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Canada's National Law Enforcement Magazine

January 1995 🌞



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This month's cover is supplied courtesy of Dave Brown of The Firing Line Ltd. of Winnipeg. The cover shows Constable Randy Chudyk of the East St.Paul Police Department utilizing some of the shotgun techniques taught by Dave and company. See this article on page 20.

The cover is appropriate for this issue as January is our traditional firearms edition. You will find a good mix of firearms related issues in this edition. Among them you will find a digested version of the Federal Government's proposed gun control legislation. We felt this article was too important an issue for law enforcement officers to serialize it so we put the entire piece in this issue. Having done so, however we must apologize to many companies and individuals for not including their material as expected. We can only assure them that their material has been rescheduled for other issues.

We would be remiss if we did not put in our opinion on this legislation. Although Blue Line solidly supports gun registration we do not delude ourselves into believing it will really change anything in a major way.

The suggested gun control legislation appears to be a knee-jerk reaction by a government trying to play catch-up over night. Many people have invested a great deal of time and money in a legitimate hobby of using guns safely and responsibly. They appear to be the people who must pay the greatest price for this legislation.

The sad part of the legislation is the reasons espoused for bringing it in. The Solicitor General advised the House that every six days a person is killed by a firearm in Canada at the hands of a spouse. This sounds like a terrible figure until you tell it another way. That is 60 cases per year. Are we really focusing on good crime control legislation based on solid figures? At what peril are we if the other millions of crimes are placed at a lower priority than these 60 cases. A sobering thought indeed!

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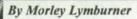








## Publisher's Commentary



## Tradition and image can cost too much

I think it is time police authorities and governing bodies of law enforcement agencies in this country get a wake up call. Crooks are not impressed anymore by the image of police officers. The glitz and glamour is gone. The crooks also know that there is no real Wyatt Earp in town and real cops don't shoot guns out of the hands of crooks. In fact they know that to get a cop to pull out a gun at all is extremely remote.

It would appear that the one part of Canada that is not getting the criminal mindset message is the Maritimes. A recent spate of incidents down there appears to

have fortified this opinion.

☐ In Halifax, Nova Scotia, the police commission has decided not to equip their police with semiautomatic handguns because in 1996 the whole Bedford Basin area will be amalgamated. They think they can save money by letting this new police force pay for the new weapons in 1996. (Are you holding on to your sides yet?) They really think this new magical kingdom will not be them.

☐ In Saint John, New Brunswick, an editorialist with a local newspaper stuck his neck way out by saying their police officers should not get semiautomatic guns because incidents of officers being shot while trying to reload their guns couldn't

happen there.

☐ In Newfoundland their provincial police officers have been told to put their guns back in the trunks of their cars. Why? Because the powers-that-be think cops wearing guns takes away the image of the Royal Newfoundland Constabulary's "Tradition" of not wearing them. No other rational opinion appears to be coming forth but the real Newfy joke in all this is the RCMP, who police the country backroads and villages, do wear guns.

If you are not rolling on the floor with laughter yet get this. The RNC officers can not even take the gun out of the trunk until they get permission from a voice on the

radio. (Good Grief!)

Okay... Okay... lets take a reality break here. Lets put ourselves in the shoes of a crook for a while.

#### The Crooks Credo

 (a) I do not want to get caught. Its just too much fun out on the streets taking advantage of all those nice people out there who work for a living;

(b) I will go anyplace I reasonably think the

cops are not or where I know I have the best advantage;

(c) because the money is so good at what I do, and others want what I got or want to stop me, I will get the best tools that money can buy to prevent that from happening. The better the tools the better my chances.

(d) I can do what ever I want, including killing anyone who trys to stop me,

(e) if I can't go anywhere else - I've pulled every trick out of the hat; I've pilaged everything I can; I've killed whomever has gotten in the way - simply throw my hands up in the air and the cops will take me away to free room and board for the rest of my life.

There is one more factor to the crooks advantage. They have no other instinct than self preservation. The worst of them feel no guilt about anything they do.

Now lets throw a few more dibilitating factors into this stew. The cops are faced with leaders and politicians that have a strong sense of tradition and fair play. They want their cops to "look the part." They want their cops to be strong and protect them but these cops must follow,

strictly, a set of rules that will make them "good guys" without question.

Meanwhile those same nice citizens are buying grass, coke, crack and women of the night and putting mega bucks into the criminals pockets. Enough to give the crooks cell phones, expensive lawyers, laser sights, body armour and the best weaponry possible.

What makes things really bad is when every cop on the street can see this and they still have to go back, hat in hand, to beg for something that will give them a marginal

advantage for self preservation.

Two months ago a small, quiet town in Ontario thought it was immune to big city violence. They received a rude awakening when the entire afternoon shift of police officers were eliminated by one determined gunman with a semiautomatic 22 rifle. This guy was smart enough to know you don't rob banks in big city Toronto with 6,000 cops. And if you have to shoot at a cop - aim for the head... they all wear vests... right?

Look to where your odds are better. Fewer cops and antiquated leadership should do nicely thankyou. With their bitching about money and tradition the Martimes appears to be ripe for the picking.

to be ripe for the picking.

The Martimes has a reputation for some of the best cops in the country. And I should know. I've met quite a few. What's good for the cops is good for the community.

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Blue Livre

## The Last Noose

This is the fourth of a series outlining the details surrounding the last persons to hang in each province

By Blair McQuillan

When Robert Rae Cook arrived in Stettler, Alberta on Saturday June 27, 1959, he was charged with fraud in regards to a new Chevy he had purchased in Edmonton. Cook had been released from prison only four days earlier as part of an amnesty granted to non-violent prisoners in honour of the Oueen's visit to Canada.

Staff Sergeant Thomas Roach had question Bobby Cook as to how he came to acquire such a vehicle, Cook explained that he had used his father's ID and the family station wagon as a trade-in for the Chevy.

Sergeant Roach explained to 21 yearold Bobby that he was not 52 year-old Rae Cook senior and that as a result he was driving with improper insurance. After Roach had charged Bobby and placed him in a holding cell he set out to locate Bobby's father to inform him of his son's whereabouts.

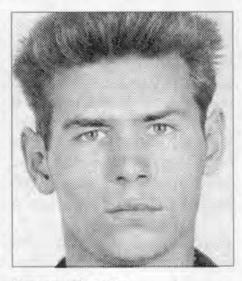
The Cook family lived roughly one hundred meters from the R.C.M.P. detachment where Bobby currently resided. When Roach went to the Cook's house he found no signs that would indicate anyone was home.

A routine inspection of Bobby's trunk revealed two suitcases and a metal box. The suitcases contained four pairs of children's pajamas, a pair of sheets, a lady's wristwatch and an album containing photographs of Cook's step-mother. The metal box held a passbook belonging to Ray Cook which showed a balance in the amount of \$4,000, the birth certificates for Bobby's five step-brothers and sisters, tax notices, a marriage license and report cards belonging to the children.

Again, Sergeant Roach attempted to verify Bobby's story with his father. When Roach arrived at the Cook residence he was surprised to find that the door gave way to the force of his knock. As Roach walked through the house he saw the Saturday edition of the Calgary Herald on the floor but noticed nothing unusual and left.

On the following day the police returned to find Ray Cook. A faint odour of dried blood and decayed flesh hung in the air. A search for the source led police to the detached garage near the house.

Inside the garage, under floorboards which concealed a grease pit, the bullet riddled body of Ray Cook was discovered. Beside Ray lay his second wife Daisy May.



She too had been shot.

Underneath the bodies of the two adults wrapped in Thursday's edition of the Calgary Herald were the blood soaked bodies of the five Cook children. The children had been beaten to death with the butt end of a single barrel shotgun which was over fifty years old.

Inside the house police found that some one had attempted to cleanse the walls of bloodstains. There were only ten fingerprints available for identification procedures.

Under the mattress in the master bedroom was a prison issue blue suit with a red tie. Bobby Cook's suit and tie. Along with the suit was a white shirt which was too small to be worn by Bobby. The laundry mark was stamped ROSS on the collar.

When Bobby Cook learned of the deaths of his family he cried for over an hour and refused to answer questions. Cook was then arrested and charged with the murder of his father.

Bobby Cook was born in Hanna, Alberta, on July 15, 1937. He was the only son of Raymond and Josephine. Bobby's mother died when he was nine. His father married Daisy May seventeen months later and together they began an expansive family. With his involvement in a new family Ray either neglected or was unable to discipline his son.

Over the years Bobby had collected nineteen charges in seven years, half of them were in regards to auto theft. Bobby began his list of charges at the age of thirteen when he stole a car while on vacation with his parents in Banff. Although Bobby admitted to being a car thief, he contended he was not a murderer. He also claimed he was nowhere near the scene of the crime at the time it took place.

Cook told police that on June 23, he celebrated his release with other former inmates in Saskatoon.

On the 24th he checked into the Commercial Hotel in Edmonton. During the afternoon he went to a car dealership and asked about trading in the station wagon for a new car. Then Cook claimed he stole a car and drove to Bowden where he retrieved \$4,300 in cash he had hidden before he was sent to prison. Late Wednesday he returned to Edmonton and threw a party for a group of ex-cons.

On the morning of Thursday June 25, Bobby and a friend borrowed a truck and traveled to Stettler to see Cook's family. Cook walked into Stettler just before five o'clock after being dropped off outside town. Bobby sat and had a beer with his dad before going to the house. Ray told Bobby the family was going to move to British Columbia.

Bobby gave Ray roughly four thousand dollars, the remaining money from his cache, as a gesture of good will. In return Ray gave his son the family car which Bobby was to trade in.

Bobby Cook arrived home at about 9:30 p.m. after some guests of his parents had left. Bobby gave his prison suit to his father and left the house at about 10:30 p.m. Thursday July 25. Bobby was heading to Edmonton, which was a two-and-a-half hour drive, to trade in the wagon with Ray Cook's license, registration and insurance. Bobby had planned to purchase the new car, return home and then wait for more instructions regarding the move to B.C.

At roughly 1:30 a.m. Friday June 26, witnesses stated to seeing Bobby at a cafe and then an establishment called the Pig 'N Whistle where Cook met Sonny Wilson. Cook and Wilson broke into a dry-cleaners and stole \$30. Cook then grabbed a few hours of sleep.

When the dealership opened on Friday morning Cook purchased a '59 Chevrolet Impala. Bobby told the salesman he was Ray Cook and that he was a diesel technician making \$750 per month. Cook was on his way to see friends in Camrose before the dealership realized they had been conned.

In Camrose Cook was stopped twice by R.C.M.P constable Jack Bell. Bobby was first lectured by the officer for making an illegal U-turn and again on Saturday June 27, for a liquor infraction.

Cook then drove back home where he



found that his family had seemingly vacated the house. Inside Cook found the metal box and suitcases which he put in his trunk. Bobby claimed he believed his family had already gone to B.C.

While cruising around town Cook was stopped by Constable Braden and told to go to headquarters. Bobby went voluntarily and unescorted which is where this story began.

The police had theories in regards to the murders. The pathologist concluded the victims had been dead for at least twenty-four hours and no longer than seventy-two. Since the bodies were found before noon on Sunday they had been murdered between Thursday, June 25 at eleven a.m., when Bobby was in Edmonton, and eleven a.m. on Saturday, June 27, when Cook was driving around Camrose.

Because Constable Bell had seen Bobby in Camrose on Friday and the car dealers saw him on Thursday in Edmonton, police concluded he had to be at the crime scene close to midnight on Thursday June 25. However Cook maintained that he was heading to Edmonton at that time.

Although the Crown had a circumstantial case they still managed to convince a jury that Robert Rae Cook was guilty. Bobby Cook was sentenced to be hung on April 15, 1960. Cook was granted an appeal and again found guilty.

Bobby Cook was hung just after midnight on Monday, November 14, 1960 in Fort Saskatchewan despite the fact that many loose ends were left unattended in the case surrounding the Cook family murders.

For instance, during the first trial Constable Bell told the court he had seen the suitcases and metal box in the trunk of Bobby's car when he stopped him in Camrose. However, a second constable who searched the trunk for liquor stated that he could not remember seeing those items.

Another question involves the Calgary Herald. Police discovered the Thursday edition in the pit and the Saturday edition on the front porch, however nobody had seen the Friday edition. The absence of the paper would imply that some one was in the house on Friday.

John Mitchell told the court that he had seen a letter from Bobby's father that stated that Bobby would inherit the family station wagon upon his release from prison. Mitchell also testified that he had seen Bobby in a cafe between midnight and one a.m. at the same time the Crown claimed the murders were taking place. Sonny

Wilson even testified that he and Cook were responsible for the break-in at the dry cleaners. However, their testimony was deemed unreliable.

