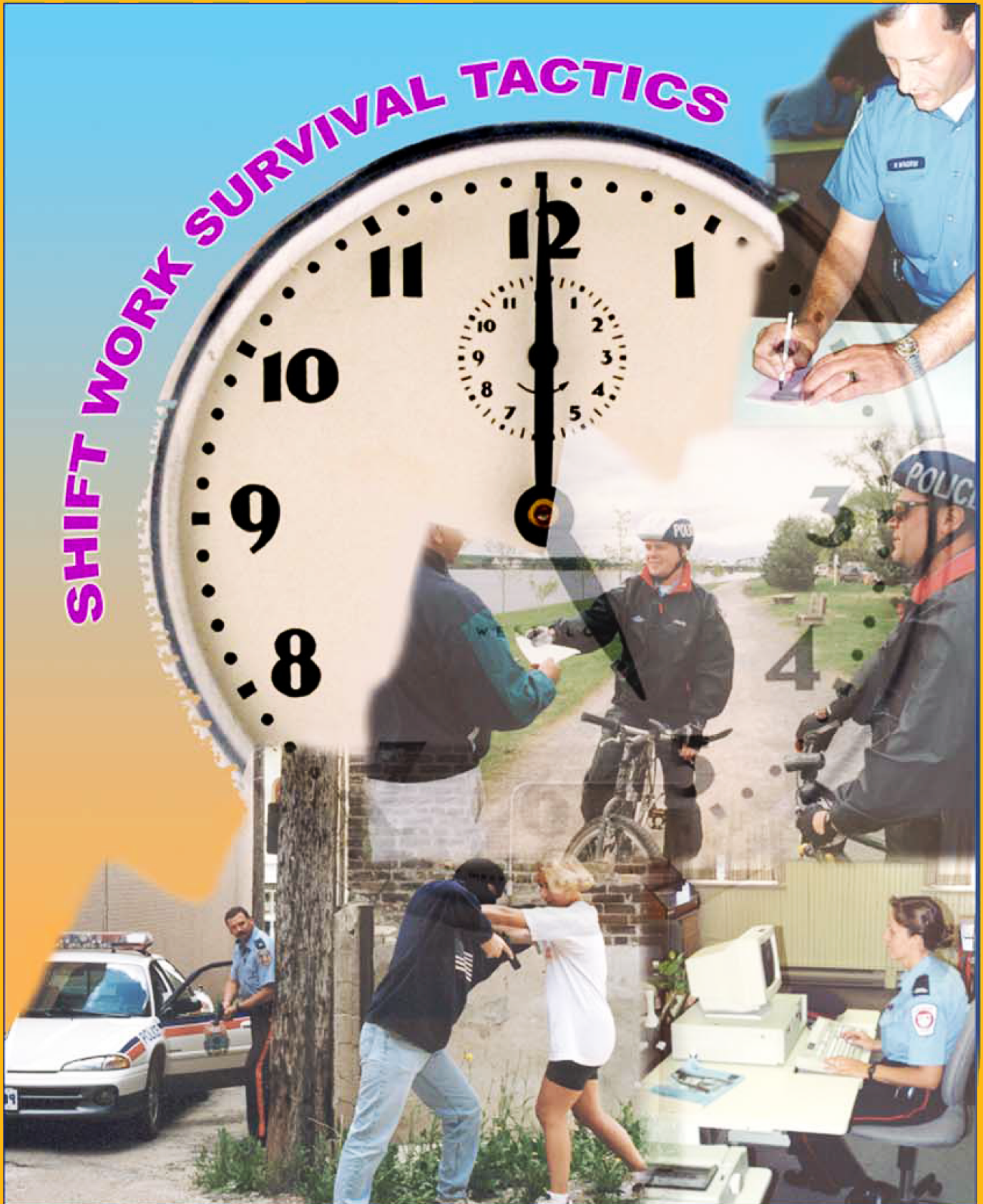


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THE PELICAN UNCONDITIONAL LIFETIME GUARANTEE

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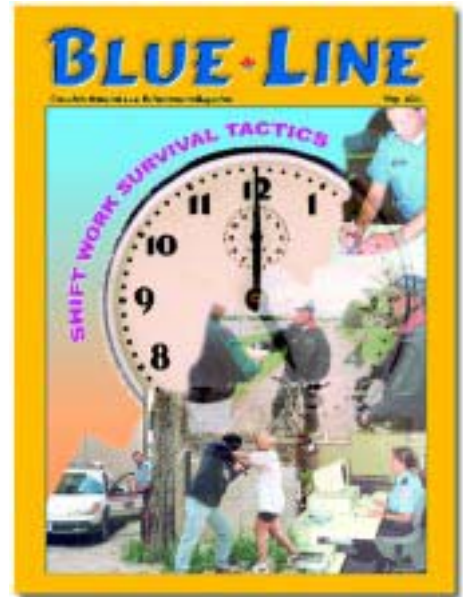


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INSIDE THIS EDITION

Publisher's Commentary	5
<i>Let's bring carnage into the courtrooms of this country</i>	
Sleep strategies for shift workers	6
Correspondence	9
A proactive approach to law enforcement	10
<i>Transit security moves ahead of crime</i>	
Provincial police go live with "Quartermaster"	12
Technology	14
<i>Say goodbye to pen and paper</i>	
More than "just the facts"	16
Examining police pursuits	18
<i>Part II</i>	
Commentary	22
<i>Bring back the cadets</i>	
Canada's youngest police services board member reflects on term	23
A Street With No Exit	24
<i>Canadian film "Cul de Sac" depicts the reality of street life for kids</i>	
Developing a firearms instructor model	26
The Last Noose	28
<i>Manitoba</i>	
Constable receives Bud Knight award	29
Forensics officer to receive commendation	30
Product news	31
Ontario's proposed physical evidence rule for lawyers	32
Vitality	34
<i>Fitness pin helps officer beat cancer</i>	
Forum to examine crime in the new millennium	35
Police Torch Run	36
Blue Line Classified	37
Back of the Book	38
<i>The incredible shrinking police service</i>	
Blue Line Reading Library	39



As part of our ongoing series on shift work, *Blue Line Magazine* brings you sleep strategies to help deal with working outside of the nine-to-five schedule. The **National Sleep Foundation** has supplied details of how to prepare for shuttley, when to exercise and how to balance life and work. The story can be found on page 6.

The Corporate Security section of the Toronto Transit Commission is tasked with ensuring that passengers on bus and subway lines reach their destinations safely. In this issue, **Mike Walker**, chief security officer, and **Judy Shulga**, system security coordinator, explain how their law enforcement unit has managed to meet this unique challenge. For details, turn to page 10.

Thanks to the introduction of new legislation, documents no longer need to be signed with ink on paper. The door has opened for new "e-signature" technology and with it comes new concerns for police agencies. To learn more, refer to the technology column by **Tom Rataj** on page 14.

Police pursuits are one of the most closely scrutinized aspects of law enforcement. In the final instalment of his two-part series, **Keith A. Gehrand** covers the legal aspects of a police pursuit. For more information, turn to page 18.

After more than two years on the job, **Sandy Adelson**, the youngest person to join a police services board in Canada, has left her post. In this issue, Adelson reflects on her term. The full story can be found on page 23.

Det. Cst. Craig Moore, a Niagara regional police officer who developed an innovative forensic tool, is set to receive a commendation for his work. For more information about Moore and his invention turn to page 30.

Why is it that private law enforcement firms grow, while police services find their budgets are shrinking and resources are harder to obtain? **Robert Stevens** asked this question and submitted his view at The Back Of The Book.



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Let's bring carnage into the courtrooms of this country

by Morley Lymburner

VICTORIA, BC - In B.C. Supreme Court a drunk driver, already prohibited from driving for 50 years, when his car flew through the air and landed on another, was sent to prison Friday for two years. "Miraculously, no one was seriously hurt." He was convicted of impaired driving for the accident, his 11th impaired driving-related conviction since 1973. He was also free on bail on a charge of driving while prohibited.

THETFORD MINES, QC - A man who plowed his car into two children, killing them both, was given a nine-year prison sentence Friday. Pleading guilty last January to five charges, including hit and run, refusing a breathalyzer test and illegal use of a vehicle. His licence was suspended at the time.

MISSISSAUGA, ON - A man convicted of causing the death of a high school student during a 1998 road-rage incident has been given permission to leave the country before being sentenced to visit his 72-year-old mother between April 7 and April 24. He plead guilty to dangerous driving causing death on Feb. 13. He also pleaded guilty to failing to remain at the scene of an accident. He will be sentenced upon his return to Canada in May.

VANCOUVER, BC - A four-year jail term has been handed a man who ran down and killed a pedestrian with a sports car during a street race in Vancouver. He pleaded guilty to criminal negligence causing death and hit-and-run. He has been banned from driving for 10 years.

MONTREAL, QC - A driver with no licence who ran traffic lights and caused two deaths in a smashup was given a 38-month prison term Tuesday and banned from driving for seven years after his release from prison. Two months before the accident, he had lost his licence for impaired driving. His record included other offences dating from the 1980s.

These stories make interesting reading and headlines for local papers. The real tragedy, however, is that all these hit the presses in only a five day period in March. The one consistency in all of these stories is not necessarily the fact that killing with a motor vehicle has become a national blood-sport but rather the inconsistency of the sentencing.

In all of these five stories, that snuffed out the lives of six human beings, only one did not take a life. But how a person can still be free to drive after 11 convictions for abusing cars and alcohol simply staggers the imagination.

In the quiet calm of the courtroom, however, the judges and jurors do not have the opportunity to see the blood and carnage. They don't hear the cries of anguish. They do not see the looks of horror in the faces of those who look on. They most certainly do not seem to consider that at one time these mangled and mutilated bodies were walking, breathing, living people who are sadly missed. Their lives stopped at the hands of an uncaring person.

Recently legislation was initiated to make the use of a firearm in the commission of any criminal offence to be a separate violation from

the act committed. In other words robbing a bank was bad enough but using a gun to do it means a stiffer sentence.

In like manner I would think the best way to get some semblance of consistency in sentencing people who take lives with motor vehicles would be to have a minimum sentence structure that reflects society's revulsion of such offences. If the offence involves a death resulting from the criminal use of a motor vehicle then place a mandatory two-year sentence as a minimum. Then consider the damage caused to property and lives as additional but separate factors.

It is clear that in only this fashion can we separate the personal neglect and carelessness of the individual from the fact that it was a piece of hurtling metal striking a person that did the killing.

Death is death. To the victim and the victim's family there is no degrees of death or mitigating circumstances that make the death any more acceptable. Mitigating circumstances presented in the calm of a courtroom obviously do sway judges and lawyers. It is time reality was brought to bear on the courts and the judiciary. No one dies with dignity in a motor vehicle.

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Shift Work Survival Tactics

by The National Sleep Foundation

Do you work at times other than the usual “nine to five” business day? If so, you are among the millions of shift workers in the workplace. You may work when most people are asleep and attempt to sleep when the rest of the world is awake.

Unfortunately, when it comes to sleep, most shift workers don't get enough. When shifts fall during the night (11 p.m. - 7 a.m.), the worker is fighting the natural wake-sleep pattern. It may be hard to stay alert at night and just as hard to fall asleep, and stay asleep, during the day. Night workers get less sleep than daytime workers do, and the sleep is less restful.

Sleep is more than just “beauty rest” for the body; it helps restore and rejuvenate the brain and organ systems so that they function properly. Chronic lack of sleep harms a person's health, on-the-job safety, task performance, memory and mood.

Sleep And The Circadian Clock

The human body naturally follows a 24-hour period of wakefulness and sleepiness that is regulated by an internal circadian clock. In fact, the circadian clock is linked to nature's cycle of light and darkness. The clock regulates cycles in body temperature, hormones, heart rate, and other body functions.

For humans, the desire to sleep is strongest between midnight and 6 a.m. Many people are alert in the morning, with a natural dip in alertness in the mid-afternoon.

It is difficult to reset the internal circadian clock. It is not surprising that 10 to 20 per cent of night shift workers report falling asleep on the job, usually during the second half of the shift. That's why shift workers who work all night may find it difficult to sleep during the day, even though they are tired.

When You Don't Get Enough Sleep

According to a National Sleep Foundation poll, 65 per cent of people report that they do not get enough sleep. When sleep deprived, people think and move more slowly, make more mistakes, and have difficulty remembering things. These negative effects lead to lower job productivity and can cause accidents.

The financial loss to U.S. businesses is estimated to be at least \$18 billion each year. Lack of sleep is associated with irritability, impatience, anxiety, and depression. These problems can upset job and family relationships, spoil social activities, and cause unnecessary suffering.

Shift workers experience more stomach problems, menstrual irregularities, colds, flu, and weight gain than day workers. Heart problems are more likely too, along with higher blood pressure. The risk of workplace and automobile accidents rises for tired shift workers, especially on the drive to and from work.



Getting Ready For Successful Shuteye

There are several steps a shift worker can take to successfully fall asleep and stay asleep. The key is to make sleep a priority.

Set the stage for sleep even though it might be broad daylight outside. Prepare your body and mind for sleep. Wear wraparound dark glasses on your way home from work if you are on the night shift to keep morning sunlight from activating your internal “daytime” clock. Follow bedtime rituals and try to keep a regular sleep schedule - even on weekends. Go to sleep as soon as possible after work.

At home, ask family and friends to help create a quiet and peaceful setting during your sleep time. Have family members wear headphones to listen to music or watch TV. Ban vacuuming, dish washing, and noisy games during your sleep time. Put a “Do Not Disturb” sign on the front door so that delivery people and friends will not knock or ring the doorbell. Schedule household repairs for after your sleep time.

