, ex-chief of the Edmonton Police Force; Darrel Stephens, national director of the Police Executive Research Forum in Washington D.C.; Hilary Robinette,

supervisory Special Agent for the F.B.I.; Constable Darylene Foster, co-ordinator for O.P.P. Project "P"; Dr. Peter Jensen, psychologist with the University of Waterloo.

Topics to be covered by seminars will include drug enforcement, police management, pornography control, police facilities planning, laser fingerprint technology, forensic sciences, and computer usage.

To enhance the conference further there will be numerous companies displaying products of interest to police planners. Other enhancements include a full itinerary for the spouses of planners

attending as well as the majority of the meals provided along with two evening dinners plus the annual banquet. The organizers will even include unlimited usage of the transit system.

The Metropolitan Toronto area is a fascinating metropolis and many delegates will be interested in watching the Blue Jays in

their new Sky Dome at the foot of the CN Tower.

This conference has a lot going for it. It is highly recommended. The organization has an active membership that will accept members of police forces assigned the duties of planning or research. There is also an associate membership (of \$35.00 American) that is open to all persons who have an interest in the association.

Registration fee for the one week conference is \$210.00 (American funds) and further information can be obtained by calling S/Sgt. Sam Faiclough of the Metropolitan Toronto Police at (416) 324-6295 or S/Sgt. Ed Robertson of the Ontario Provincial Police at (416)965-2542.

It should be noted that this conference is being held at the same time as the Canadian Association of Chiefs of Police in Hamilton.



National Association of Police Planners - coming to Canada for a September convention in Toronto.

You've heard of truth in advertising. There are rules concerning truth in packaging. Numerous government and non-government regulatory bodies routinely examine the truth of claims and statements made for the goods and services we receive.

But truth in sentencing in Canadian criminal courts, when not totally disregarded, is almost always badly mauled. It occurs at all levels and the life sentence is no exception.

According to Webster's Ninth New Collegiate Dictionary, the primary description of life is: "the quality that distinguishes a vital and functional being from a dead body."

Dictionaries are not generally sources of humour, but then Webster's, among several other meanings given, stray close to the hilarious by defining life as: "a sentence of imprisonment for the remainder of a convict's life."

One might reasonably accept the truth of that as being such a convict would spend the rest of his life in prison. Not so, thanks to the highly interpretive genius of Canadian jurisprudence. In sentencing a murderous miscreant, His Lordship may thunder down from the bench, "Life imprisonment" but only the uninitiated would miss the implicit nudge and wink.

Theoretically, a capital crime carries a life sentence in Canada. But in practice, no murderer will ever spend the rest of his days in the slammer unless he comes to an untimely end under a dropped barbell or slips on the soap in the prison shower and takes a header onto the concrete floor.

Handsome young Gary Yaech may be a case in point. In March, Gary was convicted of the brutal murder-mutilation of Lily Gruicic, 28. He was automatically sentenced to "life imprisonment", a penalty which has no more meaning (or likelihood of happening) than the death sentence it replaced.

Gary knows that just as automatically, he will be granted parole eligibility from his "life" sentence. He would in fact face a term of between 10 and 25 years. Justice David Watt said he must serve a "minimum" of 20 years. As sentence was handed down, a gaggle of female admirers wept softly in court.

Truth in sentencing **The meaning of life**

- Gary Miller -

Well, don't despair, Gary. Your young ladies may be seeing you sooner than they had ever expected. Why, only a few days previous to your sentencing, Lovel Anthony Thompson had his "life sentence with no hope of parole for 20 years" reduced to a mere seven. How did he get that absolute minimum so dramatically reduced?

By the simple expedient of pleading guilty to manslaughter (at a retrial) and impressing Madame Justice Janet Bolland with his contrition, Lovell walks free in a year and a half (he's already served 5 1/2 years). He and his buddy murdered a jeweller during a robbery in 1983, but to hear him tell it today, that was way back in the distant past. Just digest the sincerity of Mr. Thompson's words to the court: "back in those years, just young and naive, friends lead friends astray... I guess I was just one of the stupid ones."