Information revealed during investigation revealed that Bobby had made an enemy by the name of Oliver Durocher while in prison. Cook protected an inmate against Durocher's sexual advancements and as a result he swore revenge against Bobby. A police informant told a Vancouver officer that Durocher may have known something about the murders. It was also soon discovered that Durocher was in Stettler during the time of the murders but he was never sought for questioning.

The most alarming detail is contained in an R.C.M.P. report. The report stated that the police had uncovered ten finger-prints which could be used for identification. Three of the prints belonged to Daisy, while one print was matched with one of the children, which left four prints unaccounted for. The prints compared with those of Bobby Cook came back with "negative results".

The Last Noose
New Brunswick



## **Have You Seen This Child?**

This is a monthly column supplied by the Royal Canadian Mounted Police Missing Children's Registry in cooperation with Blue Line Magazine. All material supplied is copyright free and may be distributed to local media.

Readers who feel they know the whereabouts of this child are asked to call

(613) 993-1525 or Fax (613) 993-5430 National Center for Missing and Exploited Children

1-800-843-5678

Name of Child: JULIAN POTTLE			Sex:	Other Known Details
Date of Birth: FEB 3, 1986	Race: WHITE	Details ABDUCTED BY PARENT		WALKS WITH ONE
Height	Weight:	Hair BLONDE	Eyes BLUE	INWARD.
Date Last Seen Missing From: JUNE 17, 1990 ST.JOHN, NEW BRUNSWICK				
Known Abductor:  MARY BYRNE-POTTLE		POTTLE	Sex: FEMALE	Other Known Details
Date of Birth: JULY 18, 1958	Race: WHITE	Relation To Child		
Height 5 FEET 4 IN.	Weight:	Hair LT.BROWN	Eyes BLUE	



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virtually as hard and strong as a diamond.

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## The world of police humour



A quick conversation with Peter MacDonald (of Court Jesters fame) resulted in this random sampling of articles submitted to him in his quest for police humour around the world. In his usual graciousness he gave Blue Line permission to entertain you. Peter advises he has received a wonderful response from cops around the world but is still looking for more. He advises his book (as yet untitled) will be released later this year by Stoddard Publishing. Judging by this sampling the book should be a real hoot. If you wish to see your story in print give Peter a call at (519) 364-3344.

Betty Whiddigton of New York recalls a dandy yarn she learned from her father, Charles O. Middlebro', who was Crown Attorney in Owen Sound, Ont., in the 1950's and '60's. All right, Betty, let's have the grisly details:

"One of my father's favourite stories happened in the late forties or early fifties and concerned two tramps who lived near a quarry in the village of Williamsford and were a great trial to the local police because they were always drunk and getting into fights and generally making nuisances of themselves.

"One night they got spectacularly drunk and got into a fight, and one of them took the bottle and hit the other one over the head and killed him. In his drunken state he heaved the body into the quarry and passed out. When he eventually came to, he felt terrible in every sense of the word and took himself to the local police station where he tried to explain the story to the bored, disbelieving and generally fed-up cop, who eventually agreed to go and take a look.

"As he was going out the door, the policeman said, 'Listen, here, Bert, if there's no body in that quarry, you're in big trouble!"

Ron Berry of Chatsworth, Ont.—about five miles from the aforementioned Williamsford — preserved this pip of a story for posterity:

"When I served on the O.P.P. in Port Credit, I was given a commendation for work I did on a raid in the Caledon area. Being new on the job, I was proud of the letter, sent by the commander of the Snelgrove detachment. I removed the letter from the lunch-room bulletin board and proceeded to the radio room to make a copy.

"The dispatcher was watching me line up the document in the slot and pressing the button. I watched said document disappear into what I thought was a noisy copier. The look on my face made the radio operator fall off his chair, with tears streaming down his face from laughing so hard. The document came out the other side in thin neat little strips.

"The next day the Staff Sergeant seemed annoyed that I would take a document off the bulletin board and informed me I had to replace it. I was ordered to get another copy from Snelgrove and tell them why I needed another copy, which made me feel even dumber. Everyone had a good laugh."

Ron Berry also has another tale to relate, and it goes as follows:

"A few years ago an OPP officer — not me! - was patrolling Highway 401 when he pulled over a speeder. As the officer exited the patrol car, the speeder took off.

"In his excitement, the officer opened the back door of his car while trying to get the licence and make of the escaping vehicle.

"Well, there he sat in the back of his cruiser, with no way to get out or call for assistance due to the screen between the seats. Other officers made funny remarks over his radio and laughed as they drove by. Eventually they let him out."

Carl Crider, a police officer in the Dallas suburb of Garland, couldn't have been more astonished. The tipsy driver he was chasing, one day in 1961, wheeled into a driveway in a residential area and drove right into the garage. Crider followed.

"Let me see your driver's licence," he demanded.

"I'm on my own property," the man said, "I'm going in and going to bed."

Crider knew it was a bluff ... and called it. "Not in my house your not," he said quietly.

"Stupid Crook of the Month Award" to a murder suspect who turned himself in because he heard there was a \$10,000 reward for his capture and he needed the money

In Bolder, Colorado, a robbery suspect recently told the District Attorney: "The witnesses can't identity me because I had a mask on."

A British barrister, faced with the seemingly-impossible task of pleading on behalf of a totally-inept bank robber who'd been caught red-handed, nevertheless tried to impress the mitigating circumstances on the members of the jury,

"My client is basically innocent," he began confidently. "Upon entering the bankthat he later robbed he got his foot caught in the revolving door and had to be helped to the counter by the lady he then threatened. On being told that the till did not contain the 5,000 pounds he'd demanded, he reduced the ante, first to 500 pounds, then to 50 pounds, and finally to five pounds and the offer of a drink around the corner."

## ONTARIO PROVINCIAL OFFENCES 1995

When laying charges for Provincial offences you have to know the current legislation. The new edition of the Ontario Provincial Offences, 1995 is now available.

#### INCLUDES:

- Traffic Act concerning the use of photo-radar and the graduated licensing of novice drivers
- an up-to-date version of Regulation 817 to the Provincial Offences Act, which contains a complete list of the official wording that <u>must</u> be used

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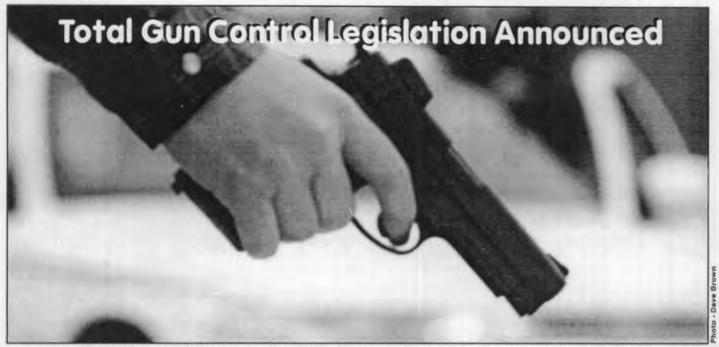
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Blive Livre



The purpose of this article is to describe the legislative intentions of the Government of Canada in relation to firearms control in this country. It reflects decisions that have been made by Cabinet and the actual legislation is still in preparation, and will not be introduced until it is ready in February. It is, without doubt, one of the most dramatic pieces of legislation since the Charter and deserves study by law enforcement personnel. Due to space limitation this is a digested version of the original two volumes. Persons wishing the full details may contact the communications branch of the Department of Justice at (613) 957-4207 or (613) 957-4211.

There is a long history in Canada of regulating the safe use and ownership of firearms. As early as 1877, justices of the peace were allowed to jail people in possession of a handgun without reasonable cause. Criminal Code controls have existed since 1892 when the first nation-wide permit system for the carrying of small arms was created. The registration of handguns began in 1932. The law was amended in 1969, 1976-77 and 1991 and reflects three fundamental policies: the deterrence of the misuse of firearms, general controls on persons given access to firearms and controls placed on specific types of firearms.

The decisions announced in this article have built on that history to achieve a comprehensive package of reforms. Through this package, the Government will be banning many firearms, cracking down on the criminal misuse of firearms, targeting firearms smuggling and improving public safety by promoting the safe use and ownership of firearms.

Essential to these measures is a new national firearms registration system that will provide the foundation for effective border controls, enhanced criminal investigations and police work, and the enforcement of safety standards for firearms owners.

The Government intends to give legal force to this program by introducing legislation in February to amend the Criminal Code, Customs Act, Customs Tariff Export and Import Permits Act, National Defence Act, Young Offenders Act, and related statutes and regulations. Specifically, the government will proceed with:

- amendments and programs for controlling the import, export and domestic transit of firearms;
- amendments to the offence and sentencing provisions of the Criminal Code relating to the misuse of firearms, including mandatory minimum sentence provisions;
- the prohibition of specified firearms and expansion of the authority to prohibit by Order in Council;
- amendments to the Criminal Code and other statutes requiring the registration and tracking of all firearms and their owners;
- other necessary or consequential amendments to the Criminal Code and other statutes to simplify and clarify the legislation, and to improve cost effectiveness at the federal, provincial and municipal levels.

#### BANNED FIREARMS AND FURTHER CONTROLS

Firearms that are particularly dangerous and/or have no legitimate uses will be prohibited under the proposed changes. Handguns are of special concern because they are small and easy to conceal. They are also subject to regular theft and are the preferred weapon for offences such as armed robbery. Those identified for prohibition are compact, low-calibre weapons, easily concealed and often cheaply-made, and are not considered suitable for organized target-shooting. Numbers affected are about 58% of the handguns presently owned in Canada. Existing owners will be allowed to keep (but not transfer) handguns, provided that they meet the

same statutory criteria as other owners.

Just over 1.2 million restricted weapons are presently in the hands of Canadians, about 1.15 million of them handguns. Nine hundred and fifty thousand handguns are registered to about 560,000 private individuals. Registration is limited to specific reasons, and most handguns are registered either for target-shooting (48%), or for gun collections (21%). However, only about 55,000 Canadians have carry permits to take a handgun to a shooting club for use, which suggests that a large number of handguns remain in the possession of Canadians who no longer use them for the purpose for which they were acquired and registered. Many owners have not fired their handguns within the previous year, and many of these have not done so within the previous five years.

Handguns may only be registered for personal protection in the most extreme circumstances and numbers actually registered for that purpose are very small.

#### Prohibition of certain handguns

Several handguns based on submachinegun designs are being immediately prohibited by being added to the existing Prohibited Weapons List by Order in Council. Owners of these "assault pistols" are being given until January 1, 1995 to turn them in to the police, deactivate or otherwise dispose of them. Most assault pistols were prohibited in 1992 because they are particularly dangerous, but several new models have since been identified. There are not many of these firearms in Canada. (For further details see page 15)

Blive Live

### **Other Handgun Controls**

Handguns, like all restricted weapons, can only be registered for specific purposes (eg. employment, collecting or target-shooting) but, under the present system, remain registered even if no longer needed for those purposes.

The new law will require registrants to reestablish their reason for having their weapons every five years, failing which they will have to transfer or dispose of them.

Since unregistered or unauthorized possession is an offence, the amendments will also provide for the advance notification of registrants prior to expiry, and afford a "grace period" for the disposal of restricted firearms.

Gun collecting is difficult to define and regulate. This is an issue of concern because gun collecting is the only basis permitted by law for possessing many non-sporting/military firearms, and because the difficulty in distinguishing between legitimate collectors and others leaves the category open to abuse.

At present, collector status is determined by a local firearms registrar, who must indicate on each application whether the applicant is a genuine collector. To place further controls and national standardization on this practice, the determination of whether an applicant was a "genuine gun collector" within the definition will be made by a new (federal) Registrar of Firearms. He or she will act on advice and information provided by the local firearms officer to whom the application was made and according to uniform national standards. In addition, collections will be inspected at least once every five years, and will be subject to additional regulations.

A firearm safety course is currently required for all Firearms Acquisition Certificate applicants. The proposed changes would add a separate course program for applicants for handguns and other restricted firearms. This would reflect the additional safety concerns and legal obligations for restricted weapons. It would also allow some reduction in the content of the existing courses.

Shooting clubs require provincial approval before their members can register restricted weapons for target-shooting on their premises. The proposed changes will establish regulatory requirements for the setting up and operation of shooting clubs and the activities which can be carried on there. These will include requirements for membership, record-keeping, national certification or affiliation, safety standards for constructing and operating firing-ranges, and similar matters.

A handgun owner seeking renewal of registration for target shooting purposes will need to demonstrate active membership in an approved club. The new law will require the keeping of records that will make it possible to establish that fact.

Currently, a restricted weapon may be reg-

istered by any person 18 years of age or older on the basis that it is a "relic", which is defined by regulation as a "souvenir" or "keepsake". These provisions, often used in the past to register war-trophies, will be repealed, along with the corresponding regulations. This is consistent with the overall direction of these measures which is to limit carefully the reasons for having a handgun in private possession. Those who have restricted weapons registered as relics will be allowed to keep them until the end of their lives, but no transfers or further registrations will be permitted.