Tips For Successful Shuteye

Bedtime Rituals

- Take a warm bath.
- Lower the room temperature (a cool environment improves sleep).
- Don't “activate” your brain by balancing a checkbook, reading a thriller, or doing other stressful activities.

- Darken the bedroom and bathroom.
- Install light blocking and sound absorbing curtains or shades.
- Wear eye shades.
- Wear ear plugs.
- Use a white noise machine, like a fan, to block other noises.
- Install carpeting and drapes to absorb sound.
- Unplug the telephone.
- Avoid caffeine less than five hours before bedtime.
- Don't stop for a drink after work; although at first you may feel relaxed, alcohol disturbs sleep.
- Eat a light snack before bedtime. Don't go to bed too full or too hungry.

Exercise

If you exercise at the workplace, do so at least three hours before you plan on going to bed. Otherwise, exercise after you sleep. Because exercise is alerting and raises the body temperature, it should not be done too close to bedtime.

Balancing Life And Work

The shift worker faces special problems in trying to maintain family relationships and social and community ties. It becomes difficult to balance work, sleep and personal time.

The need to sleep during the day (or, for the evening worker, to be on the job during the dinner hour and the family-oriented part of the

continued page 8

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day) means that the shift worker often misses out on family activities, entertainment, and other social interaction. That is why it is important to talk with family members and friends about your concerns. With their help, you can schedule special as well as regular times with spouse, children, and friends.

Remember that sleep loss and feeling at odds with the rest of the world can make you irritable, stressed and depressed. As one expert puts it, "Blame the shift work - not your kids".

Sleeping Pills And Aids

Prescription sleep medications do not cure sleep problems, but may be recommended for short-term use. Be sure to tell your doctor that you are a shift worker. These medications may be helpful for one or two sleep cycles after a shift schedule change. Talk to your doctor about whether this type of medication would be helpful to you.

Melatonin is a chemical that is produced by the body to help induce sleep. Melatonin supplements have been advertised as a sleep aid. However, studies have not shown that melatonin helps shift workers. Also, questions about safety and dosing have not been answered. The U.S. Food and Drug Administration considers melatonin experimental.

Napping

It is important to keep a regular sleep schedule, even on days off and weekends. However, if you can't get enough sleep or feel drowsy, naps as short as 20 minutes can be helpful. Naps can maintain or improve alertness, performance, and mood.

Some people feel groggy or sleepier after a nap. These feelings usually go away within 1-15 minutes, while the benefits of the nap may last for many hours. The evening or night worker can take a nap to be refreshed before work.

Studies show that napping at the workplace is especially effective for workers who need to maintain a high degree of alertness, attention to detail, and who must make quick decisions. In situations where the worker is working double shifts or 24-hour shifts, naps at the workplace are even more important and useful.

The Ride Home

Driving home after work can be risky for the shift worker, particularly since you have been awake all night and the body needs to sleep. People think that opening the car windows or listening to the radio will keep them awake. However, studies show that these methods work for only a short period of time. If you are sleepy when your shift is over, try to take a nap before driving home. Remember, sleep can quickly overtake you when you don't want it to.

Follow these steps to arrive home safely:

- Carpool, if possible. Have the most alert person do the driving.
- Drive defensively.
- Don't stop off for a "night cap."
- If you are sleepy, stop to nap.
- Take public transportation, if possible.

For The Employer

There are a number of ways you can make your workplace safer and more productive for your shift workers. Educate managers and shift

workers about the need for sleep and the dangers of fatigue.

Install bright lights in the work areas. A well-lit workplace signals the body that it is time to be awake and alert. Provide vending machines with healthy food choices and a microwave oven.

Schedule shifts to allow sufficient breaks and days off, especially when workers are reassigned to different shifts. Plan enough time between shifts to allow employees to not only get enough sleep, but also attend to their personal life. Don't promote overtime among shift workers.

Develop a napping policy. Encourage napping by providing a sleep friendly space and time for scheduled employee naps. A short break for sleep can improve alertness, judgment, safety, and productivity.

Be concerned about employee safety going to and from work. Encourage the use of carpools, public transportation, rested drivers, and even taxis.

Seeking Medical Help

If you have tried some of these tips and your efforts to get enough sleep are not successful, it may be time to seek professional help. If problems persist, talk to your doctor.

Remember, when you are not getting the sleep you need, you are at risk and so are those around you. Inadequate sleep increases your risk for falling asleep at the wheel, accidents on the job, and problems at home. Your doctor can help identify the cause, which can be successfully treated or managed. Your doctor can evaluate your sleep problem and determine whether you may have a sleep disorder.

Sleep specialists have additional training in sleep medicine and can both diagnose and treat a variety of sleep disorders. Many sleep specialists work at sleep centres.

Operating Equipment Safely

If you operate heavy equipment or drive a vehicle during your shift work, you must pay careful attention to signs of sleepiness or fatigue. To ignore signals such as yawning, frequent blinking, a sense of tiredness, or a failure to make routine safety checks may put you and others at risk.

If you feel sleepy or drowsy, stop your work as soon as safely possible. Contact your supervisor and request a break or nap, or have a caffeinated product in order to help increase alertness. Remember, caffeine is not a long-term substitute for sleep.

The National Sleep Foundation is an independent nonprofit organization that promotes public understanding of sleep and sleep disorders and supports sleep-related education, research and advocacy to improve public health and safety. For more information on the National Sleep Foundation go to www.sleepfoundation.org.

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The Canadian Centre for Justice Statistics takes issue with statements in your March 2001 article "New numbers on Canadian policing insightful ...and challenging" which call into question the reliability of our data on police personnel in the report Police Resources in Canada 2000.

The article's allegation that there are "anomalies" between certain tables in the report is totally incorrect. It specifically refers to differences between two tables – one containing data on the number of police officers for census metropolitan areas (CMAs), and the other table which contains data on the number of officers for individual municipal police services.

The reason the numbers are different is simple that a CMA typically contains more than one police service. For example, in 1999, a total of 2,862 police officers provided police services within the CMA of Vancouver. However, the CMA covers 20 municipal and rural police services, including Burnaby, Richmond, and Surrey. The Vancouver Police Service itself actually employs fewer than half of the total of officers in the CMA.

At the request of our data users, the CCJS provides police personnel and crime rate information at the level of the individual police service as well as at the CMA level. The CMA was selected as the basic unit for analysis in order to enhance the comparability of major urban areas. Data quality assurance and verification is a pre-condition to Statistics Canada releasing data to the public. The Canadian Centre for Justice Statistics stresses that it has been, and will continue to be, a source of accurate and reliable information on data relating to police in Canada.

*John Turner, Chief
Policing Services Program
Canadian Centre for Justice Statistics
Statistics Canada*

I have just finished reading the new issue of *Blue Line Magazine* April 2001 from cover to cover. In the past I have found the magazine to be informative and a very good source of reference material. This issue however in my opinion is the best I have encountered. Topical issues that are current and direct. Well done as usual.

*Chief of Police, D. Grant
East St. Paul Police
East St. Paul, Manitoba*

We are getting a lot of calls from people wanting to know where they can buy the bag/pouch that was displayed as a picture on page 20 of your April edition (Cooperating for cost effectiveness). If you have any info about the manufacturer/vendor, please let me know so that we can pass it on.

*Eric Kohler
Toronto Police Service*

Publisher's Note: Shows the enthusiasm of *Blue Line* readers. We have been telling companies for years that promotion in *Blue Line* pays. The particular picture of the duty bag shown was manufactured by a B.C. company no longer in business. (They would not advertise regularly.) However there is no shortage of companies that

will sell such an item. Here is a rundown from our *February 2001 Supply & Services Guide*:

Cases, Duty Bags, Storage

911 Supply	403 287-1911
Canadian Police Supply	613 544-0032
Cases Unlimited	416 289-8340
DSM Law Enforcement Products	519 941-5191
Frontline Tactical Products	888 470-6620
H D Brown Enterprises Ltd	519 448-1381
Henry's	800 461-7960
Hi-Tec Intervention Inc	888 709-4400
Innovative Security Solutions	905 877-9595
Kirkpatrick's Inc	905 475-2206
Kolpin Mfg Inc	920 928-3118
Law Enforcement Training&Supplies	888 424-4496
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MD Charlton Co Ltd	250 652-5266
Mega Tech	800 700-7937
Metro Tactical Products	909 737-8235
R Nicholls Distributors	888 442-9215

Although I love your magazine and the articles contained in it, I must say I am disappointed by the misinformation printed in this April issue under the "Back of the book" column. Having read the article on the very last page titled "Youth Criminal Justice Act" I was at first pleased to read something about the YOA but then wondered how you could have published such incorrect information. In the last paragraph this author states incorrect and misleading information about the YOA by saying that a young offender's record is purged when they turn 18. This is simply not true.

When you read the YOA act it states "Upon summary conviction the conviction shall remain on the persons record for three years after all dispositions have been satisfied. Upon indictable conviction it shall remain on the persons records for five years after all dispositions are satisfied. (In relation to that offence). Retention of all young offender records strictly relates to what the outcome in court was i.e., Stay of proceedings, diversion, conviction etc.

This means if you are 17 and convicted of an indictable offence as a young offender that record shall remain on CPIC and be releasable information for five years until that person is 22 years old, possibly longer depending on his length of sentence. If the person should re-offend within that five year period, it may now become part of your adult record and be retained indefinitely. This information is contained in Section 45.1 of the Young Offender Act.

Unfortunately many police officers, after reading your article, will believe it because most are not inclined to read that part of the YOA. For the most part this is because they don't have the time.

Robert Steven's article was very good in other ways and I am not trying to put it down, but please prints facts accurately.

Thank you and I look forward to hearing from you on this subject.

*Colleen Eastwood
New Westminster, B.C.*

I read with interest Mr. Linder's report in your April issue, on the interview with Gaetan Delisle, but he speaks for neither the RCMP as an organization, nor any of the detachment commanders I have ever known. I find his comments biased, self-serving and unwarranted.

Never have I observed any member "suffer the wrath" of a detachment commander or intermediate supervisor based on choices he or she made to call in back-up. I've made that decision many times, and while I will admit having had on a very few occasions, to justify the circumstances, once they were explained, no further concerns were expressed. No comment was ever made on my performance appraisal.

After all, the reason detachment budgets include overtime appropriations is for, amongst other things, call-out of back-up investigator(s) when necessary.

It is true that because of our staffing levels at any given detachment, we face periodic shortages due to training courses, absences for duty elsewhere, holidays, or sick leave. But this is also true of any police service. Show me a police service that does not have to face the reality of these human and fiscal resource issues.

Having been an investigator, front-line supervisor and detachment commander at many detachments to which Delisle refers, I find his assertions disturbing and offensive. The safety and well-being of our members is always a concern.

*Brian C. Cottell, Sgt.
Desmarais Detachment, AB*

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A proactive approach to law enforcement

Transit security moves ahead of crime

by Blair McQuillan

More than 1.2 million commuters rely on the buses, street cars and subway lines of the Toronto Transit Commission each day to safely transport them to their destination. It is the job of the TTC's Corporate Security branch to ensure that those commuters do not become victims of crime while en route.

Their approach to this task? Be proactive.

"We're very project oriented," Chief Security Officer Mike Walker said. "We do focus groups and we do very close crime analysis. We have a statistics section that examines where crime is and then we come up with programs to reduce crime in those particular areas."

Corporate Security is comprised of 66 sworn officers, seven unsworn protective service officers, seven gate attendants, two civilian human rights investigators and eight support staff.

In 1997, the members were sworn in as peace officers and granted special constable status. This provided them with the same authority as Toronto police to enforce the Criminal Code on TTC property. Since gaining peace officer status, they have targeted three main areas of crime including by-law infractions, vandalism and youth crime.



CONVERSING: Security Coordinator Judy Shulga speaks with two special constables.

"One of our main objectives is to reduce transit crime," said System Security Coordinator Judy Shulga. "We are fully aware of the

broken windows theory, whereby if you don't deal with the small problems, the big problems creep in."

By-law Infractions

TTC security members first began to crack-down on individuals who broke smoking by-laws in 1997 by laying 221 charges that year. The number of charges rose to 737 in 1998 and reached 1,445 in 2000.

"This is an order maintenance issue and the subject of many customer complaints," Walker said. "We actively enforce this by-law but it is difficult to measure the problem and to determine if we are winning the battle. We also make numerous announcements in the subway to discourage smoking, so coupled with enforcement we may eventually have a positive result."

In regards to panhandling, Corporate Security, has come up with an innovative solution to deter panhandlers from begging for change in transit terminals. In the past, after panhandlers had been charged, the courts usually fined them. The panhandlers regularly failed to pay the fines and would wind up returning to subway and bus stations. The cycle was ongoing, until officers found an alternative.

"What we did was get probation orders so the courts would put them on probation to keep the peace (and) stay out of the subway," Walker said.

If the panhandler was found in the subway again, the suspect would be arrested for breach of probation and subsequently sentenced to jail time.

"We've had some success stories where people have never come back and actually thanked us," Walker said.

Graffiti

In addition to targeting by-law infractions, Corporate Security has also cracked down on graffiti. The project was launched about three years ago, when there was an increase in the number of "tags" appearing on subways.

"We went out and categorized every etching, on every window, on all of our subway cars in the transit system," Walker said. "As a result, whenever we arrested someone we were able to charge them with multiple offences."

The TTC also established a reward program for any transit employee who supplies information leading to the arrest of a vandal who is seen defacing walls or subway cars.

A public relations program dubbed Transit Community Watch, has also been created by the transit commission, Shulga said. Transit Community Watch is a recognition based program that encourages transit employees to report crimes they witness.