Young and naive!? He was 34, for heavens sake! And the friend who led him astray, his accomplice? Well, he just conveniently got himself murdered in prison by another inmate.

A perennial favourite, Rene Vaillancourt, has been busy in Ontario's appeal court again. This heartless murderer of our friend, Constable Leslie Maitland, would have been eligible for parole in 25 years from the date of his conviction in 1976. It was about that same time that Parliament, in its wisdom, removed the death penalty. The minister responsible piously stated that there was "no possibility" of parole for anyone convicted of first degree murder before the full 25 years. (He, among others, must have known that an innocuous little clause had been slipped into the Criminal Code allowing bail review after 15 years. The sleaze factor of politicians and lawyers alike hit a "10" upon this revelation.)

Mr. Vaillancourt has not been successful in his appeal yet. But there will be another time, and another court. He still has the essentials of hope: life, shelter, three square meals a day, and a lawyer toiling for his benefit only. Infinitely better odds than were left for his victim.

The ubiquitous Mr. David Cole, lawyer and self-styled specialist in prison law, is sure that concerns of the public about killers out on parole have been blown out of all proportion.

A few months back, Mr. Cole presided over a prison meeting comprising 21 first degree murderers. One of the murderers admitted that most of them are in for drug related or contract murders. For some reason these convicts like to call themselves "25 year lifers" but all are anticipating imminent relief from the full stretch with the 15 year clause.

There are a staggering 400 first degree murderers in Canadian prisons. All of these eagerly look forward to invoking the 15 year clause, to say nothing of the Parole Act and the Charter of Rights and Freedoms.

There is a strong sentiment in official circles that these killers, (none of whom got where he is by a random killing of passion or a regrettable loss of temper, please note) SHOULD be considered for early release.

Why? Certainly not because they have paid their debt to society, and certainly not because they have ceased to be a danger (after all, a good many of them made their living at murder).

No. The reason is that the jails are overcrowded, "bloated". And convicts are enormously expensive to house, feed and amuse.

Then comes the heartbreaker: they become dependent on the artificial structure, eventually sliding into their own out-

of-touch subculture. If I've brought a tear to your eye, I apologize.

Back at Mr. Cole's meeting, convened incidentally to examine the chances of early release. The whiners are in full chorus now...

"How can you integrate back into society after 25 years?" moaned one.

"Your family is going to be dead. Your life skills are going to be dead." another carped (How many more must be the recipient of *his* life skills?).

"You just cannot foresee the end of the road. You start to feel this is the only life you... will ever know..." emoted a third.

Another murderer complained that the sensationalist media is their worst enemy...

"A lot of newspapers run scare stories that make us all look like (Clifford) Olson. We are not sex offenders with psychological problems. Don't lump us all together."

Doesn't it tug at your heartstrings? These murderers have been seriously inconvenienced!

LIFE is what is terminated in the

killer's victim - forever. But, murderers in Canada have little doubt that, should they be caught and convicted (by no means a certainty) THEIR lives will only be temporarily sidelined. The average killer serves only about seven years. Weighing up the law of averages, there isn't a lot of deterrence built into the Canadian system. And it's getting less.

It could be argued that the least severe of all sentences handed out in Canadian courts are given to murderers (relative to the severity of their crime).

Multiple killers have the added comfort of knowing that each and every subsequent murder conviction will carry a concurrent sentence, never consecutive. Ask a repeat impaired about the fairness of that!

But then, who said life was fair?

The next initiative, already a reality in British Columbia, is for lesser offenders to serve their jail sentences at home with electronic gizmos attached to their wrist or ankle to monitor and control their movements. This is bound to create an added burden for police, probation officers and prisoners' families alike. In

effect, the whole community are being conscripted as jailers.

Never at a loss, Mr. David Cole opined that this might be a useful judicial tool, since in sentencing practices "what we're doing (now) is a fraud anyway."

At last Mr. Cole I can agree with you.