### Controls on military and para-military firearms

Most military or paramilitary rifles and shotguns were prohibited or restricted by Order in Council in 1992. Other versions may be either non-restricted or restricted by the statute itself, depending on technical characteristics (e.g. barrel length). About 50-60,000 rifles and shotguns are already registered as restricted weapons.

The law will be amended to permit the Governor in Council to prohibit weapons if it is of the opinion that they are "not reasonable" for use in hunting or for sporting purposes.

Once this authority is in place, additional weapons will be prohibited. (See page 15 for a run-down on these types of weapons.)

## Controls on weapons other than firearms

The misuse of replica or imitation firearms will be addressed by including them within the present Criminal Code (s.85) offence and minimum sentencing provision, and through a ban on manufacture, import and sale.

Crossbows will be dealt with by subjecting them to the same screening controls as firearms, and bringing them within the provisions for court prohibition orders. Compact or singlehand crossbows, which have no legitimate recreational applications or historical importance, will be prohibited by Order in Council effective January 1, 1995.

Airguns are already "firearms" for the purposes of offence provisions, but only require licenses if above a minimum muzzle velocity (500 ft, or 152.4m per second). Concerns about injuries and property damage have been raised, but some airguns are used for legitimate shooting activities. Over the coming months, the government will consult public health groups, firearms groups and other interested parties to identify effective and appropriate methods of reducing the health and safety risk associated with airguns.

Flexibility to control access to other weapons, such as capsicum "tear gas" sprays, will be created by splitting the existing category of "restricted weapon" into "restricted weapon" and "restricted firearm". The first class would contain only nonfirearms, for which a permit would be required, while the second, dealing with firearms. would be subject to the full registration requirements.

## CRIMINAL PENALTIES & PROHIBITION MEASURES

Criminal misuse of firearms will be addressed through a number of measures, including the creation of new, hard-hitting offences and penalties. Longer, minimum sentences are proposed for use of firearms in the commission of specified serious offences. New offences and stiff penalties relating to trafficking and illegal possession are also proposed, as are expansions to the powers of the courts to prohibit persons from possessing firearms.

### Use of firearms to commit offences

(Criminal Code s.85 and others)

Section 85 of the Criminal Code provides for a minimum one year sentence for using a

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firearm to commit an indictable offence. This sentence is to be served consecutively to the sentence for the underlying offence.

Rather than increasing the length of the term to be served under s. 85, the new law will propose a different approach. Section 85 will be retained as a general provision, and as mentioned, expanded to include the use of an imitation firearm.

New sections will be added, providing that when a person is alleged to have committed certain serious offences with a firearm, mandatory minimum sentences of four years in prison will be imposed — in addition to a mandatory lifetime prohibition from possessing a restricted weapon. This will apply to the following 10 violent offences committed with a firearm:

attempted murder (s.239),
manslaughter (s.236),
criminal negligence causing death (s.220),
robbery (s.344),
kidnapping (s.279),
hostage-taking (s.279.1),
sexual assault with a weapon (s.272),
aggravated sexual assault (s.273),
extortion (s.346),
discharge firearm with intent etc.(s.244).

#### Firearms & Ammunition Trafficking Offences

Offences relating to illegal transfers of firearms will be reinforced and condensed into new offences to support the proposed firearm registration system. The range of offences includes large-scale criminal trafficking, possession for the purposes of trafficking and relatively minor situations where a firearm is transferred without the proper acquisition or registration documents. For this reason, there will be no minimum punishment applied to summary prosecution cases; the normal maximum penalties of 6 months or a \$2,000 fine will apply. A minimum punishment of one year will apply where the offence is prosecuted on indictment.

Where the person receiving the firearm does not obtain the necessary permits, a five year maximum punishment would apply with no specified minimum.

On a first indictable conviction for any of these offences, a court could, at its discretion, prohibit the offender from possessing any firearms for up to 10 years. On a subsequent indictable conviction, a mandatory prohibition order would be imposed prohibiting the offender from owning a restricted firearm for life and any other firearm for 10 years.

Additional offences of possessing stolen or smuggled firearms will be created and made punishable by a mandatory minimum term of imprisonment of one year, when proceeded with by indictment.

An offence of transferring ammunition to any person under 18, except the holder of a minors' permit, will be moved from the Explosives Regulations, and the transfer or acquisi-



tion of ammunition where the purchaser does not have proof of registration under the new system will become a Criminal Code offence.

#### Unauthorized/unregistered possession of firearms

To deter illegal possession of firearms, restricted or prohibited weapons, several new offences will be created. One of these will be applicable in cases where the accused is in possession of any firearm not authorized by a permit or certificate, or where the accused is authorized, but the firearm has not been registered. This offence will apply in cases where the breach of the possession or registration requirements was, or might have been, inadvertent. It will be punishable on summary conviction by a maximum \$2,000 fine and six months in jail, or on indictment by up to five years imprisonment.

A second, more serious offence will apply in the same factual circumstances, but where the accused knew that he or she did not have the necessary registration or authorization, and intentionally evaded these requirements. Where knowledge or intent was proven, the new offence will also require a minimum one year sentence on the second conviction.

Finally, anyone who, without the necessary permits, carries a restricted or prohibited firearm when it is loaded, or when there is ammunition readily accessible, commits an offence punishable by a one year mandatory minimum prison term, if prosecuted on indictment.

#### **PROHIBITION MEASURES**

Section 100 of the Criminal Code requires the courts to impose a minimum 10 year prohibition on the possession of firearms for those convicted of a serious offence involving the use, the threat or an attempt of violence or a s.85 offence of using a firearm to commit an indictable offence.

Courts are also required to consider prohibitions up to 10 years for less serious violent offences and other firearms offences, and may prohibit even if no offence has been committed where an application is made by police and a danger to safety exists.

The new provisions will impose a mandatory lifetime prohibition against possession of a restricted firearm when an individual is convicted of a listed, serious, violent offence and will include the authority to impose prohibition orders in other circumstances.

### **Military Personnel**

Prohibition orders apply to Criminal Code convictions, but do not extend to the National Defence Act, which uses Criminal Code offences but has its own punishment provisions.

The National Defence Act and the Criminal Code would be amended to create discretionary powers for Courts Martial to prohibit offenders. In addition, military courts would have the option of prohibiting the accused except in the course of duties as a member of the Canadian Forces, in order to avoid the automatic discharge of every member who is prohibited.

The Criminal Code amendment would deem military prohibitions to be Criminal Code prohibitions, so that civilian authorities could enforce the orders and continue them even if the subject leaves the Canadian Forces before the order expires.

#### **Young Offenders**

Prohibition orders are available to youth courts, but are discretionary instead of mandatory. The proposal would amend the Young Offenders Act to subject young offenders to the same firearms prohibitions as adults for a given offence.

The general policy of the Young Offenders
Act is to mitigate the punishment of young
offenders for reasons of diminished capacity
and prospects for rehabilitation. These policy
objectives are not affected by lack of access to
a firearm.

Other changes would allow access to records or other information protected by the Young Offenders Act where an offender later seeks to obtain a firearm, or where the Crown is seeking to seize firearms or deny access to them.

#### "Stalking" and drug offences

The 1993 "stalking" (criminal harassment) offence provides specific powers to prohibit persons released on bail from possessing a firearm, but those convicted are subject only to discretionary prohibition under s.100(2). The 1991 amendments extended prohibitions to drug smuggling and trafficking offences, but on a discretionary basis only.

The proposed changes would extend mandatory prohibitions to those convicted or released on bail for all of these offences, except where the court finds that access to a firearm would not endanger the safety of any person including the subject him/herself.

## "Proactive" orders, co-habitants or associates.

Proactive prohibition orders may now be made where there is a danger to any person, but no offence has been committed. Under this proposal, the grounds for firearm seizures and prohibitions will be expanded to include danger arising from the reasonable likelihood that a prohibited person who resides or associates with the subject will have access to a firearm. The order will be limited to the length of the



order made against the associate or co-resident, and a person subject to such an order could seek relief where the conditions under which it was made no longer applied. This would make it possible to prohibit, if necessary, an entire household from having firearms where any single resident was dangerous and prohibited from possessing a firearm.

#### Partial prohibition for "sustenance" firearm users

Prohibition orders can create exceptional hardship for a person who requires a firearm for sustenance. Limited discretion not to prohibit in such cases was added to the statute in the 1991 amendments, but the change gave the courts only an "all or nothing" power to prohibit completely, or make no order at all. The proposed amendment would create an additional option of partial prohibitions to allow limited access for use in hunting or trapping. Courts could make an order fit the specific circumstances of the accused where the accused would face exceptional hardships otherwise and public safety is not endangered. This change will allow courts to take account of traditional aboriginal lifestyles.

#### **BORDER CONTROLS**

Past Parliamentary committees and the Auditor General of Canada have both recommended legislative and administrative controls. Thus, tighter border controls and inspection procedures are proposed, the costs of which will be recovered from firearms importers and exporters. Modern data-processing and telecommunications technology will be used to reduce administrative costs.

The measures include the tracking of firearms under a national registration system, new offence provisions, and the forfeiture of vehicles used in smuggling, shipments containing contraband, and proceeds of smuggling and illegal trafficking. A number of measures have already been taken by Canada Customs under existing powers to increase surveillance and seize illegal imports.

### Import/export and the proposed registration system

The import inspection and registration process will be operated by Canada Customs officials who will ensure that accurate information is entered into the registration system as firearms enter or leave Canada. In the commercial context, they will also conduct inspections of firearms to control and deter careless or dishonest labelling or packing of shipments.

#### REGISTRATION

The proposed system will identify and track all firearms through retail and private transfers, imports and exports. It will also be designed to overcome problems in the existing system and reduce red tape and time delays.

Fees will be set by regulation, and adjusted as necessary to achieve cost-recovery, and all fee regulations will be subject to Parliamentary



(committee) review under subsection 116(2) of the Criminal Code.

The proposed changes will also delegate power to make regulations governing the operation of the system.

Registration will bring a greater degree of overall firearms control, and with it a number of direct benefits:

- deter and control theft, diversion and smuggling of firearms;
- ensure individual and business compliance with transfer and safe storage requirements; assistance in police investigations;
- enable police in domestic violence situations to better prepare themselves where they know a firearm is present in the home;
- enable police to enforce court prohibition orders by ensuring that all firearms owned by the individuals have been turned in;
- license access to ammunition (further deterring illegal acquisition and smuggling);
- monitor firearm traffic through Canada, assisting international small-arms controls:
- and gather accurate statistical information about firearm numbers and ownership patterns, Transitional and implementation provisions

The system will be co-ordinated with other changes presently being made to the Canadian Police Information Computer (CPIC) system.

### Identification of firearms and owners

Firearms will be identified by make, model, serial number and other identifiers when they enter Canada, are manufactured here, or if already in the possession of a gun owner, when they are first registered on the system.

Owners will be identified on the system, and linked to the types of firearm (if nonrestricted firearms) or individual firearms (if restricted firearms) which could lawfully be possessed. For non-restricted firearms, businesses will be able to enter sales onto the system automatically, and verify that the purchaser was entitled to acquire and possess the firearm. For restricted firearms the purchaser's eligibility would still have to be determined by the Registrar of Firearms, but the information and issuance, refusal or registration would be transmitted electronically, thereby reducing processing delays.

Police agencies would be able to easily obtain information about firearms and owners, and to trace found or recovered firearms.

#### **Controls on Ammunition**

Three major changes are proposed to control access to ammunition and ammunition components. As noted above, existing offences of transferring ammunition to a minor who does not have a permit for a firearm will be shifted from the Explosives Regulations to the Criminal Code, to emphasize their significance and permit ready enforcement by provincial and local police.

The age limit will be brought into line with the 1993 increase of the age for Firearms Acquisition Certificate applicants from 16 to 18. As part of the proposed registration system, a registration or possession document will be required in order to purchase ammunition. Until the system is fully implemented, however, not every legitimate firearm owner will have these documents, and during the implementation period, existing documents will still be used, and regulations will be amended to include other forms of common identification.

The authority to regulate the "storage, display, handling and transportation" of firearms under the Criminal Code will also be extended to ammunition, and the regulations will be expanded to set the same standards for storing ammunition as now apply to firearms.

### Responsibility for system operation

Central functions of the existing system are managed by the RCMP, with local and regional matters dealt with by police agencies and the chief provincial firearms officers.

The proposed changes are intended to preserve effective federal co-ordination of the system, while improving efficiency and according the provinces more influence in the setting of national policy. The authority to prescribe statutory instruments such as certificates and permits will be transferred from the RCMP Commissioner to the Attorney General.

An individual will be appointed as Registrar of Firearms, to take full-time responsibility for managing the registration system. The Registrar will be appointed by the Commissioner of the RCMP.