"If a driver sees a fight in the street, they're expected to call it in," Shulga explains. "The person can get nominated for being the transit community watcher of the month. It's a commission-wide program that's coordinated by



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this department. It encourages the employees to help make the city a safer place and makes us a good partner with the rest of the community."

Youth Crime

Youth crime is another issue Corporate Security has taken aim at. In 1996, crime committed by youth accounted for about 32 per cent of the department's criminal incidents, where the age of the suspect was known. Five of the TTC's east end stations were identified as having high crime rates where youths were involved.

In order to reduce the amount of youth crime activity the Community Based East End Safety Audit Program was created. When the audit was completed recommendations were made to have classical music playing at the five east end stations in addition to implementing improved lighting and signs.

Four uniformed special constables were assigned to regularly patrol the stations in an effort to get to know the youths who frequented them. A Youth Outreach Project was also created and two youth workers now travel around the five stations to help get kids out of the subway and involved in community activities.

"The program hasn't really been measured at this point in time, but we really get good responses from the public," Shulga said.

So how does Corporate Security know which crimes to target?

"We do a lot of crime mapping and we know it's important to target our resources and allocate them where crime is happening," Shulga said. "When you've only got a small group of people you've got to target your officers."

And while front line officers are in the field keeping the peace, detectives are also busy working on a number of their own initiatives. Anti-pickpocketing enforcement and parking lot surveillance are among the detective's high priority cases, Walker said.

"They target pickpockets and catch them in the act," the TTC's top officer said. "We also do parking lot surveillance. We have surveillance vehicles and we go to parking lots, watch suspects breaking into cars, then swoop down and arrest them."

The result of the collective enforcement work has been very positive, Walker adds. In fact, the department has been so successful the chief security officer jokes that the special constables are putting themselves out of business.

"We measure everything we do so we can look at statistics over the years and see if we've had an improvement," he said. "We do crime rates so we know what the ratio of crimes to passengers is. It's about .7 per cent per 100,000 people, which is very low."

Looking Ahead

As for the future, TTC Corporate Security is anticipating the expansion of the city's sub-



Mike Walker

way system which is scheduled to take place during the upcoming year. In keeping with their proactive approach, they will be well prepared for the additional need for service.

"We have some expansion plans in the works so that we are able to cover the increased ridership and new territory," Walker said. "We would be looking to increase our staff by eight officers to cover the new zones."

The security branch is currently meeting with Toronto police and local residents to address concerns and form strate-

gies to deal with issues of law enforcement well in advance of the expansion's launch.

"We can't take our problems and push them on the street and then have the police push them back down into us again," Walker said. "We have to work together to come up with solutions."

This should not be a challenge as finding innovative solutions seems to be a specialty for this unique law enforcement service.

For more information on the Toronto Transit Commission's Corporate Security branch contact Chief Security Officer Mike Walker at (416) 393-3007.

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Provincial police go live with "Quartermaster"



The Ontario Provincial Police Supply Section serves more than 5,000 officers across the province of Ontario. With its headquarters in Orillia, the supply section manages and distributes the inventory for 86 detachment offices that

span more than 1,000 km.

The OPP needed an Internet-based order fulfilment solution to handle orders for equipment and supplies, and to monitor the warehousing and provisioning of these items to the thousands of officers stationed across the province. An enhanced level of customer service was the primary driver of the change, and getting supplies quickly and efficiently to the troops in the field would save the OPP time and money.

The system needed to be compatible with the OPP's existing Intranet, which is connected to all of the detachments spread across the province. In addition, the new system would have to be extremely user-friendly to ensure that officers could easily and quickly enter, view and track their order. The officers are also able to update their own profiles. For example, changing their shirt's neck size from a 16 to a 17 can all be done at the click of a button.

"We were not on an automated order system for approximately two years following difficulties with our last application," explained Insp. Scott Patrick, general manager of the supply section. "Obviously, this was less than efficient in terms of all those things that you hope to achieve through automation such as improved turnaround on our members' orders, cost efficiencies, (and) management reporting."

The OPP management team involved in this implementation was committed to providing accurate and instant organization-wide infor-

mation based on their current database. After a tendering process, Ceeecom e-Commerce Suite software was chosen. Ceeecom's e-Commerce software is a fully integrated system providing multi-user, multi-site, online transaction processing, offering accurate and up-to-the-minute enterprise-wide information. The system also supports multiple warehouses, currencies and languages.

The new Enterprise Resource Planning system was appropriately named "Quartermaster" - after the officer put in charge of police supplies. The new system was configured and customized to optimize the OPP's order entry, inventory and warehouse management requirements. The modules implemented by the OPP included warehouse management, inventory management and purchasing.

Quartermaster enables OPP supply chain managers to respond immediately to officers' orders that are entered from the various locations through the police service's Intranet. The new web application is user-friendly and intuitive to allow for casual users.

Product accessibility and availability are predetermined by the rank and duties of a given officer. Officers who are assigned to marine or motorcycle duty, for instance, have access to clothing, gear and supplies that other officers may not have entitlement to.

Officers use Ceeecom's point-and-click software for rapid order-entry and for the tracking of their orders right up to delivery. Orders can even be routed to different detachments or locations for police officers on the move.

Ceeecom's Fast Track implementation methodology enabled the OPP supply section to go



CONNECTED: Ontario Provincial Police officers can now order the clothing and equipment they need online.

live with the "Quartermaster" system province-wide in just five months. The OPP supply section now has optimized accessibility to information regarding the live status of items being ordered and shipped.

With the web enabled system the OPP are now able to precisely track out-bound orders, shipment, procurement and distribution of supplies. "We are already seeing great benefits from the new system, allocation of staff time to particular products and locations, as well as priority setting and management reporting," Patrick said. The ability for the police officers to serve themselves through the system and faster response to the officers orders are also being achieved.

"A great deal of development, server testing, and pilot testing satisfied us that we were implementing a very stable system," Patrick said.

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- Nominees must have demonstrated strong situational leadership.
- Police Service, community agencies and individuals may nominate more than one person.
- To be considered for the award, a person must be nominated by a group of no fewer than five people.
- Nominations from previous years may be re-submitted for consideration.
- A person who receives the *Leadership Award* is not eligible for nomination again for three years. For example the award recipient for 2000 cannot be nominated until 2004.

AWARD PRESENTATION

The award recipient and a spouse or partner will be invited to attend *Leadership 2001* with transportation and accommodations compliments of *Blue Line Magazine*. The recipient may also be invited to address participants at the annual *Leadership Conference*.

AWARD TIME LINES

The *Police Leadership Forum's* 2001 Leadership Conference will be held in Montreal from September 10-12.

- 01 March 2001 – Call for Nominations
- 15 June 2001 – Deadline for Nomination Submission.
- 15 August 2001 – Award Recipient Identified

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Say goodbye to pen and paper

With the introduction of the Electronic Commerce Acts, documents no longer need to be on paper or be signed in ink

by Tom Rataj

The past few months have seen the passing of the Electronic Commerce Acts in many provinces across Canada, as well as south of the border. This type of legislation sets the rules and regulations that govern electronic business transactions that are primarily conducted over the Internet. They also set the legal framework that governs the use of such things as electronic signatures (e-signatures) and other methods of completing on-line business.

While certainly convenient for companies and individuals conducting business over the Internet, it does raise some interesting new legal issues both from a business and an investigative perspective.

The audit trail established by the traditional paper-based business model, establishes a complete picture of a business transaction, and in the event of a dispute or a fraud, the evidence required to deal with it in the appropriate forum.

Traditional fraud investigations are usually buried in paper, with numerous business documents that create a trail back to the perpetrator. Next to forensic accounting, the investigation of these traditional paper-based frauds, often involve handwriting analysis to ascertain the author of the writings.

Electronic commerce changes all this with promises of cutting red tape, speeding-up business transactions and hopefully saving both buyer and seller time and money. But what it also does, is create a whole new business paradigm, where there is no tangible evidence to show any wrongdoing, since everything is conducted electronically. While the rules that have



been established by the legislation include provisions for storage and retention of electronic business transactions, the transaction information remains in an electronic form only.

Until this legislation became law, the move towards electronic commerce was hampered by a lack of standards and wariness on the part of business and consumers to embrace it. Taking advantage of the benefits of electronic commerce required a set of standardised rules and procedures to protect everyone involved.

Most provincial legislation is modelled after the Uniform Electronic Commerce Act (UECA), established by the Uniform Law Conference in 1999. Instead of starting from scratch, most provinces have looked at the UECA, and at what other provinces have been doing.

Sign Here

Many business transactions are completed with a signature, or some other type of acknowledgement placed by the buyer and/or seller. This is a process most people are familiar with be-

cause of its long established history. Electronic commerce generally uses this concept, but takes advantage of computer technology to create an equivalent process. The equivalent process is referred to as an "E-signature", and it falls into two main types.

The most common type uses what is referred to as public key encryption, which relies on both ends of the transaction having a unique password. A document, such as a contract is authenticated by a digital certificate and is encrypted by e-signature software. The digital certificate identifies the person or company sending the document, and allows only the intended recipient to decode the document and read it. Dependant on the actual software used, the contents of the document can also be locked to prevent tampering.

An alternate type, used for several years now (before everything got an "e" hyphenated to the front of it) is an electronic pen signature. Anyone receiving a package through one of the major courier companies in the past few years is familiar with this technology. Signing for receipt of a package involves using an electronic pen, and signing on a touch sensitive electronic clipboard or other digital device that captures an image of the same signature one would affix to paper. Some of the electronic pen technologies actually measure the construction of the signature, going so far as to measure the pressure used during the various stages of the writing of the signature.

Electronic pen technology virtually eliminates paper use, and allows for faster verification of package deliveries. The entire transaction can be stored electronically, and can be accessed over a corporate computer network.

Legislation

The new legislation in Ontario lays some important groundwork for electronic agreements, by ensuring that the agreements are valid and enforceable, even though no traditional paper document exists. The electronic documents that are used for the agreement must be functionally equivalent to the paper documents they replace, and must be retained in a manner that ensures their integrity and accessibility for later review.

Many documents need to be signed to be considered valid, so this process ensures that the e-signature meets that requirement, by being reliably linked to the person it represents.

An e-signature can be as simple as an icon or other button on a website that completes a transaction, although its clarity certainly needs to be ensured.

Currently, certain types of documents such as wills and powers of attorney are not included in this legislation, although that will probably be in the future when the technologies and processes used are improved.

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The Canadian Imperial Bank of Commerce has begun to offer its online customers the option of using e-signatures, making it the first bank in North America to implement this technology.

To use the technology, the customer registers by completing an online form that includes a password. The bank then sends the customer's computer an encrypted file. When the customer uses an online process in the future, clicking on a "sign electronically" button sends information from the encrypted file to the bank along with the information entered by the customer during the online process, completely eliminating any paperwork or a visit to the local branch.

Paper Trail

A significant amount of work still needs to be done on this technology, to ensure that a complete electronic paper trail is generated and maintained for every e-signature transaction.

Fraud investigators across the country and around the world will need to be aware of this technology and electronic-commerce forensic processes will need to be established. Whether police officers investigating frauds committed through e-commerce technology will be able to receive the tools and training needed to complete investigations remains to be seen.

For more information about federal and various provincial Electronic Commerce Acts, just submit a search on the Internet on "Electronic Commerce Act".

DNA advancements will aid police, delegates told



Roadside DNA tests conducted by police officers will become a reality in the near future, delegates at a forensic seminar were told in March.

"The technology is on our doorstep," Det. Chief Insp. Richard Leary of the West Midlands Police in the United Kingdom was quoted as saying.

Within the next decade officers will be issued portable DNA processing kits, products to test intoxication by measuring eye flutter rates and drug wipes to determine ingested substances.

In addition to indicating physical characteristics such as hair and eye colour, small DNA samples could soon reveal sexual preferences and behavioural inclinations, delegates were told.

Leary said that within the next 18 months, Britain is expected to have the technology to allow officers to conduct roadside DNA tests.

Former Crown attorney Ricardo Federico told the delegates that privacy issues versus public safety will be an important area to define as a result of the new technology.

Teen sentenced in officer's death

A teenager who killed a police officer in a high-speed chase has been sentenced to seven years in a youth detention centre.

Jeremy Trodd, 18, pleaded guilty in March to two counts of criminal negligence causing death. Trodd was driving a stolen van and led police on a chase in Sudbury, Ont., on July 28, 1999.

Sgt. Rick McDonald was struck and killed by the van.

Peter Noganosh, 17, a passenger in the van, was also killed in the collision after the van lost control and struck a post.

Trodd was sentenced as an adult by Justice N.M. Karam despite being 16 when the offences occurred. He received 18 months credit for time spent in custody.

Karam said the sentence took into account Trodd's lengthy criminal record. The teenager was first arrested at 13 and had 20 convictions.

"McDonald was truly an innocent victim and his loss is clearly felt by his family,



his friends and the community as a whole," Karam was quoted as saying.

The defence argued that the police chase was not necessary and Karam said it was a sound argument, but had no bearing on his decision.

He said the high-speed pursuit contravened the policies of the Sudbury Regional Police and Ontario Provincial Police and there was no basis to justify continuing the pursuit. However, he said Trodd knew the van was stolen and he should have stopped.

After the sentencing, Sudbury police Chief Alex McCauley said pursuit procedures are regularly being examined and updated, but policies can not always apply to every instance.

"When circumstances are developing on the ground, there are a lot of things that have to be taken into account," McCauley was quoted as saying.

He said he is satisfied the officers acted appropriately.