Charter update

Continued from Page 9

solicitor client relationship. If a lawyer wishes to advise his client then he is expected to do so. The legal profession cannot expect the police to be their messengers. In this case an officer was advised by a lawyer not to take a statement from his client until he attended the station. The officer ignored the request of the lawyer and the statement was accepted by the Ontario Supreme Court.

This is the current status of Section 10(b). It is never the last word however. Case law is being made every day. Any officer attempting to perform his duties without an understanding of section 10(b) case law is walking in a legal mine field. Or, to put it another way, if you are running near a cliff it is always nice to know where the edge is. -ML-

"Dream home" sold to pay for children's dream flight

The London Home Builders Association have pooled their resources to sell a new house to help finance the Sunshine Foundation's fourth "Dreamlift to Disney World" at the end of May.



Mickey and Minnie do their part to make kids' dreams come true with the help of The Sunshine Foundation

The labour, legal fees and even the real estate commission, were donated in the building and sale of this \$135,500 home in London, Ontario. The donated effort included 55 builders, 46 suppliers,

21 sub-contractors and 31 other professionals.

All these people put this effort into financing a flight that will whisk away 85 special kids from southwestern Ontario to the Magic Kingdom in Florida. The plane will leave on May 23rd, on a Vacationair 737 bound for Orlando.

The children will be taken care of by a full staff of doctors, nurses, and physiotherapists. The children will be assisted by a large group of police officers, fire fighters, and ambulance attendants who volunteer their efforts to the Sunshine Foundation.

Upon arrival at Orlando Airport the volunteers will be met by a contingent of 60 members of the United States Navy who will assist the children in their tour of Disney World.

It is the belief of this foundation that every child should have at least one dream come true. All police officers are encouraged to help their local chapter in this worth while cause. The Sunshine Foundation was created by a police officer and was imported to Canada by a police officer. The mammoth effort taken on by the London Chapter is just one example of the good that can come from such an organization.

Chapters are located in London, Mississauga, North Bay, Metro Toronto, St. Thomas, Woodstock, and Vancouver. For further details contact the National Office at (519)652-2901.



Ed Czach, a Constable with the London Detachment of the Ontario Provincial Police, imported the Sunshine Foundation to Canada after losing his own son, Paul, to muscular dystrophy.

Chapters are located in London, Mississauga, North Bay, Metro Toronto, St. Thomas, Woodstock, and Vancouver. For further details contact the National Office at (519)652-2901.

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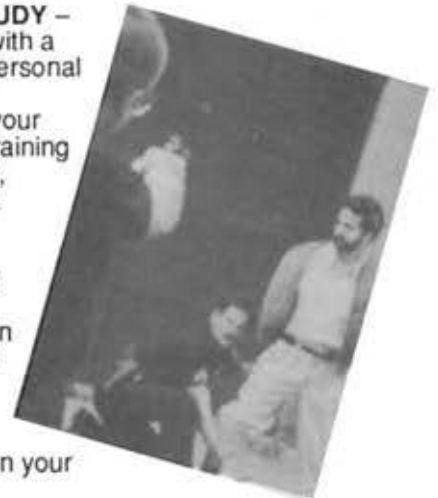
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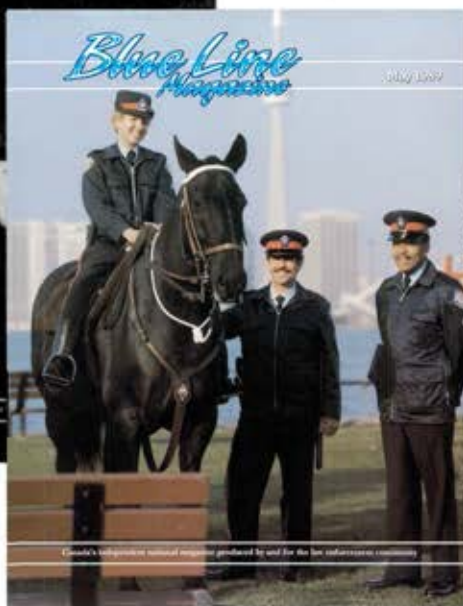
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