## Police and military firearms

Canadian Forces firearms and firearms possessed by visiting foreign forces are already tracked by the Department of National Defence and will be excluded from the system. These include regular service weapons, those in authorized military museums, and those in the hands of foreign military personnel seconded to the Canadian Forces or in Canada under the Visiting Forces Act. Police service firearms will also be tracked, but by a separate system maintained by the RCMP. This requirement, now optional, will become mandatory.

Firearms temporarily in police hands (e.g. evidence firearms, seizures, surrendered guns etc.) will be entered onto the registration system, to ensure that system searches are able to trace them. Those who possess firearms on behalf of the Department of National Defence or the police (e.g. suppliers, repair contractors) will be tracked by either the Department of National Defence or police system and opted out of the main registry.

#### Local advisory council

The administration of the legislation raises particular concerns in remote northern and aboriginal communities, where municipal or band council members may be more aware of community circumstances than the firearms officer, who is often a police officer from outside the community.

An effort will be made to increase the use of local officials as firearm officers, who need not be police officers under the statute. Where this is not practicable, however, this proposed change would allow the Attorney General of Canada to appoint a local advisory council to function as a liaison between the firearms officer and the community.

In addition, aboriginal communities will be consulted on all aspects of the program's implementation, to ensure that their aboriginal and treaty rights are respected.

## A new publication will be coming your way in 1995

## TEN-SEVEN

## The law enforcement officer's news magazine

MARKHAM - The publisher of Blue Line Magazine has announced the introduction of a new magazine geared to current news of specific interest to persons involved in the law enforcement field.

"This news magazine will be just that,"
Morley Lymburner, publisher of Blue Line
Magazine announced in December, "It will
contain short news clips of events from across
Canada that specifically touch on the police
and law enforcement community."

The format of the publication will put the

news up front and foremost Lymburner added. "Quite often we hear rumours of stories from a small area but fail to get the news in a condensed and selective manner. Cops are forced to read local papers and try to cut through all the useless news to get to what is of interest to them," Lymburner stated. "The idea of 'Ten-Seven' is to get the right news, from the right places to the right people."

The publication is scheduled for release to a paid subscription base by September of this year. Lymburner announced he will be giving the readers of Blue Line a monthly preview in a column by the same pamer.



## **Previously Restricted Now Prohibited**



The following are all previously restricted weapons that, under the new policy, will now be prohibited. People who are the registered owners of these firearms as of January 1st, will be permitted to keep them for life, but may not transfer or sell them to another person.

#### Number Registered Weapon Type

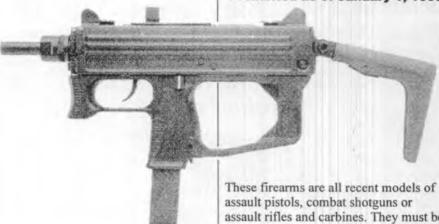
1. AK-47 and variants	4,091
2. Armalite AR-180	199
3. Auto-Ordnance	
-M27Al/M1927A-3	975
4. Beretta AR-70	15
5. Bushmaster Assault Rifle	23
6. Cetme Sporter	1
7. Commando Arms Carbine	71
8. Daewoo K-l, K-2, MAX-l, MAX	-2,
- AR-100, AR-IIOC	318
9. Demro Tac-IM Carbine	23
10. Eagle "Apache" Carbine	11
11. FN-FAL and variants	6,000
12. FNC-II, 22, 33 (incl. a	above)
13. Galil	571
14. Goncz High-Tech Carbine	0
- Now called Claridge High-Tech	
15. Heckler and Koch HK-91	806
16. J&R Eng M-68/PJK-M-LF	1
17. Leader Mark 5 Auto Rifle	8
18. SIG AMT, PE-57	16
19. SIG SG-550/SG-551	31
20. Springfield Armoury - BM59	4
21. Springfield SAR 48	8

#### NOTE:

The Colt AR-15 and the Ruger Mini-14 will be prohibited following the passage of legislation to permit this. Once again, present owners will be permitted to keep them for life.

### **FIREARM - PROHBITIONS**

## **Banned Firearms** Prohibited as of January 1, 1995



- 1. Handguns (by statute) to be grandfathered (555,200 in total) .25 calibre .32 calibre, and all calibres of 105 mm and under in barrel length
- 2. Handguns (by Order in Council effective Jan 1/95) - 9 makes of assault pistols (38 in total)
- 3. Paramilitary/Military (13,172 in total)
- a) by Order in Council firearms already restricted moving up to prohibited effective January 1, 1995 - 21 types affected (hundreds of variants)
- b) by Order in Council, new models of combat shotguns and assault rifles & carbines effective Jan. 1/95

assault rifles and carbines. They must be deactivated, turned in to police, or otherwise disposed of.

#### Assault Pistols

- 1. OA-93
- 2. "patriot" semiautomatic pistols
- 3. XM 2315
- 4. AA Arms Model AP-9
- 5. Kimel Industries, AP-9
- 6. Grendel P-30
- 7. Claridge Hi-Tec model S, L, T, pistols
- 8. Stevr SPP Assault Pistol
- 9. Maadi "Griffin" Pistol

### Combat Shotguns

- 1. Franchi SPAS-15
- 2. Benelli M1 Super 90
- 3. Bernadelli B4 Shotgun

#### Rifles & Carbines

- 1. Maadi "Griffin" rifle & carbine
- 2. AA Arms model AR-9 rifle & carbine
- 3. Claridge Hi-Tec C, Lec-9 & Zlec-9
- 4. Kinel Industries AR-9 rifle or carbine
- 5. Grendel R-31 auto carbine



## McDonald's swaps fries for toy weapons

Brandon - Hey, kids! Be the first on your block to turn in your toy gun and get free french fries.

Brandon Mayor Rick Borotsik declared Saturday December 3, "Weapons Are For Adults Not Children" day in his city of 38,000 in western Manitoba. On that day, children were encouraged to trade in their toy weapons for french fries.

Sgt. Leon Flannigan says the purpose of the day is to get kids to give up violent toys and make parents aware of what their kids are playing with.

"I played with guns as a kid and I don't believe it did me any harm," Flannigan said. "But based on what I've read and on my own experience, there are some kids it does do harm to."

Sgt. Flannigan reports that "quite a few kids" came out and that the police handed out over 250 pamphlets.

"We didn't get many toy guns," he says, "but we received other potentially dangerous toys. Our main thrust was not the weapons. Rather we were hoping to persuade parents to be more selective in the toys they buy for their children."

Flannigan and Chris de Gobeo, owner/operator of the Brandon McDonald's outlets, say getting rid of toy guns will prevent the possibility of a police officer drawing a gun on a kid with a toy.

"A lot of those water pistols are made the exact same size and color as real guns," says de Gobeo.

Flannigan says on Halloween, police got a call about a kid carrying a fake machine gun.

"We used caution in going there," he says.

As examples, he notices that some hard plastic toy knives can be hard enough to cause lacerations and poke out an eye and some kids can change harmless projectiles into ones with sharpened points. As well, some toy weapons look so realistic that they could be mistaken for the real thing and pose a danger to the child and police officers. "This program has come at a good time for us," Flannigan says. "It fits in with our school presentations about weapons not being allowed in schools."

## Petty crimes to get slower response, new Toronto chief says



In 1995, Toronto police will stop responding to certain types of crimes on an emergency basis, the force's chief-designate says.

But although David Boothby didn't reveal which crimes will be handled on a lower priority, he made it clear these would be minor crimes. Anything serious or lifethreatening would bring police officers immediately, he said.

Toronto has for some time had initiatives such as reporting centres for minor traffic accidents. They free patrol officers to deal with serious crime instead of spending hours sorting out fender-benders.

"We can't answer every call. Police on patrol are in a responsive mode 80 or 90 per cent of the time," he said.

This is because patrol officers were busy dealing with minor nonemergencies such as flower pot thefts as well as serious crimes like violence.

## Man turns on oven, takes cover

FORT WAYNE, Ind. (AP) -Ready, aim, bake!

Joe Carlisle called police one Sunday night last month after he heard gunshots hitting his house. He told police someone was shooting from outside.

But police found Carlisle had placed a loaded semiautomatic handgun in his oven that night, forgot it was there, then turned on the oven.

The gun warmed up and fired bullets through the oven into kitchen walls. No one was injured.

Police had no explanation for why Carlisle, 31, left the gun in the oven.

## Court refuses to review ruling on police use of deadly force

WASHINGTON (AP) - The U.S. Supreme Court refused last month to review a ruling that lets police shoot people who try to escape while awaiting criminal trials, even if they are unarmed and pose no apparent threat to the officers or the public.

The court, without comment, turned away arguments in a Houston-area case that the use of such deadly force violates the constitutional rights of "pretrial detainees" who are shot while trying to escape.

The justices in 1985 struck down a Tennessee "fleeing felon" law by ruling that police may not shoot unarmed, fleeing criminal suspects who pose no immediate danger.

But a federal appeals court ruled in the Houston case that the 1985 ruling doesn't apply once a criminal suspect has been arrested - even if that person has not yet stood trial.

Roland Brothers was arrested and jailed in Jersey Village, Tex., for auto theft in November 1988. Because there were outstanding warrants for his arrest on other theft charges, Jersey Village police turned him over to Harris County sheriff's deputies.

Brothers, who had escaped from county deputies twice before, was handcuffed and placed in leg restraints while driven to the county jail.

But at the jail, Brothers fled from the car while the two deputies he was with left it temporarily. He somehow had removed the handcuffs and leg restraints. The deputies shouted at him to stop, but he did not. They then drew their guns and fired 12 times.

Brothers, hit by three bullets, was killed. His family sued the Harris County sheriff and the county, attacking as unconstitutional the policy that allows deputies to shoot in such circumstances.

A federal judge threw out the lawsuit, and the 5th U.S. Circuit Court of Appeals upheld the dismissal by a 2-1 vote last August.

## Judge who created police force dies



TORONTO - Judge Charles (Bob) Bick, who created the Metropolitan Toronto police force in 1957, died of heart failure. He was 85.

Bick was appointed in 1956 to create one police force from the 13 local forces in the Toronto area.

He had the force's cars painted yellow so they could be seen from a distance - today the cars are white with blue and red markings - and came up with the motto, "To Serve and Protect."

Bick was also the first chairman of the Metropolitan Toronto Police Commission and during his 21 years at the helm he championed better training for officers.

In 1977, the police college named in his honour opened in suburban Scarborough.

Bick was an optometrist and a local reeve of the then village of Forest Hill when he was appointed head of the police commission. He kept the job after he was appointed as a provincial judge.

"I'm not a figurehead and I don't expect to be one." he said.

Bick made it clear he was head of the force, not the police chief of the day.

That led to the often-asked question: "Have we got two police chiefs or one?" said Gywn (Jocko) Thomas, a retired crime reporter for the Toronto Star,

Bick is survived by his wife Margaret, sons Charles and Donald, daughter Catherine, several grandchildren and a great-granddaughter.

He died November 29th and a private funeral was held on Wednesday November 30th.

Blue Line

## Police complaints must be reduced, says commissioner

BELLEVILLE, Ont. - Ontario's Police Complaints Commission must reduce the number of minor complaints it investigates, the acting commissioner says.

"We can't continue to average 4,000 complaints a year where formal, lengthy investigations are necessary," Susan Watt said on the final stop of an eight-city tour to get input on the four-year-old commission.

Since the commission was formed to oversee civilian complaints about police action, it has processed about 15,000 complaints. More than 80 formal investigations have been called.

"One of the initiatives we're

looking at is setting up pilot projects in certain locations that would informally resolve minor complaints," Watt said Wednesday.

Many complainants aren't after a formal hearing but simply want an apology or an explanation for an officer's actions, she said.

Watt has been meeting with police boards, police management and officers for advice on how to reform the commission.

She said provisions in the Police Services Act to informally resolve police complaints have been "grossly under-used" and several models will be tested to address the problem.

## Cops to get pepper spray

ST. JOHN'S, Nfld. - Some members of a Newfoundland police force are being armed with pepper spray.

The spray will be used by members of the Royal Newfoundland Constabulary in Corner Brook and St. John's.

The officers involved have been trained and will use the spray only when a subject becomes aggressive, says Insp. Craig Kenny.

The Newfoundland government has forbidden constabulary members from carrying guns, even though many officers say the firearms are necessary.

The pepper spray may soon be used in Labrador as well, where officers are currently undergoing the training.

the force for about 25 years, has

not been disciplined and continues

to work at the Sherwood Park de-

the RCMP Code of Conduct, Pen-

alties range from reprimand to dis-

are continuing their investigation

He will be investigated under

Police have no suspects and

tachment.

missal.

## U.S. agency helps Ontario cops trace weapons



TORONTO - Ontario police forces are working with U.S. authorities to crack down on illegal weapons flowing into Canada.