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More than “just the facts”

by John M. Muldoon

In a recent *Blue Line Magazine* / Bedford Communication International survey on police and the media, one answer that came out loud and clear was the ineffectiveness of the police media release. Most media simply said there was not enough information in the releases or, at the very least, some of the 5W's were not answered.

Too often releases are prepared quickly and with minimum information. Just getting a release out is enough, right? Wrong.

By preparing a release with the minimum amount of information and the minimum amount of effort, you or your colleagues will experience the maximum amount of hounding by the media. They will not rest until they have enough to prepare a story.

Think of the media as a voracious entity, always needing more. They can hunt for the information themselves, or you can provide it on your terms. It's your choice.

If your police service or detachment issues written releases, you should review your approach to preparing this material. Here are some suggestions.

It's important to generically title your release. All too often, they are called press releases. In actual fact, they should be called media releases. This refers to all media, both print and electronic. The word press refers only to the written word, thereby excluding the radio and television reporters and audience.

You should further define the release and decide if the second label should be news release or information release. The word news refers to the actual or hard news of what has happened in your service. The information release covers the soft news within your service. Some examples of soft news may be a partnership in a community event, or the opening of a new facility. Important yes, but not enough to “stop the presses.”

A news release will always have a higher priority than an information release, but by labelling them properly, this allows the media editors to rank them in order of priority.

To begin your release, you need to gather the facts and answer these questions:

- What happened?
- Who did it happen to?
- When did it happen?
- Where did it happen?
- Why did it happen?
- How did it happen?
- How much did it cost?

In some cases, you cannot answer all of the questions prior to preparing and distributing the release. Some of the questions may not be answered until follow-up investigations are conducted and, in some cases, freedom of information or legal issues prevent full disclosure of all the facts. But keep in mind the purpose of the release is to get as much information as possible out to the public through the media without



SUPPLYING INFORMATION: Getting details out to the media can be a difficult task. However, by following some guidelines, the job can be made much easier to handle.

jeopardizing the investigation. By providing as complete a picture as possible, you avoid the numerous phone calls and inquiries that you can be sure the media will ultimately make.

When describing where an occurrence happened, it's appropriate to give the street and number, but it is much more helpful to indicate the closest main intersection. Many times you read in the releases or hear the media spokesperson give the street and location number. But most people wouldn't have any idea where that street is located. By giving a main intersection, this gives them a reference point and positions it much clearer in their minds. When the occurrence happens on a highway, try to give a landmark to associate it with.

Time of occurrence is another area to review. Often you see written, “at approximately 6:47 p.m . . .” There is nothing approximate about 6:47 p.m. This is an exact time. To avoid this confusion, round the time off to the nearest quarter hour, and save the precise time for court testimony.

In describing the location where the occurrence happened, try to provide as much detail as possible. In most cases, here is where you can appear to say much without interfering with the investigation. For example, instead of “the home on xxxx street,” how about “the two-story house at the end of a cul-de-sac with a wraparound verandah and double-car garage.” Even if you haven't been to the scene, try to get investigators to give you a more detailed description. But don't fill your release with irrelevant information. The media will only use so much, and will see through the smoke and mirrors.

Once you've written your release, you will want to write a headline title such as “Fatal accident claims two lives,” or “Thieves leave

four bare walls.” The purpose of the headline title is to attract the editor's or reporter's attention. Make sure the headline title relates to your story and is obvious. Keep it short and to the point. Sometimes the substance of the release is trivialized by trying to get “cute” with the subject line. Most police media releases are about an arrest or a crime that has been committed. Don't try to be too clever — be imaginative, and be professional.

One way to help with your review is by asking yourself, “If I was a reporter, what kind of questions would I ask?” Then look at your release and ask, “Can I answer any of these questions with this release?”

Use the 5W checklist. Does the release answer the questions, or if not, what's missing? What can you include to help the reporters write a more complete story? Ask someone else to proof your release and ask them to use the 5W checklist. Your result will be a more complete story and less annoying follow-up from the media with “dumb” questions.

Writing police media releases is never easy. It's more complex when you're under pressure to release information and investigators are slow in providing that information. By thinking ahead and asking the people on the scene for the most complete set of details that they can provide, you may never again hear that well-used phrase, “you didn't give us enough information.”

John M. Muldoon, APR, is president and senior public relations counsel, Bedford Communications International, and was the former director, public affairs, Peel Regional Police. He can be contacted at (905) 849-8279 or by email at bedford@home.com.

Largest police raid in Canadian history rounds up Hells Angels

A huge operation launched by police against the Hells Angels in Quebec could result in 12 more murder charges laid against the gang's leader, Maurice (Mom) Boucher.

About 2,000 police officers participated in Operation Springtime 2001 which swept in on the gang in March and resulted in more than 100 arrests. The operation was also conducted in Ontario and British Columbia. Boucher's home was also raided.

A lawyer for the Hells Angels confirmed that Boucher will face at least 12 more murder charges, one which dates back to 1996, and three attempted murder charges. He has been in custody for several months awaiting a retrial on two first degree murder charges in the deaths of two prison guards.

According to court documents, his son Francis Boucher, will also face murder charges.



RCMP Cpl. Leo Monbourquette said the raids might destabilize biker operations in Ontario and Western Canada.

"Given the nature of organized crime, the Hells Angels have ties elsewhere in Canada, in the Maritimes and Western Canada," Monbourquette

was quoted as saying.

Cmdr. Andre Durocher with the Montreal Police said 99 per cent of the raids were concentrated in Quebec.

Durocher said the people arrested would face a wide variety of charges, including conspiracy to commit murder, murder, drug trafficking, gangsterism, and infractions related to the proceeds of crime.

He said the operation will set the Hells Angels back and destabilize it, although he believes it would be pretentious to think it would eliminate the gang.

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Examining police pursuits

Part II

by Keith A. Gehrand

Police officers and their departments must perform a balancing act between the immediate apprehension of a fleeing suspect and the safety of the public.

Police officers are not inherently capable of, nor expected to, arrest every criminal violator they observe. Police officers are viewed as having an obligation to protect society as a whole rather than a duty to individual citizens.

Many states, including Illinois, have statutes that specifically protect police officers and departments from civil litigation for failing to arrest a suspect, unless that failure is wilful and wanton. The officers, and consequently the department that employs them, have statutory immunity for not enforcing all laws (Immunity of the public employees, 745 ILCS 10/2-205).

This then protects the police from civil litigation should a fleeing criminal not be apprehended during a police high-speed vehicular pursuit. It is therefore incumbent upon police officers and their departments to be aware of the criteria the court will use to determine if the officer's actions are reasonable.

The court, and juries, will use a "reasonable man standard" to determine if the actions taken by the individual police officer were justified. The reasonable man standard asks, "Would a reasonable person of ordinary prudence in the position of the defendant have behaved the way the defendant did?" (Barker, 1998, 25). Some factors used to determine the characteristics of the reasonable person are the officer's age, work history, experience in police work, previous police high-speed pursuit training and experience.

There has been debate within criminal justice organizations that juries and the court are not able to understand fully police officer's (defendant's) true nature because they have never been police officers and have never experienced the stresses of police work. The debate has centered around if the constitutional guarantee of a jury of one's peers can truly be possible without police officers comprising the jury.

It is, therefore, incumbent upon police ad-



SHOULD YOU PURSUE?: Many agencies have developed guidelines to deal with this questions and help ease the threat of civil litigation resulting from police chases.

ministrators to establish for the department's personnel, and ultimately the court, a set of clear and understandable standards that officers will follow during pursuits. This will not only provide guidance for how an officer will conduct a pursuit, but also set a standard of behaviour the court and a jury can use in determining what "reasonable" is.

In examining police pursuits the court has examined four broad categories of factors to decide if there was negligent operation of a police vehicle during the chase. These categories are:

- The justification of the chase. The court will look into such matters as
 - (1) whether there existed a real or apparent emergency,
 - (2) whether the offender's conduct was serious enough to justify the chase,
 - (3) whether alternatives to pursuit were available to the officer, and
 - (4) whether apprehension of the suspect

was feasible.

- The actual physical operation of the vehicle. The courts will look at such considerations as
 - (1) speed at which the vehicle was operated,
 - (2) the use of emergency equipment,
 - (3) violations of traffic regulations, and
 - (4) disregard of traffic control devices.
- The circumstances surrounding the operation. The courts will look into such items as
 - (1) the physical conditions of the roadway,
 - (2) the weather conditions,
 - (3) the density of traffic,
 - (4) the presence of pedestrians,
 - (5) the presence of audio or visual warning devices, and
 - (6) the area of pursuit.
- Departmental considerations. The courts will look into such concerns as
 - (1) whether there was a violation of departmental policy regarding police pursuits,

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(2) whether the officer had been trained in pursuit driving, and

(3) the physical and visual condition of the police vehicle. (Barker, 1998, 267)

Police administrators, and ultimately the police officers, must constantly examine the pursuit based on a totality of the circumstances and balance the immediate need to apprehend the suspect, with the danger the pursuit will place upon the public. This balancing act is initially done in a split-second by the police officer initiating the pursuit. The decision making process then continues as new variables enter the equation until the chase ends.

As stated above, the courts will examine a number of factors to determine if the pursuit was initiated for a sound reason. Scholars, police professionals and legal experts have examined these issues, and they have developed similar strategies that police departments can use to limit their liability. Schofield (1988) suggests a four-part approach to reducing the department's exposure to liability.

First, the department must establish a well-written pursuit policy. The policy should establish the ground rules for the exercise of the officer's discretion, and inform the officers of the specific factors they should consider during the pursuit. The policy will provide a set of guidelines officers will follow during a pursuit. A well-written policy will also provide a basis for holding the police officers involved in the pursuit accountable for their actions.

Barker (1998) further suggests that a written policy should always emphasize safety first. He further suggests that the pursuit policy should be distributed to all personnel who should read and sign the policy in the presence of a supervisor. Finally Barker suggests that all written directives be thoroughly discussed with all personnel through the chain of command. This will provide an opportunity to address any questions on the policy the officers may have.

The second part of the approach suggested by Schofield is to provide officers with adequate training in pursuit related activities. This not only includes reinforcing the departmental policy, but also educates the officers on the proper techniques of high-speed vehicle operation and the limits of their vehicles.

Training is especially important since the court's ruling in *City of Canton (OH) V. Harris* in which a department's deliberate indifference to properly training their officers made the department liable in civil action (Alpert & Smith, 1991, 22).

In addition to making the department liable under civil litigation, the lack of proper training may lead to many other pursuit-related problems including additional avoidable accidents. One defence often cited by the defendants in litigation is that the failure to adequately train their officers was because of a lack of funding or facilities to conduct the training. Schofield (1988) cautions that this does not constitute an acceptable defence within the courts, and police administrators are still liable for the actions of their employees.

The third topic Schofield touches on is the

command supervision within the department. As stated previously, police officers are prone to be sensation seekers and risk-takers. Proper supervision is essential to keep the emotionalism and psychology associated with pursuits in check.

It is imperative that someone not associated with the pursuit be responsible for controlling the pursuit. Schofield suggests that an officer who is not directly involved in the pursuit would be in a better position to decide objectively if the pursuit should be continued or terminated.

This part of the decision making process can succeed only if effective communication is maintained between those involved in the pursuit and those overseeing it. It is therefore essential that command officers closely monitor pursuits and effectively communicate with their officers during all phases of the pursuit.

The fourth and final part of Schofield's proposal is to establish and maintain an ongoing process of evaluation and documentation of pursuit-related incidents. This documentation should include a complete record of the activities of all officers involved in the pursuit, all conditions surrounding the pursuit, any accidents because of the pursuit, all remedial action recommended or initiated because of the pursuit, and any other records associated with the pursuit training or supervision of those involved.

This documentation is important for two reasons. First, civil litigation is often initiated years after the incident occurs. The documen-

tation will not only provide a complete record of what transpired, but also a complete account of any corrective actions taken.

Second, documentation can identify any deficiencies that may be present in the police officers involved, departmental policies, training, or supervision of officers. By conducting ongoing analysis of police pursuits, the department can identify and correct any problems before they lead to litigation, thus reducing the potential for future civil remedies against a department.

Several police-affiliated organizations have also provided guidance to police administrators on how to reduce liability associated with police pursuits. The Commission on Accreditation for Law Enforcement Agencies recommends that a written directive on police pursuits contain the following sections:

- Evaluating the circumstances.
- Initiating officer's responsibilities.
- Designating secondary unit's responsibilities.
- Assigning dispatcher's responsibilities.
- Describing supervisor's responsibilities.
- Using forcible stopping/roadblocks.
- Specifying when to terminate a pursuit.
- Engaging in inter-jurisdictional and intra-jurisdictional pursuits involving personnel from the agency and/or other jurisdictions.
- Detailing a procedure for a critique of the pursuit as soon as possible.

The Commission on Accreditation for Law Enforcement Agencies is not associated with any governmental body and has no enforcement powers. In fact, many circles question the com-

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mission's ability to provide knowledgeable and useful guidance. Many wonder what level of expertise the commission has.

This question cannot be asked of another large police organization that has taken a stand on police pursuits. The International Association of Chiefs of Police (IACP), established in 1893, is the oldest, and one of the largest, professional police organizations in the world.

The IACP is comprised primarily of police administrators and senior level command officers. In 1996 the IACP adopted its model policy on police pursuits. The model policy incorporates many of the same issues discussed by Schofield.

The policy states, "Vehicular pursuit of fleeing suspects can present a danger to the lives of the public, officers, and suspects involved in the pursuit. It is the responsibility of the agency to assist officers in the safe performance of their duties. To fulfil these obligations, it shall be the policy of this law enforcement agency to regulate the manner in which vehicular pursuits are undertaken and performed" (IACP model policy, 1996).

The policy consists of four broad sections:

- (1) purpose,
- (2) policy,
- (3) definitions, and
- (4) procedures.

Under the procedures section, the IACP discussed when to initiate a pursuit, how vehicles should be operated during a pursuit, supervisory responsibilities, tactics used during the pursuit, when the pursuit should be terminated, inter-jurisdictional pursuits, reporting procedures and training concerns that should be addressed by the department.

To focus the discussion from a broad spectrum of national organizations and their recommendations, the State of Illinois, via the Illinois Law Enforcement Training and Standards Board, issued a set of model guidelines for police pursuits in 1994. The areas discussed in the Illinois model are in greater detail but closely resemble those previously discussed from the IACP (State of Illinois Model Guidelines for Police Pursuits, 1994). Although these guidelines are included in Public Act 88-637, compliance is not mandated by the Illinois legislature.

Illinois is not the only state legislature that has examined how police pursuits are conducted. In 1988 California adopted legislation regarding police pursuits.

"Police officers must be provided with an understandable and enforceable policy that provides guidelines on when, where, and in what manner, police pursuits will be conducted."

Rather than enacting recommendations for high-speed pursuits as Illinois has done, California enacted an immunity statute that shields police departments from civil suits. The only requirement for this immunity clause to be enacted is that the department must have adopted a police pursuit policy that conforms with certain minimum standards (California Vehicle Code 17004.7), which include supervisory controls, procedures for designating a primary unit, limiting the number of assisting units, procedures for inter-jurisdictional assistance, and guidelines for pursuits initiated or terminated.

The statute has been part of California law since 1988. Lawsuits being filed against police departments are not contesting the legality of the law; rather, they attack the way police departments are writing their policies and enforcing their own departmental standards (Fick, 1997, 37).

The standards set by the California legislature are similar to those proposed by both the IACP and CALEA, and those established by the model guidelines under Illinois law. None of the standards suggest police high-speed pursuits be eliminated, only that they are controlled to avoid unnecessary accidents, injuries, and deaths.

Conclusions

Mastrofski, in his work for the Police Foundation (1999, 2-3), found that the public expected police officers to exhibit certain traits, among them providing responsive and competent service in a tangible way the public can observe.

While the public expects police officers to apprehend criminals, they do not expect police officers to create a greater risk to the public safety. High-speed police pursuits are one of the many duties the public expects police officers to perform.

Pursuits are inherently dangerous for the

police officer, the suspect, and the public in general. Many times police pursuits are equated with the use of deadly force. Techniques such as a dead-man roadblock, bumper taps, or discharging a firearm at a fleeing motorist, can easily end in death for the fleeing suspect or innocent members of the public. Police officers are asked to balance the immediate need to apprehend the suspect with the overall safety of the public.

In the 1960s pursuits began to draw criticism from groups that disliked police chases and the unfortunate consequences they often brought. Pro-pursuit forces defended the actions of the police in apprehending fleeing suspects.

Police officials did not want to establish a precedent where violators of the law knew they would not be pursued. Police departments and officers alike mistakenly believed this would result in a greater number of fleeing suspects, which would ultimately result in a greater number of injuries and deaths to innocent persons.

Police officers, and the departments that employ them, historically enjoyed the protection of the law from the legal doctrine of sovereign immunity.

Legislatures and the courts began to diminish the protections of sovereign immunity through new laws and rulings in court actions. In time, police officers began to be held accountable in civil court and their actions no longer had immunity. Today, when an officer acts outside the scope of his employment, or his/her actions are such that they "shock the conscience" (Podgers, 1994, 47), the officer will be held civilly liable for damages his or her actions have incurred.

Police departments have seen reductions in their protections under sovereign immunity as well. Police administrators and supervisors are being held personally responsible for the actions of their subordinates under the legal principle of vicarious liability and respondeat superior, where an employer is held responsible for the actions of an employee. Departments and the command staff are being held liable for their acts, or omissions, in controlling pursuits by the police.

Police pursuits are never going to be eliminated from police work. It is incumbent upon police administrators to reduce their liability in civil action as much as possible. Police officers must be provided with an understandable and enforceable policy that provides guidelines on when, where, and in what manner, police pursuits will be conducted. Officers must be trained in the proper operation of police vehicles in high-speed police pursuits.

Pursuits that do occur must be studied and analysed in order to learn from previous mistakes or problems. Above all, officers must be encouraged to not allow their desire to apprehend a fleeing motorist to interfere with the officer's duty to protect the public. Only in this manner are the police truly going to be protectors of the public, conservators of the peace, and a welcome part of the community.

Reprinted from the *Campus Law Enforcement Journal*. Keith Gehrand is a captain with the Illinois State University Police.

The Great Mac Attack

by Tony MacKinnon



"OKAY, SO JUST GET THAT MARKER LIGHT FIXED."

Four convicted under anti-gang law

Prosecutors are hoping a 45-month sentence handed down to the first people convicted under a federal anti-gang law, will help make biker life appear less attractive.

The sentences, handed down in February to four men, must be served consecutively with other drug sentences.

Prosecutor Jean Claude Boyer said it is rare for sentences on multiple charges not to be served concurrently.

"These are severe penalties with respect to gangsterism. I hope they're going to send a message to everyone who's looking to those gangs with envy, especially to the youth," Boyer was quoted as saying.

Quebec court Judge Robert Sansfacon convicted Philippe Cote, Mario Filion, Eric Leclerc and Simon Lambert, who all had connections to the former Rock Machine biker gang. All four received sentences ranging from 10 months of house arrest to 42 months in jail.



The actual time left to be served for the drug convictions is less than 45 months because of credit given to each man for time already served while awaiting trial.

Defence lawyer Jacques Bouchard said he plans to appeal the convictions and sentences related to the anti-gang charges.

Other gangsterism charges had been laid elsewhere in Canada before this case, however, this was the first involving bikers gangs which went through to the conviction or acquittal stage.

There was little precedent or case law for Sansfacon to base his decision.

The main witness for the crown was Peter Paradis, a full member of the Rock Machine who became a police informant and received a seven-year sentence after pleading guilty to violating the anti-gang law.

The law carries a maximum sentence of 14 years and makes it illegal to belong to a criminal organization.



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Bring back the cadets

by Gino Arcaro

"Poor man wannabe rich, Rich man wannabe king, And the king ain't satisfied Til he rules everything."

- Bruce Springsteen, Badlands

Very Profound. I'm not sure but the Boss could have been referring to the swelling numbers of "wannabe police officers" (WBPO). There probably never has been and likely never will be a shortage of WBPO's. Yet there is a crisis. There is a shortage of "wannabe uniform police officers" (WBUPO). Instead, there are more than enough "wannabe high ranking specialist police officers" (WBHRSP0).

What are we going to do? Who will patrol the streets?

Here's a typical conversation with a WBHRSP0. First, the usual introduction is made, "I want to join the police. So, I wanna get into college."

Well, that part is terrific.

"I wanna be a (fill in the blank with any of the following: undercover cop, homicide detective, forensic expert, canine officer, chief, etc.)"

Wonderful. Honourable and noble career goals. However, you have to start on the front-line first. Uniform patrol branch. Many years of it. Shift work, small calls, big calls, scary

"When did uniform policing become perceived as being a bottom of the barrel job that is beneath the skills and intelligence of police applicants?"

calls, real bad guys, etc, etc.

Sadly, the WBHRSP0 is often dejected and dismayed.

"What if I get on the honour roll? Do I still have to start as a uniform cop?"

Yep, no way around it. That's where you learn to be a police officer.

Consoling a WBHRSP0 is challenging. So I use my standard line, "I wannabe the head coach of the Green Bay Packers. I check my voice mail every day but they haven't called. So, I have to keep coaching high school kids."

Misery loves company.

Oddly enough, no one ever says, "I wanna


be a uniform patrol officer." When did uniform policing become perceived as being a bottom of the barrel job that is beneath the skills and intelligence of police applicants? Why is front-line policing perceived as a lowly task that even those who have not worked in it for one minute want to escape? I think I have an answer - the job is too demanding, too scary.

How can the lack of WBUPO be corrected? Bring back the cadet rank and make it a mandatory one or two year program. There was nothing wrong with it. It was a terrific way to develop the desire to become a uniform patrol officer and to appreciate the demands of front-line policing.

It taught a little humility. It created a healthy respect for the occupation. The cadet rank teaches a young officer to look to the next rank only.

The key phrase is "next rank". The uniform patrol branch should never have become the lowest rank in policing. It should never be considered an annoying pit-stop during a WBHRSP0's career journey. Promotion should be the product of consistent performance over a period of years rather than a desire to fill personality voids.


The cadet rank should be the lowest rank in policing. Let's bring it back.




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Alberta amends child prostitution law

Alberta's improved child prostitution legislation became law in March almost two years after it was introduced.

Calgary MLA Heather Forsyth, who was behind the legislation, says she never stopped believing that it would become law.

The initial legislation allowed police officers to detain suspected child prostitutes for up to 72 hours in safe houses.

However, in July, a provincial court judge ruled the law breached the Charter of Rights and Freedom.

The legal problems were fixed and the act was amended last November to allow teen prostitutes to be detained for five days. In addition, the new legislation allows authorities to apply for a maximum of two additional confinement periods of up to 21 days each, to give social workers more time to help child prostitutes.

The legislation has been responsible for almost 500 apprehensions of children as young as 12-years-old.

The law is being used as a model for similar legislation in Prince Edward Island, Manitoba, Saskatchewan and British Columbia.

Canada's youngest police services board member reflects on term

by Blair McQuillan

After more than two years on the job, the youngest person to be appointed to a police services board in Canada has retired from her post.

Sandy Adelson, the civilian representative on the seven-member Toronto Police Services Board, left her position in March when her term expired.

"I'm going to miss a lot of the people, both in the police service and in the community, that I've had an opportunity to work so closely with," the 25-year-old said. "Being a member of the police services board has been a really good experience. I'm happy that I did it and I'm proud of the work that I've done."

During her two-and-a-half year term, Adelson was dedicated to several initiatives including youth programs and improving relations between the police and mentally ill.

Last March, she spearheaded a six-month program which made 17 recommendations on how to curb youth violence and bridge the gap between Toronto's youth and police. In 1999, Adelson took the lead in a plan to enlarge the police service's existing mental health sub-committee to include local mental health specialists, police officers, city councillors and police services board members.

"I'm pleased with the way I did my work and of the dialogues I started," Adelson said.

During her time on the board, Adelson said she made an effort to be accessible to the police and public by attending events, community meetings and going on ride-alongs with officers.

"I tried to make myself visible and tried to listen to people," she said.

Improved lines of communication is an aspect of policing which Adelson thinks has improved during her time on the board.

"There are still some people in the community and some people in the police service who don't see the need for the other side in community policing," the aspiring lawyer said. "I think that's changed to a large degree and it's getting better all the time. Almost everyone is willing to make a partnership work if they see a desire on the other side to accomplish a common goal. It ends up sounding a little trite, but in action I think it really works."

When Adelson applied for the civilian representative position on the police services board in March 1998, she was sure she would never be selected as a candidate for the job.

"I thought I'd go to the information session and see what it was like," she said.

Adelson, who was a 22-year-old law stu-



Sandy Adelson

dent at York University's Osgoode Hall Law School, had been learning a lot about the police services board through a class she was taking at the time and decided to apply for the opening out of sheer curiosity. After submitting her application, she never thought about the job again until she received a letter in the mail one month later.

"I was sure it was a letter telling me who had been appointed," she said. "It was a letter for an interview."

While Adelson thought the interview went "horribly" she soon found herself sitting on the police services board.

In the future, Adelson said she plans to contribute to some policing initiatives as a community member, but for now, she is focusing her energy on her law career.

"Now that I'm not a member of the board any more, people ask me if I'm going to stay in touch with the issues," she said. "I don't think I can help but stay in touch. Every morning I open the paper and read the policing issues because they're the stories that matter to me. I think there will always be a part of me involved in community policing efforts."



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A Street With No Exit

Canadian film "Cul de Sac" depicts the reality of street life for kids

by Dave Brown

Fanny and Sonia are two 15-year-olds visiting downtown Montreal for the first time on their own. They meet three brash street kids and think it would be deliciously fun to spend a few days with them, panhandling during the day and looking for a place to sleep at night. It all seems wild and exciting and dangerously romantic, until the realities of life on the street begin to sink in.

'Fanny' and 'Sonia' are actually actors Alison Louder and Kathleen Mackey. The 'street kids' are actors Mark Hauser ('Crumb'), Ishan Morris ('Squirt') and Véronique Parent ('Isabel').

In the movie *Cul de Sac*, they tell a very real story of living life day-to-day. One of the highlights from the National Screen Institute's Local Heroes Film Festival, *Cul de Sac* delivers a powerful message in a way that all teenagers can relate to.

The language, costumes, locations and background music depict authentic street culture, and the honest filmmaking style of *Cul de Sac* makes it look more like a documentary than a movie. Not surprisingly, award-winning filmmakers Maureen Marovitch and David Finch have years of documentary experience behind them.



THE ACTORS: Mark Hauser and Alison Louder appear in a scene from *Cul de Sac*.

"Filming a documentary means basically turning the camera on and then waiting for something to happen. The action happens on its own and you never want to call attention to the camera," says Marovitch. "When we film a movie,

we get to tell the story exactly like we feel it should be told."

Marovitch shared director's duties with Finch, but relates that it took some initial adjustment.

"In the first scene I directed, everything was ready and the camera was rolling, but we couldn't understand why actor Alison Louder wasn't doing anything. We must have all waited about 15 seconds before I remembered that I had to call 'Action!' first."