Det. Insp. Barry Hill of Criminal Intelligence Service Ontario said any unregistered weapon used in a crime can now be traced by the U.S. Bureau of Alcohol, Tobacco and Firearms through an unofficial agreement.

He said the U.S. agency began tracing weapons found in Ontario about six months ago.

Police say 90 per cent of all Canadian weapons, legal and illegal, originate in the U.S.

Criminal Intelligence Service Ontario was formed in 1966 to exchange information between Ontario police forces.

## B.C. Judges sending more young offenders to jail says corrections official

VANCOUVER - An increase in the number of young offenders sent to prison in British Columbia since April suggests judges are reacting to public concerns about youth crime, says a corrections official.

The total number of youths convicted of property crimes and crimes against people are about the same as they were in 1993. Yet the number of young offenders being incarcerated has gone up 21 per cent since April.

"There is no change in the profile of these kids going into custody," Chris Beresford, a policy analyst with the corrections branch in Victoria, said last month.

"It basically reflects the fact that the judiciary is sending more people into custody."

That means offenders who a year ago would have been sentenced to community work or probation are being jailed for the same crimes, Beresford said.

The trend has led to doublebunking in overcrowded youth detention centres.

# Officer made "severe oversight" in murder investigation



EDMONTON - A senior Sherwood Park RCMP officer was guilty of a "severe oversight" by concluding two men

gunned down execution-style were electrocuted, the force says.

"He failed to attend the scene of the crime and to provide necessary assistance and guidance to investigating officers," said Chief Supt. Don McDermid, who released the findings of his sevenweek internal review of the botched murder investigation December 5th.

"It was a severe oversight not to have done what's expected of him," McDermid said of the supervisor he refused to identify.

Tim Orydzuk, 33, and James Deiter, 24, both employees of CPL Paperboard Ltd., were found inside the Sherwood Park paper plant in October.

Police initially said the men were electrocuted and didn't discover they were murdered until 36 hours later.

"He made a hasty conclusion that it was an accidental death," McDermid said.

The officer, who has been with



Blue Line

## Technology



## ABS Equipped Cars Higher Rollover Risk

New research indicates ABS brakes may not be as safe as people think

By Tom Rataj

Despite the fact that cars equipped with ABS brakes (for full description see sidebar story) are less likely to be involved in collisions, a new study being released by a General Motors researcher, concludes that ABS equipped cars are significantly more prone to be involved in collisions that result

in rollovers then cars without the high-tech brakes.

The increased rollover rates are however not physically attributable to the ABS system. It is theorised by the researcher that the increased rollover rates result from aggressive drivers who push their vehicles closer to the edge, consuming the extra safety margin provide by the high-tech brake system.

These road-warriors drive at higher speeds and closer to the edge because of the superior stopping ability of the ABS system. The end result may be that the ABS brakes do in fact get them out of the initial collision, but then in turn allow them to travel further off the roadway into conditions more likely to cause a rollover.

The study showed that cars equipped with ABS brakes were involved in 44% more rollover crashes then the same cars without ABS brakes, At the same trme, ABS equipped cars also showed a 17% lower risk of being involved in crashes on wet roads, and 49% less risk of colliding with pedestrians.

These results are based on collision information collected in 1992 and 1993 in the states of Missouri and Texas, where detailed collision records are kept. Transport Canada statistics released in a report earlier this year also found that cars with ABS brakes were less likely to be involved in collision -9% fewer collisions than cars without the benefits of ABS.

Anyone who has driven an ABS equipped car can probably relate a personal story about how the system prevented a collision by allowing them to remain in control of their vehicle.

The technology has also been proven to be quite reliable from a maintenance perspective. A number of car makers such as General Motors have expressed an intent to make ABS brakes standard on all their vehicle within the next several model years.



that ABS equipped cars are sigTwo common types of police vehicles are built by Ford and
nificantly more prone to be inChevrolet. Both types now come equipped with ABS but
volved in collisions that result

drivers should not get over confident with driving habits.

The bottom line seems to be that we should not allow the ABS systems to seduce us into believing that we can drive twice as fast and still come to a safe stop when things go wrong.

## What Is "ABS"

\*ABS is the acronym for the German words 'Anti-Blockier System."
ABS brakes (also known as anti-lock breaks) work using a microprocessor and a series of monitors that detect the rate of wheel rotation.

When the system detects that a wheel is about to stop rotating, it reduces and then reapplies brake pressure to that wheel, effectively keeping the wheel on the threshold of locking-up. It is at this threshold that braking is the most effective.

Some vehicles like to Ford Crown Victoria, also use the system to provide traction control, which works in reversedetecting wheel rotation greater than the other wheels, and applying brake pressure to equalise wheel spin.

Many police agencies provide mandatory training for all personnel before allowing the personnel to drive vehicles with ABS.



## D MONEY CONCEPTS

by Cindy Malazdrewicz

In the upcoming issues, we are planning to present a series of articles that will help you with your money management and financial planning for the present and for the future.

The focus of our first two articles will be RRSP's... one of the only tax havens that our government allows us... and who knows how long that will continue in its present form!!!

Is maintaining a comfortable lifestyle important to you when you retire? If so, your RRSP is the single most important investment that you will make. Government deficits are looming, inflation is a fact, the uncertainty of the availability of government pensions in the future, and the increasing tax burden on the individual, all dictate that astute financial management is absolutely critical to one's quality of life down the road. In light of the upcoming February 22nd budget, there have been several issues raised about RRSP's.

The contribution level is currently at 18% of earned income, with the maximum being \$13,500 for the 1994 tax year. This amount is adjusted by the contribution made by you, or by your employer, to your pension plan at work (i.e. your PA or pension adjustment). There is talk of dropping the level to 16%. This would be lucrative to the government, as it would impact

most contributors.

Since 1991, there has been the ability to carry the "unused contribution room" forward if not used in a particular year. In years when income is very low and the tax break would be minimal, it could be advantageous to postpone RRSP contribution to a year of higher earnings where the tax savings would be higher. There are rumblings that Ottawa may disallow this carry forward of the unused RRSP room.

Another aspect of the current RRSP legislation that is widely taken advantage of, is over-contributing \$8000 to your RRSP. Beyond this amount, Revenue Canada levies a penalty tax of 1% per month. No tax receipt is issued for this over-contribution, and it is made with after-tax dollars. There is a double taxation impact, and therefore the money must be left in the RRSP for as long as possible - a minimum of about 14 years is necessary for the power of compounding to have its positive effect. Will this go too?

The bottom line is, review your present circumstances and if there are benefits for you, maximize your RRSP, do any past carry forward and make the \$8000 overcontribution.

If you need assistance in determining the benefits for you, contact an independent financial planner or call me at (905) 642-4540 or Fax (905) 642-4537.

Blive Livre

## Reuniting owners with lost or stolen property

In almost every North American city, a warehouse sits with "lost" property recovered by the police and unclaimed by owners. Unfortunately, these personal belongings will simply be auctioned off to the public at a fraction of their value.

The Tracker Corporation, a North American company, is launching a new lost and found recovery service that will dramatically increase people's chances of recovering lost or stolen articles. It is expected to make a serious dent in the \$1 billion a year problem in North

America -the safe return of recovered lost and stolen property to its rightful owners.

According to the managers of Police Property Departments, Tracker's recovery technology will allow a more efficient use of property departments and better use of human resources. But most important, Tracker Recovery Stations ensure a better rate of return of goods that end up in police warehouses.

Approximately 90 per cent of recovered lost or stolen items remain unclaimed due to a lack of proper identification. Tracker will help reunite these possessions with their original owners by using stateof-the-art technology - a digitally-encoded label that contains "hidden", or confidential information. The difficult-to-remove adhesive label is designed to be placed on valuables both in the home and items that "travel" with you everyday. If the item is ever lost or stolen and recovered, the label can be scanned with special high-tech scanning equipment, revealing vital information such as the owner's name and address, through Tracker Member Services and their central database. The owner is then notified by telephone and has the option of picking up the item in person, or having it delivered to the home or office via overnight courier.

Recovery Stations are located in police property departments and lost and found departments of high-traffic venues such as transit systems, amusement parks, hotels, shopping malls, airports, and tourist attractions. Scanners will also be located in the depots of national courier companies. For example, Purolator Courier in Canada, UPS/Mailbox and DHL Worldwide in the



United States and law enforcement agencies across North America. To date, a total of 16 Canadian Police Forces have signed on, including the Metropolitan Toronto Police Force, the Victoria Police Force, the Niagara Regional Police Service, the Charlottetown Police Force, the Halifax Police Force, and the Winnipeg Police Force, to name a few.

In the United States, Tracker's initiative of a strategic alliance and crime concern partnership with the National Sheriffs' Association (NSA) has received unanimous approval of State Executive Directors and Presidents and is to go before the Executive Board of the NSA in September 1995.

In addition, Tracker has identified and educated some 200,000 "Tracker Friendly" sites and venues across North America, to be on the lookout for Tracker-labeled items and initiate the recovery process. The very

nature of Tracker's recovery service epitomizes the spirit of cooperation and their communications campaign encourages the reporting of lost items found by "good samaritans" all across the continent.

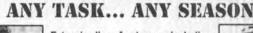
Tracker's recovery service provides a number of benefits to its network partners — the latest in property department management technology, a system that ensures the quick identification of property, a reduction in human resource requirements at property sites, an effective time management tool for inventory control, a dependable system to increase recovery rates by owners, and

a "quick-response" mobile scanner to aid law enforcement agencies in their investigations.

Initially, Tracker will market the service in North America, even though Tracker will be available to scan items lost worldwide. The company's central database in Canada will be headquartered in Toronto, with U.S. headquarters in Phoenix, Arizona. Anyone in North America can call 1-800-361-8725 for more information.

If you are interested in becoming a Tracker partner, please call Doug Morelli, Director of Marketing, The Tracker Corporation (416) 595-6222 or 1-800-361-8725.

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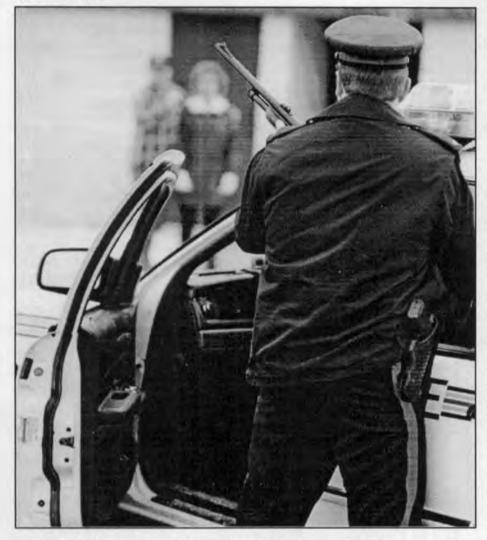
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## **Tactical Shotgun Techniques that Work**

When it comes to weapons we all must carefully balance a variety of needs and wants with the realities of budgets. But the most effective and least understood weapon may already be at your disposal!

by Dave Brown



Officer Ed Murtz, couldn't believe what he just saw. His first three shots from the 12 gauge pump had all missed his intended target. Thirty six pellets of hot buckshot in the air, at close range yet, and they all just sailed past. Worse! A bystander off to the side had slumped to the pavement with that last shot. How was it possible to miss at such a close distance?

Desperately he slapped the pump forward onto his last shell and vanked the trigger again.

'Click!'

Now, it was only a useless wood-andsteel paperweight that he held in his hands; too small even to hide behind. While the first three shots had only seemed to he muffled 'pops' in the background, surprisingly the last 'click' was the loudest noise officer Murtz had ever heard in his life.

Now all he could do was close his eyes

#### **Welcome to the Real World**

This is not shotgun shooting at the local skeet field! Instead, a supposedly 'straightforward' afternoon warrant-serving goes tragically wrong or perhaps that one more 'routine' car stop before punching out for the night ends in gunfire.

Short-stroke your pump out there on the skeet field and you suffer, at worst, a little embarrassment. Do the same here on the street and the results could very well be fatal. That deafening 'click' may be the last sound you hear.

Fortunately for officer Murtz his target was only a large steel plate. The 'bystanders' were all cardboard and he survived the 'encounter' to learn from his mistakes and try another pass. The desperation and the noise were frightfully real. So was the heart-pounding adrena-

While many law enforcement agencies can access a dizzving array of modern technology, the realities of modern budgets require maximum utilization of existing resources in the most efficient manner.

One of the best weapons at an officer's disposal, the shotgun, is often the most under used or mishandled. While only one option in an officer's store, it is a very effective one in certain situations. This requires knowledge as to the capabilities of the shotgun, and proper training to prove these abilities to the officer.

### **Training: What's Been Wrong** With It So Far?

The modern patrol officer receives many hours of quality handgun training. Courses offered now reflect more on practical scenarios. Much of the shift away from the 'target' shooting to the practical shooting of today is due to the increasing popularity of certain pistol competitions.