Although placed in Montreal, the location could be any urban downtown centre. The only difference is in the way that the kids communicate with each other. The movie recreates how real Montreal teenagers talk, with actors freely switching between English and French. Viewers can get quickly caught up in the fast-paced story and not even notice the English subtitles. In a distinctly Canadian fashion, the filmmakers have made it equally accessible to either language.

To master the character of 'Crumb,' veteran actor Mark Hauser had to learn how to inhale while smoking and how to squeegee a car window at an intersection in under 30 seconds. To better rehearse their roles, the lead actors tried panhandling for change one night and vowed to stay downtown until they made enough for dinner. They finally made enough for a pizza by 10:00 p.m.

Marovitch attributes the idea behind *Cul de Sac* to the experiences she shared with Finch volunteering for the Montreal street kids outreach program - Dans la Rue. Some of the real kids from the theatre improv group at Dans la Rue even appeared in the movie as extras, and others helped decorate the set and sew the costumes.

The movie was even given unique permission to film scenes in Notre Dame de Lourdes, Montreal's oldest surviving church. Built in 1827, the church is now home to many of the same street kids as portrayed in the movie.

Cul de Sac is a very real tale that hits hard. At 27 minutes, it would be ideal to show to high school or community groups. It pulls no punches and even the street kids themselves who have seen the movie agree that it is an accurate portrayal of the harsh life on the street.

Copies are now available for sale to schools, law enforcement agencies or community groups with copyright permission to show unlimited times provided there is no admission fee charged.

Respond to Dave Brown ...

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National approach to law enforcement needed, Obst says

Tougher laws are needed in addition to a more coordinated approach to enforcement because organized crime is gaining an upper hand on the police community, the president of the Canadian Police Association said in March.

"We're not winning the war," Grant Obst was quoted as saying. "Things are going out of control and it's time to do something about it."

Obst said the biggest problem is organized crime has got "too much money" while law enforcement agencies "don't have enough."

The association president told a news conference the fact that the Hells Angels biker gang now extends across Canada is an indication that they have a national strategy where government and law enforcement do not.

"They don't seem to have a unity problem," Obst was quoted as saying.

His comments were made during the association's seventh annual lobby day, calling on the government to take stronger action to curb organized and youth crime, protect police and children, and encourage sentencing that is more reflective of the context in which crimes are committed.

The 130 delegates who attended the association's annual conference were told that there are 18 different organized crime groups operating across Canada.

Their crimes go beyond drug trafficking to gambling, white collar crime, the sex trade, child pornography, telemarketing and Internet frauds, Obst said.



Grant Obst

The national association, which represents 30,000 police officers, also called for more effective laws to protect witnesses, jurors and police officers from intimidation by criminals. The need to tighten border and port controls to prevent criminals and contraband from entering Canada was also stressed.

The association said it wants specially trained prosecutors to handle often complex

organized crime cases in addition to having judges give more weight to membership in organized crime groups when handing down sentences.

"Police officers across this country, I think, reflect the values of citizens when they say that society to a degree has lost confidence in the sentencing provisions," Obst was quoted as saying. "The judiciary is not treating some criminal offences with the seriousness they deserve."

Group vice-president Mike Niebudek said prosecutions are time consuming and expensive. As a result, they often result in plea bargains.

Solicitor General Lawrence MacAuley said the government set out to spend \$1.5 billion on public safety in the last budget. He said the federal government has taken many steps to fight organized crime.

Obst said stronger legislation and increased funding are only part of the solution. A more strategic national approach to coordinating different agencies, governments and departments is also necessary.

Edmonton launches police helicopter

The Edmonton Police Service new helicopter in the air.

The police helicopter was given the green light by the force's police commission this month, thanks to a community fund-raising effort.

Police Chief Bob Wasylyshen said the new helicopter will cost about \$680,000 to lease and will be in the air for 1,000 hours during the first year.

The operating price will drop to \$390,000 in 2002 after the community fund-raising group, Spotlight On Safety, buys the helicopter, Wasylyshen said.

Justice Minister Dave Hancock announced in March that the provincial government would contribute \$350,000 from the Alberta Lottery Fund to help get the helicopter off the ground.

However, New Democrat MLA Brian



Mason expressed concern that the announcement was an "election stunt".

"They give you a present, but the taxpayers end up paying for it for years into the future. What's really needed are operating funds, and the city will be on the hook for that," Mason was quoted as saying.

Harry Mann, who is helping raise money for the helicopter, said he doesn't understand why the city is also being reluctant to embrace the project.

Mann calls the provincial grant a "big boost" for the fund, which now totals more than \$800,000.

The Alberta government provided \$250,000 to help fund the purchase of a \$1.5 million helicopter in Calgary in 1995. The vehicle costs nearly \$1 million a year to fly.

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Developing a firearms instructor model

by Steve Hess, M. Ed.



In the search for excellence in law enforcement training, there is an increasing need to ensure that training is documented and defensible. This must extend to ensuring that those we choose to provide training not only have the "right stuff" in all aspects, but that it can be proven. In December 1999 the Police Academy at the Justice Institute of British Columbia was asked to develop and implement a firearms training program for British Columbia's Sheriff Services. Sheriffs in B.C. are tasked with courtroom security and prisoner management and transportation in the province's court system. More than 450 sworn staff conduct static security in courthouses and move prisoners who appear for trial in-custody.

Prior to this time, sheriffs were generally unarmed unless working in the courtrooms of the B.C. Supreme Court and other high risk situations. In these instances, revolvers were issued.

The police academy's task was to develop a program which would change the organization from one which was unarmed, except in certain circumstances, to an armed organization capable of maintaining its own training system. At the same time, sheriffs would transition from the revolver to a semi-automatic pistol.

One of the primary focuses of this project was the development of a group of trainers with the skills to sustain internal training rather than relying on an external source of delivery. In the past, the sheriff service conducted training at the recruit level using internal staff who trained as an adjunct to regular duties. Retraining and requalification was inconsistent, and in many locations, infrequent.

With the installation of a director of training, a decision was made to establish a systematic and objective program for the development of instructors within the process of an overall firearms transition. Key to the program was buy-in by the service as a whole and the availability of the resources necessary to properly sustain the program in the long term. The challenge was to answer the questions "Who are these new instructors and how do we, and they, develop their expertise?"

One of the biggest challenges for any organization which offers education and training is the selection of the people who will deliver the product to the student. This is important regardless of the content, but instructor selection and development take on critical dimensions in the law enforcement universe. Not only do law enforcement-based students demand a higher level of credibility of instructors, the topics themselves can involve greater levels of risk. As much as police training facilities try to focus on the development of broad skills which

will enhance the social interaction of the public and the enforcer, there remains specific training content which is high risk, none more so than the use of deadly force and firearms.

It is in the nature of firearms instruction that the instructor must be proficient in marksmanship. A firearms instructor, however, must be much more than just a competent shooter. Coaching, mentoring, presentation skills, and a strong commitment to excellence are important additional skills.

In most law enforcement agencies, the selection of firearms instructors follows a form of natural evolution, i.e. those who have an interest in firearms gravitate to teaching and learn along the way. In today's environment, however, it is important to quantify these skills in a way that allows both instructors and the agencies they represent to demonstrate firearms instructor competency in an objective and defensible form.

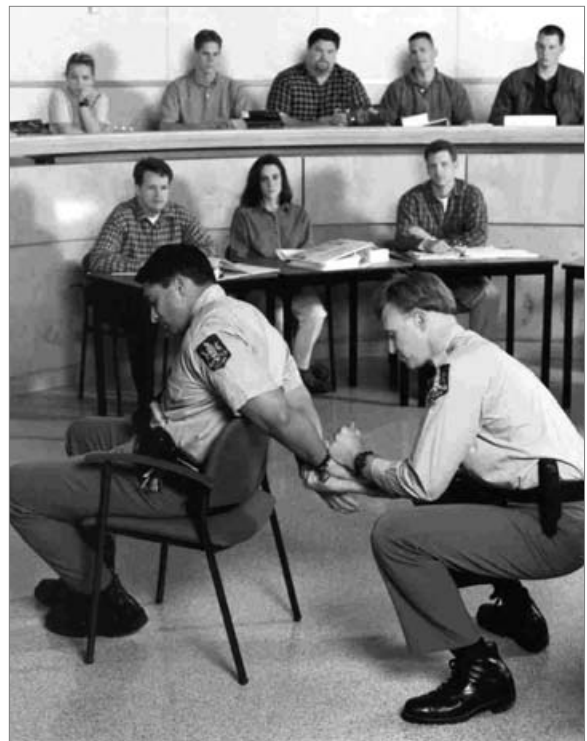
Instructor Selection

The first and most important step in answering these questions lay in the development of specific policies around the selection process, the duties of instructors, and the nature of their interaction with their prospective students.

The determination of how instructors are invited to compete must precede any discussion of the actual selection mechanism. In a law enforcement environment encompassing the entire province, regional representation of trainers may be important, and may override the ability to select the most qualified personnel overall. Ideally, however, the organization has the ability to select from the best qualified personnel organization-wide in order to establish the highest possible level of available expertise.

In determining acceptable and realistic entry credentials, concepts such as familiarity with the organization, innate firearms abilities and instructional ability were considered. A five point entry level credential requirement was ultimately selected:

- Two years of senior service.
- Acceptable performance record for the 18 months prior to application for selection as a firearms instructor.
- An acceptable attendance history for 18 months prior to application for selection as a firearms instructor.
- A score of 90 per cent or higher during his or her most recent formal firearms requalification.
- either:
 - (a) Documentary proof of successful comple-



THE CLASS: B.C. Sheriffs learn about retention.

- tion, within the last five years, of a train-the-trainer, effective presentations, or instructional skills course which was at least 16 hours in duration and for which successful completion required that students pass a practical instructional skills assessment, or
- (b) Prior instructional or on-the-job staff coaching service with the organization or similar prior instructional experience in another organization, or
 - (c) Documented experience in the delivery of a structured instructional course or program in a group setting on a minimum of three occasions, e.g. in a first aid, sports, or volunteer environment.

Because interest in this new program was high, we assumed that there would be more applications than actual positions, and after receiving and vetting applications, we were indeed required to implement an ordinal ranking process. The determination of ordinal ranking was based on the following factors:

- Whether the candidates have both formal training in instructional techniques and instructional experience, or just one of these two alternative prerequisites.
- The total amount of instructional experience each candidate has had.
- The relative observable levels of instructional skill possessed by each candidate, where it is possible to have candidates participate in a formal instructional skills assessment.
- How high the candidates past qualifying scores have been in relation to each other.

The result of this ranking was a group of prospective instructors ready to take the next step.

Instructor Preparation

With a list of eager candidates, we were now prepared to implement the actual three stage instructor development model. The first step was the presentation of a firearms instructor course. This was a five day range-based course specifically designed to develop a person who has above average firearms marksmanship skills and some instructional experience.

Students learned how to properly instruct others in the provincial course of fire, how to provide remedial instruction in marksmanship skills, and how to best provide training to others in all aspects of the issued service firearm.

Structured examinations in the course and a firearms skill achievement level higher than the entry requirement were established as objective measures of progress. Some students were not able to successfully complete this course, and because the preparation process was progressive, not all students were able to proceed to the next step, instructor practice.

There are many agencies which have firearms instructor courses which provide the initial skills needed for potential instructors. In allowing the necessary transfer of learning to take place, however, it is important to ensure that instructors have the ability to practice in controlled circumstances.

Because the instructor development model was intentionally being implemented in conjunction with the firearms transition for all staff, there was ready opportunity to provide new instructors with a structured training environment. As such, the second developmental step was implementation of their training.

Working with experienced police academy firearms trainers, new sheriff instructor candidates were required to participate in at least two transition courses within one year in an observation and assistance mentoring process. They were assessed by the transition course lead instructor on their ability to put into practice the concepts taught in the instructor course through leadership, knowledge, and training skill.

During this time, instructor candidates were also given the opportunity to assist other staff about to attend transition courses by conducting structured hand strength and trigger pull workshops. This had several benefits:



- Instructor candidates were able to use and practice their training skills outside the range.
- All staff were able to begin to see instructor candidates in their new role. This aided in one of the indirect goals of the program, establishing a better culture of service self-reliance.
- Staff about to train in the use of the new service firearm received valuable preparatory instruction which potentially lowered the transition failure rate and assisted in allaying fear of failure.

At the conclusion of the one year period, all instructor candidates successfully completed this stage of their training. Due to the progressive nature of the program, however, anyone who had been unable to put the theory into practice would not have proceeded to the final stage, which was a comprehensive evaluation of instructional ability.

This stage included more firearms marksmanship and skill tests, three knowledge-based written exams, the presentation of classroom-based instructional lessons, and the presentation of a range-based coaching session. All presentations were made before a panel of instructional and firearms experts and were rated against specific criteria. Again, not all instructors passed this battery of tests. Those who did succeed not only have a broad range of practised instructional skills, but also an objective and defensible set of measurements upon which to establish credibility.

Future Instructor Development

Because the original purpose of the program was the development of internal staff to conduct all service firearms training, instructors who successfully completed

the entire process were equipped with standardized training modules for conducting remedial training and annual requalification. This allows them to concentrate on skills practice rather than training development in the short term.

Presently, in order to foster these skills and ensure standardization of training, instructors attend an annual instructor meeting and instructor recertification workshop to discuss issues and reconnect with their initial training. In addition, sheriff firearms instruc-

tors were required to take ownership of their own need to maintain proficiency at a level higher than the minimum standard. As such, the development process calls for instructors to be given release time to shoot a minimum of two courses of fire monthly at a local range.