Many techniques now taught at modern academies were tested and proven under the stress of competition. The more traditional shooting methods were discarded. Why has quality training not always trickled down to the shotgun? Maybe because, outside particular geographic areas, there is little competition shotgun shooting. It requires more awareness within the law enforcement community to the 'combat' style of shotgunning in order to upgrade the quality of shotgun training.

In the mean time, let's go over some basic techniques that were tested and proven in competition. They may also save your life.

## **More Myths Than Elvis**

"But... wait a second," you are saying. "Didn't we just say this was the real world, and not some target shooting competition?" Yes, and there is a world of difference between Practical Shooting and practical shooting. Competitive pistol shooters rarely have targets that shoot back, and simulated 'bystanders' never sue, even if you do accidentally nick a good guy.

But there are more myths surrounding the use of the shotgun than all the treasures of Atlantis combined. It is only through the scientific testing of some of these myths out on a live range under real world conditions that we can see what really works...

and what doesn't.

While competition may truly approximate that gut-clenching fear of a real life encounter, it comes as close as possible to a fair test of techniques and abilities under stress.



Now, without pulling any punches, let's start with myth #1 that states:

Shotguns are not aimed, but pointed. Let the pattern spread make up for any lack of accuracy.

This may work fine out of a duck blind or on the trap field, but, unless your perpetrator is four inches in diameter and flying through the air, you should never rely on pattern spread to get the job done. The fact is at close ranges, and even with rudimentary sights, shotguns are amazingly accurate, if aimed properly. But, they must be aimed. Anyone who tells you different should put their padded shooting vest back on and hope that every close-in encounter begins with someone yelling "Pull!"

Shotguns can be very quick shooting and they easily exceed the speed of the fastest handgun, especially on multiple targets. But this speed is realized through instinctive sight acquisition and not through any pattern spread. At typical five-yard encounter distances there is little appreciable widening; only a characteristic ragged 'rat-hole' in the target. Try it yourself. Even five-yard targets may seem embarrassingly small when you miss them at that distance - if you don't aim.

It is also for this reason that shotguns are almost never fired from the hip. While the F.B.I. optimistically refers to an 'assault-fire position,' don't fall for it. With proper training the action of mounting the gun can become one smooth, fluid motion, and to hesitate at a low hip position will only cause you to have to think and, thus, to ultimately slow down.

While many people can dial in the windage from the hip, it is virtually impossible to quickly discern elevation and the shot often sails harmlessly overhead. Save hip shooting for targets that are within arms-length and don't waste too much valuable training time practising it when this time is better spent on proper mounting and aiming.

### **Down to the Short Strokes**

Myth #2 is commonly heard amongst experienced shotgun shooters and goes something like:

Pump-action shotguns are too prone to short-stroke.

Let's take a closer look at what happened to officer Murtz in his efforts to pump his shotgun quickly under pressure. Problems can arise from strokes shorter than necessary to eject a fired shell and reload a fresh one or from strokes weaker than needed to clear the fired hull from the port. The result will usually be a hung shotgun or a 'click' of the trigger when the shooter fully expects a 'bang.'

All of these problems are called a 'short-



stroke' and pump shotguns are inherently notorious for this when used under pressure. This myth may be more fact than fiction but there is a way to avoid this.

Using two simple techniques, we can banish the possibility of ever short-stroking the pump action. We are, instead, going to use the design of the shotgun to prevent short-strokes.

This design is based around maintaining a fully locked action during the firing sequence, but releasing the lock after the shot has left the barrel.

If you pump forward on the shotgun you will notice that the action locks closed

and only unlocks through the depression of an external action-release button, or the pulling of the trigger. In fact, left to its own devices, a pump-action shotgun wants the action to open and begin the eject-reload sequence.

If you fire a pump-action shotgun without holding the pump, it will still open and start to kick out the fired shell. As a shooter, all you have to do is keep this momentum going and merely assist in what the shotgun wants to do naturally.

This will require that you immediately pump the shotgun as soon as the trigger is pulled back. This must be done with no discernible pause between the pull of the trigger and the pump of the action. The pump should follow only microseconds behind the trigger. (Pumping before the trigger, depending on the make of the shotgun, can lead to a hung action or a shot pulled right off the target.) Let the shotgun literally do all the work; you merely help it along.

In practice, this will be done totally unconsciously by the shooter, and the shot-gun will fire and then be reloaded almost instantly, without thinking. Thinking about working the action will only slow you down, but pumping naturally means that a pump action can even equal semi-autos for speed.

(Continued on page 22)



To practice this technique, start with an empty shotgun. (Better double check that gun! Are you sure both chamber and magazine tube really are empty?) Dry-fire the shotgun so that there is no audible sound from the hammer falling. Rather than 'click pump,' there should only be 'pump!'

At the same time, get into the habit of always slamming the pump fully forward or fully rearward. Never baby the pump of a shotgun. Rather, use forceful, full strokes, whether you are practising, loading, unloading, or shooting.

The proper use of these two techniques, always pumping immediately after

the trigger, and always pumping forcefully, will ensure that you never again have a short-stroke.

Myth #3 is perhaps one reason why many officers do not train or practice with a shotgun as often as they should:

Shotguns have too much recoil and muzzle-blast for the average officer to handle.

Any officer involved in firing a gun during a real encounter would be glad to tell you how false this is. While there may be a lot of noise and blast from the muzzle this goes almost unnoticed by the officer. The presence of adrenaline in the human body during a stressful situation can do amazing things. One of them is to create a type of 'tunnel-awareness' in which there is little external world beyond the sight and the target. Gunfire is often reduced to the sound of mild 'pops' in the background.

Recoil is something that may he a factor in training, but is rarely noticed on the street. If you choose not to believe this, try going to the rifle range just before hunting season and sighting-in your highpower rifle. Now, that's recoil! Then, go out to your favourite hunting field and



fire the same gun just as your game breaks cover and bounds towards safety. Drop it now with one shot and you won't feel a thing.

This is why training can be conducted effectively with light target loads of birdshot, even if the shotgun is carried with buckshot or slugs. This is also why officers of any stature or gender can fire a shotgun quickly and competently with the proper initial training.

### **A Very Expensive Club**

Okay, this all sounds great, but what if our fictional officer Murtz had emptied the shotgun instead of short-stroking it. Should he now just start swinging it? Trying to stuff extra shells into a shotgun just has to be much, much slower than reloading a handgun. Right? Buzzzzz! Wrong! You just fell for myth #4:

Shotguns are too slow to reload once shot dry.

Speedloading a shotgun may sound like an oxymoron, but any officer should be able to maintain a constant volume of fire, consistently firing one shot every three seconds, starting with an empty shotgun, for as long as the spare ammunition supply holds out.

The F. B. I. teach just such a speed loading technique that can result in that type of speed in training. In practice, however, the consequences can sometimes be deadly.

The F.B.I. shotgun speedloading technique requires the gun to be held by the right hand around the grip, down at waist level horizontally atyourside. A spare shell is fished out of your left coat pocket, aligned so the brass head is against your little finger, and then rolled into the loading port from beneath the receiver. This technique depends on two premises. One, that you will pos-

sess the fine motor skills necessary during this extremely stressful time so that you will not excitedly fling the shell over top of the receiver in your haste. Second, that you are not left-handed!

Philosophy professors like to tell us that arguments based on false premises are called fallacies. One begins to wonder if the F.B.I. ever actually tried this technique with either left-handed shooters or officers wearing gloves.

Here is another technique that is much simpler. After the shotgun makes that final empty 'click,' pump forcefully to the rear, leaving the pump back, and gripping the shotgun in your weak hand right at the point of balance below the loading port. As your strong hand dives into your strongside coat pocket for a spare shell, tilt the shotgun sideways so that the port is up. Now, without worrying about being fancy or precise, merely drop the shell into the port and simultaneously pump forward, resume your strong hand grip, and mount the shotgun back up to your shoulder. This technique requires only that you get the front of the shell to the front. Do not feed it in or worry about how it lands when it hits the port. When the pump goes forward





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it will feed.

The entire tactical shotgun accessory industry may hate me for saying this but all those fancy spare shell carriers and holders you can hang on various parts of your gun or your body only serve to slow you down. The best place for your spare shells is held loosely in a large strong-side pocket.

Test the above technique out on the range and you will find that it can be accomplished smoothly and without drama, again and again, in a much shorter time than it takes to describe it.

Test the F.B.I. method and you may find that it can be just as fast. Try it again under the stress of a timed competition with other officers looking on and now see what happens. (Oops! There goes another shell launched over the top. Sure hope you got lots of spares!)

The justification for techniques that teach holding the shotgun in our right hand at the hip position while reloading implies that you may need to shoot the gun quickly while reloading.

Unless you have a death wish, however, an empty shotgun poses a very limited threat to an armed adversary, nor should you even attempt to shoot from the hip regardless of the condition.

Instinctively mount and aim it properly and the encounter may be over instantly. It is far better to hit accurately with one shot than to miss wildly with eight.

## One Riot... One Shotgun

We have often termed the modern shotgun a "riot gun." This spawns our final myth #5:

Shotguns are not accurate enough for close quarters. They are only useful for riot control.

If you really believe this one, better pray that you are never confronted by a riot. The skip-shooting technique of firing small pellets into the ground in front of a mob to get them to disperse may have worked in the less litigious 1960's, but the modern mob, when fired upon, is more likely to angrily charge toward you, forcefully remove that shotgun from your hands, stick the business end up your butt, and pull the trigger. Then they'll sue your estate.

Any firearm must always be treated as deadly force and, as such, should only he used in situations where the use of deadly force may be justified. There is always the danger that any projectile can end up in places that were neither wanted nor intended.

There is no reason why a shotgun cannot be fired with extreme accuracy at close ranges. With knowledge as to pattern, choke, and, most importantly, the ability of the shooter, neutralizing a target in close proximity to non-targets can be accomplished in very short periods of time. For example, a typical short-barrelled 12 gauge with an improved cylinder choke will typically keep all buckshot pellets within an eight inch circle at seven yards. Test your own shotgun to see if it can keep its duty loads within the area of a head at a likely encounter distance.

While shotguns are traditionally not used as entry weapons by emergency response teams, learn and test the capabilities and there is no reason why they cannot be used in such close-quarters shooting under critical conditions. This relies heavily on proper training from instructors who know these capabilities, and consistent practice to prove to the officers that they do possess the ability to quickly neutralize targets.

A shotgun will never replace a rifle for accurate aimed fire, but what if your backup is minutes or even hours away, and you have to deal with a situation right now. If you have a reasonably open mind you may be thinking that some of these techniques bear investigation. If you are satisfied they work, test them again under competition conditions. It may be the closest that you will come to stress under fire short of a real gun battle.

Learn what a shotgun can do, and what it cannot do. Realistic training leads to law enforcement officers with greater confidence in their own abilities, greater public safety, and fewer accidental holes in the ceiling. This may or may not help you win weekend competitions with your shotguns, but you stand a much better chance of winning out there in the big arena, the real world.

The ultimate trophy is going home safely at the end of every shift. And that's what really counts.



Dave Brown has been a professional firearms instructor for the past 8 years. Among his many credits he has provided training to many government organizations and police departments on a contract basis and has worked as a technical advisor to the Military Police to coach and instruct their national Canadian team on handgun shooting and sport psychology. He is qualified with the Justice Department as a Master Instructor for the Canadian arms safety course. He provides all armed security officers in the Winnipeg region with their annual firearms qualifications.

Persons wishing to contact Dave may do so by calling (204) 774-2543 or Fax (204) 775-2704.





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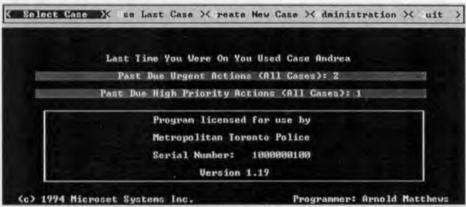
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## Software That Yields To A Cop's Touch



If you or your agency were looking for an all-encompassing, police investigation oriented software package then CaseFile! by Toronto-based Microset is worth checking into. Not only is it versatile and effective but it has also been well tested by one of Canada's biggest and busiest Homicide Squads.

CaseFile! is a FoxPro-based PC-DOS program that provides an easy-to-use means of organizing, managing and preparing major crime cases. It readily accepts information on people, actions, events, statements, exhibits, dates and disclosures. Once these variables are stored, law enforcement agencies may not only track them, but also identify and inspect relationships between them. As well, a variety of reports can be produced, such as subpeonas, action requests, witness lists, charge sheets, disclosures and much more.

CaseFile! facilitates both investigations and subsequent courtroom activity. Experience at Metropolitan Toronto Police is a saving of up to 200 hours of detective time in an typical major case. The paperwork that has been streamlined or eliminated to accomplish this saving is not only crucial to an investigation and the preparation of a court case, but is also the work investigators like doing the least.