Conclusion

The goal of the development program was to develop the B.C. sheriff service staff to become firearms instructors in a consistent and defensible manner that considered all aspects of the instruction process. This is, however, more than simply training how to train through a firearms instructor program. It includes an examination of the background necessary for an instructor and a structured process for developing coaching skills.

Steve Hess is the program director, contract law enforcement programs, at the Police Academy, Justice Institute of British Columbia. He spent 16 years in policing in British Columbia and has a Masters degree in Education from the University of British Columbia.

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THE LAST NOOSE

Manitoba

by Blair McQuillan

James Edwin "Ted" Sims arrived at work early on the evening of Saturday July 15, 1950.

Sims was a Winnipeg police sergeant. He had just dropped his wife off at the airport that evening, where she had left for a two week vacation in British Columbia, and then reported for duty with time to spare.

At roughly 11:40 p.m., with about 20 minutes left before his shift began, Sims answered a call from Olga Kafka. The woman frantically informed Sims that her boyfriend, Henry Malanik, had just stabbed her husband Adolph.

This news was not very surprising. On April 18, 1950, both Henry and Adolph were fined \$50 for firing weapons during a battle for Olga's affections. The police had seized four firearms which had just been returned.

Sims briefed two young detectives, John Peachell and William Anderson on the situation. Sims knew there was an element of danger involved in this particular domestic dispute and decided to accompany the young detectives to the scene.

The three officers arrived on scene where they found Olga. It seemed Adolph and Malanik had left the scene.

The four went inside the house where Peachell sat at the breakfast nook to take Olga's statement. Anderson resided in the living room and Sims leaned in the doorway of the kitchen of the two-storey home.

Olga informed the officers that Malanik had stabbed Adolph but the wounds were not serious. She said that Adolph had gone to the hospital and that she had sent Malanik, who was heavily impaired, back to a flophouse where he was residing.

As Peachell took notes, Malanik staggered in through the front door and into the living room with a .12-gauge shotgun in hand.

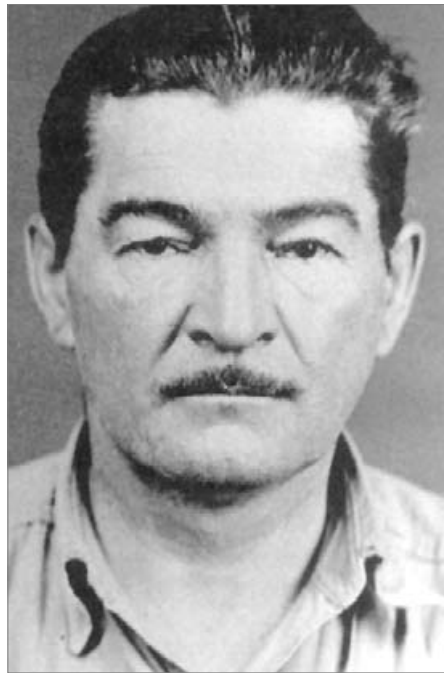
Henry was very angry and threatened to kill everyone in the house. In an attempt to gain control of the situation, Sims held his hands up to show he was not about to use force and asked Malanik to drop the gun.

Malanik's response came in the form of a gun blast which struck Sims and knocked him to the floor. Malanik's second shot shattered a doorframe and hit Anderson in the neck. The detective fell through a window and landed on the front lawn.

In response, Peachell broke from the breakfast nook and shot Malanik three times with his .45 calibre revolver. Malanik fell beside Sims and began to weep. He stated he had made a mistake and did not mean to shoot innocent people, especially officers.

While on his way to the hospital an escorting officer was told by a sorrowful Malanik that he would not have shot the policeman if he had not been in his way.

At 6:31 a.m. on Sunday July 16, 1950, Sims died of bullet wounds to his stomach. Sims was survived by his wife, daughter, and two sons.



Henry Malanik

Malanik stood trial for murder three months later, on October 16, 1950.

Malanik was born in Ragusa in 1907 and became a Canadian citizen in 1912. He had married in 1929, with Adolph Kafka standing at his side as best man. He remained friends with Adolph until 1948, when his wife left him and he moved in with the Kafkas. Adolph travelled a lot and while he was away Olga and Henry began an affair.

Henry moved to a flophouse after Adolph learned of the liaison. However, this did not stop the two from continuing their affair.

On the day of the shooting Malanik had been invited to a wedding. He knew his ex-wife would be among those in attendance and was reluctant to go.

Malanik started drinking in the early afternoon before going to the reception. Bill Krystik was the bartender at the affair and also happened to be Malanik's roommate.

Krystik supplied Malanik with tumblers of whiskey and moonshine for several hours. Malanik became offensive and was thrown out of the hall when he shouted at the band for taking a break. It was at that point that he decided to go visit Olga.

John L. Crawford was Malanik's lawyer. He wished to prove to the jury and Mr. Justice J.J. Kelly, that Malanik could not have possibly formed intent to kill due to his impaired state on the night of the murder.

Krystik was the key witness for the defence. However, Krystik crumbled under the stressful questions asked by the prosecutor, William Johnston. Krystik told the court that

Malanik met with Olga often. In fact, he claimed the two met almost every other night. Johnston also questioned Krystik in regards to the drinks he poured for Malanik, which he believed may have only contained water.

"How big a drink were you pouring?" Johnston asked Krystik. "Half a tumbler," he answered. "Any water in the tumbler?" "I couldn't tell you." "Where did you get the homebrew?" "I couldn't tell you."

Krystik did little to help his roommate's case and Malanik did even less in his own defence when he took the stand. Malanik told the court that he had been drinking before he went to the wedding and that he drank heavily during the reception due to the fact that Krystik kept pouring him homebrew.

"What was the next thing you remember?" Malanik was asked.

"The next thing? I remember lying down. Blood around me. On my head. Wondering where I was. I laid quietly there. All of a sudden I heard a bad racket. Somewhere says 'You son of a bitch, you've killed a policeman.' I got blows to my chest. I don't remember anymore."

There was nothing left except for the predictable closing statements.

Crawford told the jury that Malanik "...was just too drunk to form an intent to do that act. The man was sodden right back through his mind, he couldn't intend to do anything."

William Johnston then took the floor.

"This was no purposeless action," the prosecutor said. "Malanik didn't go get a gun and fire aimlessly and wildly around him. He proceeded with a purpose. Only after Malanik was himself wounded and no longer able to carry out his intent, did he have remorse."

Mr. Justice Kelly then spoke to the jury before they deliberated on a verdict.

"I must advise you that if by reason of consumption of liquor a man is so drunk as to render him incapable of forming or having the intention necessary to constitute the offence, he cannot be convicted of murder," the judge said. "Drunk he was no doubt. But how drunk?"

"The fact that he shoots an unknown man, and then reloads the gun and apparently takes a shot at Peachell... you have to consider whether his conduct in the house that night was of a rational man, or was the conduct of one who, by reason of the consumption of the excessive amount of liquor did not know what he was doing, or was acting as one who had no knowledge or idea of intent in what he was doing."

Henry Malanik was found guilty by a jury of his peers. He was sentenced to be hanged on Wednesday January 17, 1951.

After John Crawford made an appeal on Malanik's behalf a second trial was held in May. Malanik was again found guilty.

Henry Malanik was hanged on Tuesday, June 16, 1952. Roughly one dozen uniformed officers attended the execution at the Headingly Jail at 2 a.m. that morning and stayed until Malanik was pronounced dead at 2:13 a.m.

Constable receives Bud Knight Award

by Rob Mayea

A veteran constable with the Hamilton Police Service was recently selected as the 2000 recipient of the Bud Knight Award.

Cst. Lloyd Williams, a 24-year member of the city's police force was recognized for his outstanding contributions to youth service delivery throughout his career.

At work, Williams has made significant contributions to improving the quality of life for young people in Hamilton. He has studied and is knowledgeable of changing "youth related" legislation, problem solving methods, youth crime prevention strategies, and innovative police service initiatives. Williams' commitment to youth has resulted in the introduction and establishment of some of Hamilton's most progressive youth programs.

He has also been an outstanding team builder developing partnerships with education, corrections, and children's mental health.

Williams contributed to the development and implementation of the police service's "Strategic Approach to Youth Crime". It is a combination of youth crime prevention, early intervention, and strict targeted enforcement. He was especially key in developing the "Information Sharing Protocol" and the accompanying training package for police and educators who share Young Offender Act information.

Williams is Hamilton's "bullying issues" expert. He has read, studied, and pursued knowledge about youth aggression. He regularly imparts this knowledge to police colleagues and community stakeholders in an effort to support appropriate response and policy development.

Williams was successful in running a Community Anti-Loitering Project in 1997. He arranged for funding from Human Resources Development Canada and employed youth to develop awareness raising education and strategies to address youth loitering problems at malls and shopping plazas. He and his staff developed proposals for skateboard parks and youth drop-in centres.

This work led to the establishment of intergenerational social activities. Seniors and youth have worked jointly on developing skateboard ramps. They have held intergenerational pool tournaments and he has contributed to the annual Students 'Fore' Seniors charity golf tournament.



HONORED: Hamilton police Cst. Lloyd Williams (far right) receives his award from Doug Turner and James Ramsay (far left).

Williams' depth of involvement with youth has included membership on the Emergency Psychiatric Treatment Committee, the Bikes/Blades and Boards task force, the Regional Anger Management Services Project, the police liaison and Ministry of Community and Social Services Wrap-around Steering Committees at Lynwood Hall. He has been an avid follower of the Ministry of the Attorney General Youth Justice Committee pilot projects and the developments around replacing the YOA with the new Youth Criminal Justice Act.

Williams' exemplary efforts on behalf of youth were not limited to his on duty assignments. He has been the committee chairperson for the 1st Dundas Scout Group. He is a board of director for Kiwanis Homes and the Community Dispute Resolution Service of Hamilton.

He is also a "Skills Through Activity and Recreation" (STAR) board of director. STAR is based in four of Hamilton's largest housing complexes. It provides an array of recreational opportunities for hundreds of youths.

Williams has worked on the Week of the Child and Youth Committee to raise funds, plan, promote, and hold youth oriented events and activities each October during the designated Week of the Child and Youth.

He has also contributed to creating Under the Willows - a Youth Art Garden. The project will create a youth therapy and art garden at the new site of a youth residential treatment centre known as Lynwood Hall.

Williams was recently re-assigned to uniform patrol having just finished a five-year youth officer commitment. His recognition by

the Committee of Youth Officers for the Province of Ontario is timely and deserved.

The Committee of Youth Officers has existed for more than two decades. It was initially established by a collection of youth officers for networking and specialized youth law enforcement training.

Since 1994, the committee has organized an annual provincial youth conference. These conferences involve youth serving agencies, most notably, probation serv-

ices and educators as delegates. Another function of the committee is to present the Bud Knight Award for outstanding service to youth.

The Bud Knight Award, first presented in 1990, was created in honour of Herbert R. (Bud) Knight for his commitment and dedication to the youth officer's training courses at the Ontario Police College. Knight, now retired, was not only the originator of youth training courses at the college but was also instrumental in establishing the Committee of Youth Officers for the Province of Ontario.

The Award recognizes police officers in Ontario for their commitment to youth within their community both on and off the job.

Sgt. Rob Mayea is vice-chair of the Committee of Youth Officers for the Province of Ontario. He is currently seconded from the Hamilton Police Service to the Ministry of the Solicitor General's Youth Crime and Violence Initiative. For information about the committee or Bud Knight Award, contact him at (416) 314-3072.

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Forensics officer to receive commendation

by Les Linder

A forensic identification officer with the Niagara Regional Police will be recognized and commended for his work and development of an innovative forensic tool in bloodstain analysis.

Det. Cst. Craig Moore will be the first police officer from the Niagara force to officially receive the commendation on June 24. The commendation is usually awarded by the police services board each year to a citizen who has acted bravely; however, an officer is occasionally selected for their exceptional work.

The award is in recognition of Moore's development of a 3-D bloodstain pattern analysis (BPA) model which is used to help explain how blood spatters onto a surface and what can cause it to travel and land in a specific way.

The BPA model represents what Moore likes to consider "mathematically correct theory". Typically, an instructor or forensics expert explains theory behind droplets of blood that travel through air caused by impact energy, such as being shot or stabbed, on a chalkboard or overhead projector.

Explaining 3-D theories using two dimensional mediums like chalkboards can become a daunting task, Moore pointed out.

Moore was first concerned with trying to explain blood spatter analysis to a jury in a mock trial during his understudy training in 1997.

"I tried to figure out a way to explain the theory and not to confuse the jury with the explanation of the theory," Moore said. "So I created the bloodstain model, which takes a person from the abstract two dimensional chalkboard, to a tangible three dimensional model of the theory."

When an instructor explains the theory on a chalkboard, the drawing usually begins with a circle. The instructor must then explain that the circle is actually a sphere with equal dimensions. As the jury tries to see the circle as a droplet of blood, the instructor will begin to use trigonometry to explain the behaviour of the blood.

"The explanation of the theory becomes extremely muddy and the last thing you want to do is overwhelm the jury with theory while they are simply trying to visualize the shape of the blood droplet," Moore pointed out.

"You want (the jury) to fully understand and believe that you've come to the right conclusions. I want to make sure they have confidence in my ability to explain something that happened at a crime scene and the model helps achieve that by simply illustrating how blood can travel and spatter on a surface."

The fear of explaining the theory to a jury in order to successfully complete the mock trial drove Moore to create the BPA models to eliminate his fear. His determination resulted in several BPA models being designed and built in 1998.

After bringing the models to the mock trial, Moore managed to impress three senior analysts at the court.

"I knew the model theory was correct, but it was nice to see it appreciated by experienced individuals."