Putting CaseFile! to work for you is simplicity itself. You log on and go to the "Case Command Centre," shown at above, and enter your "tombstone" information. A couple of "quick clicks" and you are ready to enter data about people associated with your case via the "people" screen shown above right.

Now, data entry is well-known for its dreariness and proneness to error; so CaseFile! provides many features to ease this chore. People information, for example, is stored in a single data base so that the data need only be entered once.

If a person becomes associated with a second case, a couple of keystrokes are all that is needed to bring in a full profile. "Pick lists" abound and may be created

once to minimize typing and ensure consistency of spelling across cases.

An excellent example is the frequent address data base, which can maintain the locations of hospitals, malls, fire halls

and the like, permitting their accurate entry in a case with just a few keystrokes. A "pop-up" calendar allows the selection of a date for a date field in a standard format.

Statements, supplementals, action requests and other typed information may be keyed directly into *CaseFile!* or, with a few simple "clicks," imported in text format from other sources, such as word processing software.

Information stored in CaseFile! is of particular value to investigators, since the product incorporates a particularly powerful search function. Witness statements, for example, can be inspected for common occurrences both within a case and across all cases stored on the system. Searches can be based on a range of variables from a simple word match to complex conditions that will find matches on a variety of conditions, including misspelled words that are phonetically correct (as an example: fizziology for physiology).

In addition, while many standard reports (for some examples, see the "Case Specific Report Menu" opposite page) are supplied with CaseFile!, investigators may make their own using a simple "point and shoot" technique and any of the data fields listed in the comprehensive manual.

Case coordinators will be pleased with the "past due actions" list that CaseFile! offers them each time they log on (see main logon screen at top). They will also find the feature that chains actions and supplementals together throughout the case a significant benefit, providing a documented sequence of events that fully describes an investigation.

Case coordinators will also like both the chain of evidence and disclosure tracking features, the latter providing some protection from their own criminal prosecution for failure to properly disclose.

Perhaps most of all, Case coordinators will appreciate the Crown Brief preparation assistance CaseFile! provides. As an example, witness lists can be produced alphabetically, in order of court appearance, with or without statement synopses and with or without related exhibit descriptions.

Page 1 (NEX PAGE (or PADE))

Page 1 (NEX PAGE (or PADE))

ADD A NEW PERSON

CASE MUMBER
MENNO
FINA

Criminal Record (YZN)

Title
Surnane
Given Nn 1

Street

City
Prov/State
Country

Category

Category

UITMESS

UINOPORT 30

Blood Type

Date of Birth
Harital Status
Nationality
Immigration Status
Alias
Nicknane

Home Phone

Contact Category (Canvas, Hot-line, etc.)

Selectively marketed in Ontario over the past nine months, CaseFile! is gaining wide acceptance in the greater Toronto area. Originally designed, built for and purchased by the Metropolitan Toronto Police, Criminal Intelligence Service Ontario (CISO) acquired several copies for use in a major multi-force investigation in the Golden Horseshoe.

A pre-release version was purchased by the Niagara Regional Police to assemble facts in the latter stages of a major murder investigation. Barrie Police also purchased a pre-release version, since updated, and has used CaseFile! in a triple murder inquiry.

York, Peel and Durham Regions are also now CaseFile! users. As Durham Regional Police Crime Analyst Pat Holtorf says: "We were testing our new product on an old case, when the gun shop robberies occurred in Oshawa. CaseFile! was pressed into immediate service. Then came another homicide and the bank robbery in Port Perry, and we ordered more licenses to handle them."

CaseFile! is a cop's product. It was designed, built, redesigned and rebuilt in a close working relationship with Metro





homicide detectives, with significant input from both fraud and sexual assault units.

And the beat goes on!

Over the past eight months, Microset Systems Inc., CaseFile!'s distributor, and chief programmer Arnold Matthews have welcomed and implemented many changes suggested by officers in the Greater Toronto Area. An example is York Region Detective Rick Finn's request to provide portable printer support (beyond the standard H-P Laserjet) so that officers taking statements in the field could enter, print and have them signed on the spot. CaseFile! now goes on the beat! It is a product in progress. Microset intends to develop a Windows-based version over the next

twelve to eighteen months to facilitate the inclusion of a richer suite of functions. When available, this will be offered to purchasers of the current DOS-based system at a special upgrade price.

CaseFile! is an outstanding example of the application of easy-to-use Personal Computer technology to problems that ordinary people grapple with on a day-today basis. Yet, being Novell-enabled and "sneakernet"-capable (allowing virtually any data to be imported into, or exported from, the system), it is ideal for marshalling a wide variety of "forces" to the issue at hand.

For further information call (416) 283-4949 or Fax (416) 283-5650.

## Former Ottawa Chief Appointed Special Advisor To Beretta U.S.A.



Beretta U.S.A. has announced the appointment Thomas Flanagan, S.C. as special advisor for Canadian law enforcement.

Mr. Flanagan has a distinguished 43-year career in Canadian law en-

forcement, most recently as Chief of the Ottawa police. He is a former vice president of the Canadian Association Chiefs of Police, a life member of the Royal Canadian Mounted Police Veterans Association and a holder of the Star of Courage, the Oueen's Commendation for Brave Conduct.

He was recently honoured for his achievements when the new Ottawa Police headquarters was named the "Thomas G. Flanagan Building."

In this new position, Flanagan will serve as a consultant to Beretta on Canadian law enforcement and criminal justice issues.

"We are certainly pleased to have Mr.

Flanagan join us as special advisor for our Canadian law enforcement sales," said Robert L. Bonaventure, executive vice president of Beretta U.S.A. "His valuable experience and prestigious service record will be a huge asset to our efforts."

Beretta has experienced tremendous growth in the Canadian law enforcement market as the trend toward semiautomatic pistols continues to surge. In fact, Beretta has announced over 20 contracts for Beretta .40 calibre pistols by Canadian agencies in recent months, including the York Regional Police and Vancouver Police Department. Also, Beretta pistols are carried by officers in thousands of law enforcement agencies throughout North America, and Beretta 92F (M9) 9mm pistols are the official sidearm of the U.S. Armed Forces.

For more information on Beretta law enforcement sales, contact Beretta U.S A. Corp., Law Enforcement Division, 17601 Beretta Drive, Accokeek, MD 20607, (301)283-2191. Or, in Canada, contact Beretta Law Enforcement, 15 Sun Harbour Rd., S.E., Calgary, Alberta, Canada, T2X-3A5, (403) 256-8807.

## **Guelph names first** female chief

Guelph has appointed Ontario's first female police chief.

Lenna Bradburn, currently manager of the independent investigations unit at the Ontario Ministry of the Solicitor General, will replace Chief Dick Stewart, who resigned earlier this year.

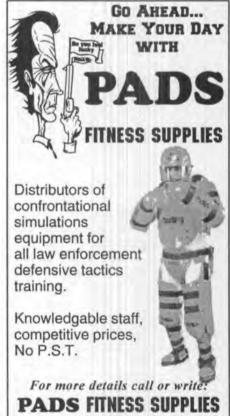
Bradburn, 34, joined the Toronto police force as a constable in 1981, and remained with the force for 10 years.

She was elected to the board of directors of the Metro Toronto Police Association in 1987, the first woman elected to the board. Three years later she went to work at the Metro Police corporate planning unit.

Bradburn's work with the investigation unit included looking into employee complaints of workplace discrimination and harassment.

She was selected by the Guelph police services board after a four-month search and interviews with 40 candidates.

"It's important to us that we have appointed the first female police chief in Ontario, but I stress the most important thing is that we picked the best candidate," said Simon Leibovitz, chairman of the police services board.



9624-74th Street, Edmonton, Alberta Phone/Fax: (403) 490-0144 Dale Kliparchuk - Director / Instructor



By Manfred W. Bentin

## **Using Reloads In Semiautomatic Service Guns**

With the appearance of the semiautomatic pistol in law enforcement, we should have a close look at its ammunition.

As we all know, as long as you use the same calibre, a revolver is not sensitive to different pressure levels as long as you do not exceed the SAAMI (Sporting Arms & Ammunition Institute) maximum average pressure level. For example, take a revolver in calibre 357 MAG you can load a blank .38 SPL. cartridge, a mild .38 SPL- WC, a .38 SPL. + P and a .357 MAG fall house load, pull the trigger and as the

cylinder rotates all rounds will fire in sequence. The pressure ranges of the above cartridges are from a few thousand PSI of the blank cartridge to 45,000 PSI of the 357

MAG full house load.

With the semiautomatic pistols however, it is a different story. In the revolver the gas pressure of the powder charge is solely used to propel the projectile out of the barrel. In the semiautomatic part of the gas pressure is used to cycle the action which includes ejecting the spent cartridge case and feeding a new round into the chamber. In guns with exposed hammers it cocks the hammer and gives the shooter a lighter trigger pull. Because of the multiple functions the ammunition performs in the semiautomatic it stands to reason that the pressure range of the cartridges used in those guns has to he very narrow.

Now we are coming to the point of this article: almost all combat semiautomatic pistols as used in law enforcement and military service are designed by the manufacturer for one specific round with a given operating pressure level. The weight of the slide and the strength of the recoil spring are designed for that pressure level.

Using reloads in those guns you must make sure that you meet the pressure level of the calibre you use. This, of course, can



only be done if the person who reloads your ammunition uses very expensive and sophisticated pressure test equipment or has the reloads tested by a certified test lab with calibrated test equipment.

Most manufacturers - Beretta being one of them - waive their warranty when lead bullets or copper coated lead bullets are being used in reloads in their service guns. These types of bullets usually leave leading in the barrel which can increase the pressure level dangerously when copper jacket bullets are being fired afterwards. Stuck bullets, bulged barrels and cracked slides are some of the results, rendering the firearm inoperable. Some guns, like the Glock 17, with its hexagonal profile barrel, will not handle lead bullets at all because the soft lead cannot follow the twist.

When using copper jacket bullets (the same ones that are used in factory loads), a stringent quality control (QC) procedure should be in place by the person who reloads. This should include frequent powder charge checks, check of O.A.L. (overall-length) of cartridge and a proof of at least one pressure & velocity test at the beginning of every production day. The O.A.L. check is important on the relatively short semiautomatic cases since a .020" difference can cause trouble.

It is obvious when using reloads that are loaded below the operating level of a particular calibre, that the gun simply will not function. Due to the reduced energy, the slide may not travel far enough back to eject the empty case or pick up the next round from the clip.

When the pressure is above the maximum allowable level for the calibre in use it is very difficult - except for very hot loads - for the average shooter to recognize it. Using such ammunition over a prolonged period of time can cause hairline cracks in slide and/or chamber to de-

velop and the gun will eventually fail, usually at the most inconvenient moment, leaving the user defenceless.

Are reloads not for semiautomatic service guns? They can be, with the proper bullet, frequent A.O.L. checks, powder weight checks and pressure & velocity tests. They can be a cheaper alternative to factory loads for practice and training, depending where and in what quantity your department purchases their ammunition.

Remember if you purchase and authorize reloads to be used in your department for practice and training, the department is most likely also liable for injuries resulting from the use of improper reloads. Therefore, it is important that you ask for your reloader's QC procedure and receive a velocity & pressure test report with each lot of ammunition you receive.

Having supervised the QC Ammunition Dept. of Winchester Canada for seven years, I know that all the well-known ammunition manufacturers follow an extensive quality control procedure and keep records of their test results.

If you need further information or have a specific question on this topic, please feel free to contact me by phone: 519-745-9214 or by Fax: 519-621-4123.

Blue Line

## Case Law

## **Extreme Intoxication May be Defence**

by Gino Arcaro

R. v. Daviault (Sept. 30, 1994)

Issue: whether extreme intoxication constitutes a defence for offences requiring general intent, such as sexual assault.

Circumstances: The complainant in this matter was a 65 year old woman, confined to a wheelchair due to partial paralysis. She was familiar with the accused person, a chronic alcoholic.

At 6:00 p.m. on the offence date, the accused arrived at the complainant's house, at her request. He brought a 40 ounce bottle of brandy. The complainant drank a partial glass of it and fell asleep in her wheelchair. The accused brought her to her bedroom and sexually assaulted her. He left the complainant's apartment at 4:00 a.m. Afterward, the complainant discovered the bottle of brandy was empty.

The accused remembered only consuming one glass of brandy upon his arrival at the complainants residence but could not remember anything else between that time and the time he awoke nude in the complainant's bed. The accused denied

sexually assaulting the victim.

A pharmacologist gave expert testimony for the defence on evidence given, stating the following: (a) the accused's alcoholic history diminished the effects of alcohol - hypothetically, if he consumed 7 or eight beers plus 35 ounces of brandy, his blood-alcohol content would have been between 400 - 600 mgs, a BAC that would cause death or coma in an ordinary person (b) this alcohol level may cause a "blackout", a state during which an individual looses contact with reality, temporarily loses normal brain function, and loses memory and awareness of his actions (c) distinguishing between blackout and being under the influence of alcohol is difficult (d) actions under the influence of alcohol that require higher cognitive functions do not constitute blackout (e) blackout is distinguishable by a departure from normal behaviour such as violence

The trial judge concluded that the accused did commit the sexual assault but acquitted him because reasonable doubt existed that the minimal intent necessary to commit sexual assault was absent due to the extreme intoxication. The Quebec Court of Appeal overturned the acquittal.

S.C.C. ruling: In a 6-3 ruling, the S.C.C. allowed the accused's appeal and ordered a new trial.

Reasons: 1. The term mens rea does not encompass all of the mental elements of crime. The actus reus has its own mental element, for actus reus to exist, the act must be voluntary. Mens rea refers to the guilty

mind or the wrongful intention. Morally innocent people, those who fail to understand or do not comprehend the consequences of their actions are protected from conviction.

- "Automatism" is a defence that exists as a "middle ground" between criminal responsibility and legal insanity. An involuntary act entitles an accused to an acquittal.
  - 3. The Crown has the onus to prove

that an act was voluntary.

4. In R.v. Leary (1978), the S.C.C. ruled that self-induced intoxication should not be a defence for offences requiring a general intent. A strict application of this rule violates sections 7 and 11(d) Charter.

 Extreme intoxication may be a defence for general intent offences such as sexual assault only if the extreme intoxication resembles automatism or insanity.

 Expert evidence is required to prove that extreme intoxication prevented the formation of the intent. Expert evidence is required to prove that the excessive consumption of alcohol created a state similar to the automatism or insanity.

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## **Up-Coming Events**

#### February 7 - 8, 1995 Martial Arts Instructors Course Moncton - New Brunswick

The Police Martial Arts Association will be sponsoring a Confrontational Analysis Introductory Course. The two day course will present practical and theory presentations. For more information contact Doug Devlin at (506) 387-5126.

#### April 27 - 29, 1995 Crime Prevention Symposium Mississauga - Ontario

Plan to attend the 2nd annual Crime Prevention Symposium at the Days Inn, Airport Rd., Mississauga, Ont. For further details call Rosemary Raycroft at (705) 326-6465 or Fax (705) 325-7725 or Phyllis Bartlett (705) 689-8386.

#### April 30 - May 3,1995 1995 Ontario Traffic Conference Mississauga, Ontario

Peel Regional Police Service will be hosting this year's Ontario Traffic Conference at the Toronto Airport Hilton Hotel. For further details contact Judy Woodley (416) 598-4138 or Harold Kennedy (905) 896-5100.

#### April 30 - May 2,1995 CSC National Conference

Ottawa - Ontario

The Canada Safety Council's 1995 National Conference will show delegates they can fit their "piece" into Canada's traffic safety "puzzle." Delegates to this conference will leave with an action plan to address their own organization's traffic safety goals. For further information contact: Ethel Archard, (613) 739-1535 Fax (613) 739-1566.

#### May 2, 1995 Celebrity Golf Tournament Etobicoke - Ontario

The Canadian Police Motorcycle Race Team are pleased to organize this event on behalf of Motorcycles And You (M.A.Y.) Safety Awareness Month. Golfers will be representing the Toronto Maple Leafs, Blue Jays, Argos and Raptors to name but a few. There are many entry levels and banquet to follow. Major prize presentations. For further details contact Dave Stewart at (905) 831-2013 or Fax (905) 831-1929.

#### May 28 - June 1, 1995 Police Educator's Conference Board of Canada

Fredericton - New Brunswick
The conference is open to anyone
interested in training from a law
enforcement perspective. This
year's theme is "Violence in Society" and will include segments on
family violence, racial violence,
violence in the police family, elder
abuse and violence in schools. For
further details contact Insp. Eric
Fiander at (506) 452-9701 or
Terrence Quesnel at (506) 444-

#### May 31 - June 2, 1995 Radiocomm 95

Toronto - Ontario

Delegates from the Radiocomm Association across North America are expected to attend this exposition of over 100 companies and 200 booths showing the latest in communications hardware and software. Further details contact Karl Eichner at (416) 447-2265.

#### June 22 - June 25, 1995 Canadian & International Police Motorcycle Championship Races Shannonville - Ontario

The Canadian Police Officers Road Racing Team are happy to announce this event in association with the FAST Riding School. Event includes training sessions prior to race day for all contestants as well as a banquet and social activities. For further details contact Dave Stewart at (905) 831-2013 FAX (905) 831-1929.

#### June 9 - 10, 1995 Georgian College LASA Reunion Barrie - Ontario

Georgian College LASA program is hosting a weekend 25th Anniversary reunion for all graduates, consisting of wine & cheese social, sports day and dance. Contact Nancy Wagner at (705) 722-1535 Fax (705) 722-5175.

### For Sale

4 only Federal Twin Sonic Model 12x Light Bars c/w clear lens, red & white bulbs. Reconditioned \$100.00 each. Call S/Sgt Brad Roelofson, Halton Region Conservation Authority (905) 854-0373.

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1 Zetron Model 35A Telephone Interconnect. Allows access to telephone over existing radio system. C/w two PTMF microphones. Excellent condition \$500.00 Call S/ Sgt Brad Roelofson, Halton Region Conservation Authority (905) 854-0373.

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## LETTERS To The Editor

## Moved By Editorial

Connie and I were both moved by your editorial in the October Issue (The Shadow Of The Creator). It must have been a great experience for you. I have worked a lot with First Nations people, and have had the same feelings that you describe so well.

I remember a couple of years

ago I did a 5-day management development session with the Squamish Band. On the morning of the second day, one of the members approached me privately and asked if I would object to a prayer to start the day. Of course I agreed, and one of the elders led us in a quiet, sincere prayer for enlightenment.

We ended the day with thanks. We held hands in a circle. I look back on that week as one of the best I've ever experienced. Why can't all my classes do this.

> Terry Barker Gibson's, British Columbia

## U.S. University Features Top Canadian Cops



Chief Bryan Cousineau York Regional Police

A major U.S. University is presently taking applications for a course featuring a number of high profile Canadian law enforcement people.

Key-note speakers invited to assist in this course include Bryan Cousineau of the York Regional Police, Chief William McCormack of the Metro Toronto Police and Niagara Region Chief Grant Waddell. Also contributing will be retired Chief of the York Regional Police, Bruce Crawford.

The Master of Science Criminal Justice Administration course is being initiated by Niagara University in Niagara Falls, New York, and is a graduate program offered to both full-time students as well as part-time.

The Master's degree program is an integrated program that enhances student powers of discrimination and judgement. The program accomplishes this by incorporating management and administration techniques, analytical and communication skills, decision-making abilities, and professional ethics. These attributes enable students to function effectively in any organizational environment upon



Chief William McCormack Metropolitan Toronto Police

graduation.

The curriculum also helps graduates to anticipate, address, and correct problems faced in the criminal justice professions in an efficient, effective, and ethical manner.

Other course contributors include the Chair of the New York State Association of Chiefs of Police, Administrator of the Drug Enforcement Administration and other dignitaries in judicial and governmental departments.

Niagara University courses boast a variety of skills, information and concrete applications for a gratifying educational espereicne. Small class sizes, computer availability for all students and state-ofthe-art library facilities provide a supportive learning environment.

The Master's degree program consists of an 11-course sequence totalling 33 semester hours. All courses earn three credits and convenient class scheduling permits students to take two courses on each class evening.

For further details contact the office of Dr. Albanese at (716) 286-8080 or (716) 286-8060 or Fax (716) 286-8581.

## Likes Phillipines Cover

I am a police officer in Calgary and we receive your magazine in our traffic section. I enjoyed the cover of your August/September issue with the Phillipine police officers. Its interesting to see officers from other parts of the world.

Frank Lough Calgary, Alberta

### Logic is bewildering

I was surprised to read that Toronto police would forgo \$600,000 in the sale of their old guns during the conversion to new ones. Susan Eng, Chair of the Police Services Board, explains that it makes more sense to destroy the guns than to allow them to fall into hands of criminals. Her logic is bewildering.

Guns are neither scarce nor finite in supply nor non-renewable. If a criminal cannot steal a used gun he will simply steal a new gun. New guns and used guns are plentiful in the United States. The majority of Canadian criminals get their guns from the United States, and it is inconceivable how Ms. Eng will deprive them. The only beneficiary of the destruction of Toronto's used guns are the gun

manufacturers who will happily fill the void. I hope a better use could be found for the \$600,000.

> John Propper, Toronto, Ontario

### Police band being organized

Thanks to the assistance of Blue Line Magazine in the past I have established a good relationship with German Police Forces. Due to high demand I am organizing a police pipe band tour of Germany for next May 10 - 19. I am presently seeking out officers who would like to join us.

They should have police band experience and be prepared to pay for return air flight to Berlin. All accommodation and meals will be paid for in Germany. If any of your readers are interested I will be happy to explain further if they call me at (905) 770-0424. It should be great fun and make for a wonderful holiday.

Heinz Hackenberg Richmond Hill, Ontario

Your Comments Are Expected

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## **Student Crime Stoppers**

## Startup Sequence of Events/Checklist

Step A

The administration should recommend that all crime should be reported, considered and handled as Scholastic Crime Stoppers cases. This will give high visibility to the program and assure all cases are being reported and followed up. The victim reports the crime to the attendance office or designated location, and a written report is made. The attendance office directs all completed crime reports to the administrative liaison. The administrative liaison meets with the Scholastic Crime Stoppers Board and presents the crimes committed. The board sets a minimum and a maximum reward to be paid for each crime committed using the term "pay up to." It is recommended that the board meets at least once a week. The administrative liaison and the board now advertise the crime through the newsletter, bulletin board, electronic bulletin board or any other means available. The crime is listed and posted on the bulletin board for the entire school year. If the crime is solved, it is marked "solved" and left posted for high visibility. It has proven successful for the board to hang special posters in targeted areas that have had major criminal activity, such as: sections of locker, parking lots, offices, etc.

Step B

If there are no informants coming forward after this one week, the case then moves to the file which is kept for gathering intelligence and information for future use. If there are informants, follow "Step A" procedures. It is also helpful to check the flow chart and/or options available.

Option I

If the informant has information that is beyond the school's jurisdiction and the administrative liaison is contacted, the administrative liaison should immediately advise the informant to contact the local or county Crime Stoppers Program (if one is available; if not, contact the local law enforcement agency imme-

diately). The administrative liaison should not ask any questions or receive any information. Reason: If the information led to an arrest and indictment, the administrative liaison could be subpoenaed to testify and have to give up the identity of the informant. The information, once received by the county program, is documented and turned over to the officer assigned to work the case. The officer may work the case in cooperation with the administrative liaison if necessary. When the case reaches final conclusion, it will be presented, if necessary, to the Scholastic Crime Stoppers Board for review and to issue a reward. The reward, if given, will be paid by the administrative liaison. If no reward is given, the case goes back to the file.

Option 2

If the informant wishes to stay anonymous, he/she goes directly to the administrative liaison and gives the information. The liaison issues an in-house code number (Crime Stoppers I.D.) and guarantees that the informant's identity will be kept secret. The case is then worked as before, within the jurisdiction of the school. (If not in jurisdiction of school, refer to Option I for procedure). When the case reaches a final conclusion, it goes to the Scholastic Crime Stoppers Board for review and to issue a reward. The reward, if given, will be paid by the administrative liaison. If no reward is given, the case goes back to the file.

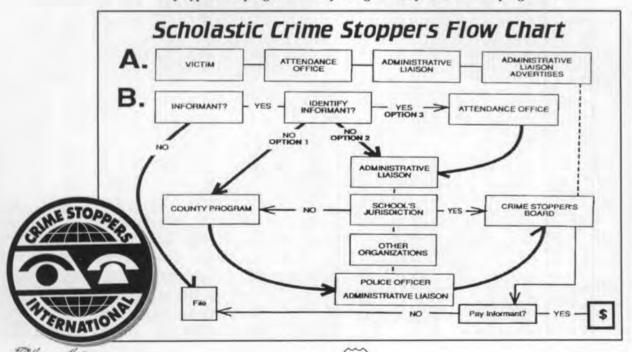
Option 3

If the informant does not wish to stay anonymous, he/she may go to the attendance office or the administrative liaison and give the information. The case will then be worked based on the area in which it falls, i.e., school jurisdiction or outside Crime Stoppers Program. Once that determination has been made and the case is brought to a final conclusion, it goes to the Scholastic Crime Stoppers board for review and to issue a reward. The reward, if given, will be paid by the administrative liaison. If no reward is given, the case goes back to the file.

January, 1995

In conclusion, the student can use, any one of the options without risk or may bypass the program entirely and go directly to an outside program.

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## Here is a wide array of ideas on Blue Line's Preferred Products List



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