Moore wanted some recognition for the model which had already proven itself as a useful tool and he realized it would have to be done



RECOGNIZED: Moore received a commendation for developing this forensic tool.

through a patent. He was also concerned that without a patent, other people could take his model to modify it with their own idea of a BPA model.

A copy could end up being rejected in court and set a bad precedence, making it more difficult for Moore's design to get into court. He knew that in order to at least circumvent the possibilities of inferior copies, he would have to get the patent.

However, the patent process was expensive and would cost at least \$13,000 for a Canadian and U.S. patent. Moore approached his local MP, the provincial level of parliament and then the regional level, but nobody was able to help him with funding as part of a police initiative.

"It seemed there was money for crime prevention, but nothing in the bank for crime investigation," Moore said. "I decided to just go with a patent in Canada to help bring down the cost and at least have some sort of family heirloom when I'm a toothless old grandfather."

The six-month time limit to get a patent was running out, and Moore had decided to speak to his police chief at the time, Grant Waddell, in hope of getting the funding from the force.

"I was initially concerned with approaching the service for help because up to that point everything had been done on my own time and resources. I was a bit worried that if the department got involved, it would become their patent instead of mine. But I had run out of options and had little choice."

Moore said Waddell thought the patent was a wonderful idea, but unfortunately could not grant the funding immediately as the police services board had to issue the funding.

He stood before the board to present the BPA model and curtailed the expense of four patents in the U.S. and Canada down to two patents in both



Det. Cst. Craig Moore

countries, making it a \$7,000 venture.

The board liked the idea and provided the required funding in the fall of 1998. On Dec. 31, 1999, Moore received two patents from Canada. Two patents from the U.S. followed in July 2000. Although the patents are in Moore's name, any royalties gained from the models will go straight to the police services board in Niagara.

Moore's intent was to get the prototypes into the hands of the most important forensics people in Canada. Various agencies acquired the models and out of the 10 built, seven were distributed. Moore has kept one and the other two were kept in storage.

Currently, Scotland Yard, the FBI, the U.S. Naval Criminal Investigation Service and the RCMP have all acquired the BPA models. The blueprints are kept in Kansas with the forensic equipment distributing company, Lynn-Peavey. The company tries to sell and advertise the BPA models to various agencies.

In December 2000 and January 2001, Moore's hard work and grim determination was finally put to its intended use in two Niagara court cases.

"That really gave me a further sense of accomplishment. It was good to know something I made was helping within the justice system."

While Moore will never see a cent from any of the BPA models sold, he says he is simply happy to know the models are in the hands of the top forensics specialists in North America and being put to good use.

"I've accomplished what I set out to do and I don't have to prove anything more about the model. To top it all off, I'll have my family heirloom to show the grandkids when I'm old and toothless."

StopTech to distribute wireless alarm voice equipment

StopTech, Ltd., the exclusive U.S. distributor of Stop Stick - and related tire-deflation devices, has announced the addition of The WAVE Wireless Emergency Call Systems - to its line of law enforcement and public safety products.

The WAVE is a wireless alarm and emergency call system which immediately tells police and security personnel where their assistance is needed. When activated by any of a variety of sensor types, The WAVE instantaneously transmits a pre-recorded, location-specific voice message to police or security personnel radio(s) via designated frequency, identifying the exact location needing assistance.

Whether used as an emergency call system in courtrooms and other public facilities, or as a covert portable alarm or surveillance system by police, The WAVE immediately pinpoints the problem location, eliminating dispatch delay and confusion. By allowing security personnel more freedom to roam, while potentially lessening the need for a command centre, The WAVE also helps reduce security costs.

"The WAVE is proven technology that can strengthen courthouse and government facility security and give police an edge in high-risk situations. We are very pleased to add this to



our family of public safety and law enforcement products," said Gary Uthe, StopTech executive vice president.

The product line consists of three systems, all wireless. The WAVE 16 and WAVE 32 are emergency call systems that are particularly applicable in courtrooms and other potentially volatile settings within county or municipal facilities, such as the judge's bench and

chambers, district attorney's office, clerk's office, tax office and others.

When a duress button is activated, front line security personnel are instantly notified of the exact location of the problem. The WAVE 4 is a portable alarm system designed to assist police in covert or surveillance operations. Call buttons, door sensors, motion detectors and other devices can be placed in high-risk areas. When activated unknowingly by an intruder or intentionally by on-site personnel, police know immediately where to respond. Both systems are compatible with existing police radios.

StopTech, Ltd. was formed early this year as the exclusive U.S. and Canadian distributor of STOP STICK tire-deflation products. STOP STICK® currently equips some 45,000 police vehicles across all 50 states for prompt, safe

response to high-speed pursuits. STOP STICK is also used internationally throughout Europe, the Far East and Australia. The product has more than 3,800 documented successful stops to its credit in the U.S. alone, more than any other tire-deflation device.

Visit the company website through *BlueLinks* at www.blueline.ca

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IST International offers "The Partner" a rapidly deployed four-way wireless remote controlled, portable traffic signal.

Beneficial in special events or school crossings or during power outages, signal malfunctions, emergency management operations, work zone, flagger, and construction areas with a two minute setup.

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Ontario's proposed physical evidence rule for lawyers

The text of Ontario's proposed physical evidence rule for lawyers was born of the infamous Bernardo case where his lawyer, Ken Murray, was given information as to where to find video tapes of Bernardo's torture and rape of two school girls. The tapes were seized by Murray and kept secret for over a year while police and prosecutors attempted to gain evidence against Bernardo.

Would Murray be right or wrong in his decision to hold the tapes given these new set of rules? Here is the text of the Law Society of Upper Canada's proposed rule and commentary on how a lawyer should deal with physical evidence relevant to a crime that he or she receives from a client. You be the judge.

A. Introduction

A lawyer who is asked to receive from a client physical evidence relevant to a crime, or who takes possession of such evidence, becomes involved in an area of difficult ethical issues and choices, and will be faced with problems that implicate potentially competing professional duties. This rule and the accompanying commentary are intended to assist lawyers who, in making decisions in the best interests of their clients, must also balance their duties to the administration of justice.

The lawyer owes duties of loyalty and confidentiality to the client and must in general act in the client's best interests by providing competent and dedicated representation. These duties are fundamental to the administration of justice, and among other things, enable individuals to be completely candid with their legal advisors, thereby obtaining the benefit of the best possible legal advice and representation.

The lawyer serves the public good by acting as the client's loyal agent, especially in the criminal law context, where the lawyer has a

duty to resolutely represent the client's interests against those of the state in an openly partisan way. The duty of loyalty to the client must be fulfilled in a way that reflects credit on the legal profession, and inspires the confidence, respect and trust of clients and the public.

The lawyer also owes duties to the administration of justice which require, at a minimum, that the lawyer not violate the law, actively impede a police investigation, or otherwise obstruct the course of justice. These duties must be observed in the context of our adversarial system of justice, in which the state is constitutionally bound to prove its case against a person and in which the person's lawyer is not allowed, unless the client permits, to assist in proof of that case.

B. Information Distinct from Possession

This rule applies where the lawyer is asked to receive physical evidence relevant to a crime from a client or another person on behalf of a client. It does not apply where the lawyer is merely informed by or on behalf of the client of physical evidence in the possession of the client or another person. In those circumstances the lawyer will ordinarily have a duty, to maintain in confidence the information disclosed by or on behalf of the client.

Even where the lawyer is asked by or on behalf of the client to receive physical evidence relevant to a crime, such information communicated by or on behalf of the client (as contrasted with the physical evidence itself) will ordinarily be confidential. The duty of confidentiality will ordinarily apply to information communicated orally or in writing by or on behalf of the client (such as the location of the physical evidence) as well as information communicated by the client's actions (such as the fact that the client has possession of physical evidence the lawyer has been asked to receive.)

Where the lawyer refuses to take possession of the physical evidence, the lawyer should be careful not to counsel or participate in the concealment or destruction of the evidence or become a witness to evidence of consciousness of guilt. The lawyer may provide legal advice such as advice on the law concerning obstruction of justice and incriminating evidence of consciousness of guilt to allow the client to make an informed decision on what is in the client's best interests. What to do with the physical evidence is the client's decision, as the client will have to face the consequences of whatever decision the client makes.

If the client leaves with the physical evidence, the lawyer's observations of the evidence and the client's possession of it will be confidential. Nevertheless, the lawyer's knowledge may impinge on his or her ability to continue to act as defence counsel. For example, if the law-

yer learns prior to the client's testimony that the client proposes to testify that he or she never had possession of physical evidence that the lawyer has observed, the lawyer could not lead the client's evidence and would have a duty to withdraw from the representation if the client persists in such proposed testimony.

The lawyer's actions in viewing the physical evidence, without more, will ordinarily be confidential, as will any advice the lawyer provides to the client with respect to the evidence, as long as the lawyer does not counsel the destruction, alteration or unlawful concealment of the evidence.



Commentary

C. Types of Evidence

This rule applies to all types of physical evidence relevant to a crime, including original documents, unless they are privileged.

D. The Lawyer's Duties With Respect To Physical Evidence

A lawyer should not accept or retain possession of physical evidence relevant to a crime from a client or another person on behalf of a client, or from a location the lawyer learns of from the client, except in very limited circumstances, and even then only temporarily.

A lawyer who comes into possession of physical evidence relevant to a crime shall in general either return the evidence to the source or original location or disclose the physical evidence to law enforcement authorities in accordance with the following paragraphs of this commentary.

Temporary Possession

The circumstances in which a lawyer may receive or retain temporary possession of physical evidence relevant to a crime are as follows:

1. *To avoid future harm*

A lawyer may take or retain temporary possession of physical evidence where the lawyer reasonably believes that to return the item to its source will result in physical harm to any person.

2. *To prevent the destruction of the evidence*

A lawyer may take or retain temporary possession of physical evidence in order to prevent reasonably anticipated destruction of the evidence.

3. *To make arrangements to transfer the evidence to the authorities pursuant to instructions.*

A lawyer may take or retain temporary possession of the evidence while promptly arranging for the evidence to be transferred to the authorities in accordance with this commentary, where the physical evidence has been received by the lawyer for that purpose on the client's instructions.

4. *To examine or test the evidence*

THE GREAT MAC ATTACK

By Tony MacKinnon



DIS IS A FRIEND... I HEARD
DA COPS IS COMIN TO GET
YA... YA BETTER GET OUTA
DA HOUSE!

A lawyer may take or retain temporary possession of physical evidence, where possession of the evidence is not in itself illegal, for the limited purpose of examining or testing the evidence in such a way as not to alter or destroy its material characteristics. The lawyer should be satisfied that the person performing the test is reputable, and should keep a record of the testing. Where the testing method will unavoidably result in destruction of the physical evidence, the lawyer should notify the prosecutor and the lawyer and prosecutor should agree on a suitable testing process.

5. To make effective use of the evidence at trial

In the rare circumstances in which the lawyer determines that physical evidence relevant to a crime forms a key part of the evidence in a client's defence on criminal charges and that the value of the evidence would be lost if the evidence were disclosed to law enforcement authorities, the lawyer may retain temporary possession of the evidence for that purpose at trial. The evidence must be disclosed to the prosecution either prior to the close of the Crown's case or immediately after the close of the Crown's case. If the evidence is not disclosed until after the close of the Crown's case, the lawyer should, if necessary, consent to the Crown's case being reopened to allow Crown counsel to call the evidence. Where the lawyer retains temporary possession in any of these circumstances, the lawyer should safeguard the physical evidence to ensure that it is not altered (for example by deterioration) or destroyed. Where the lawyer is in possession of physical evidence relevant to a crime and none of the foregoing circumstances apply, the lawyer should make arrangements for the evidence to be returned to the client or other source or transferred to the authorities in accordance with this commentary as soon as practicable.

Giving Up Possession

The lawyer should transfer possession of the physical evidence as soon as possible after the reason for which the evidence has been retained no longer applies. The lawyer may return the evidence to the client or other source, or to the location from which it was taken, if the lawyer is satisfied on reasonable grounds that the evidence will not be altered, destroyed or used to cause physical harm to any person. Where the lawyer returns physical evidence to its original location, the lawyer should document the nature of the evidence and its precise location, and retain the documentation in the lawyer's file.

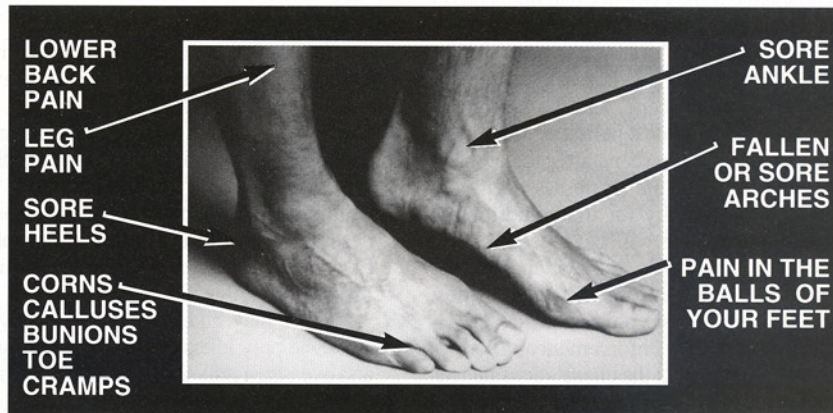
E. Where Disclosure to Authorities is Required

The lawyer should disclose physical evidence relevant to a crime to law enforcement authorities in the following circumstances:

1. Where it is not possible to return the evidence to the source or original location;
2. Where the return of the evidence to the source or original location carries the risk of destruction or alteration of the evidence;
3. Where the return of the evidence to the source or original location carries the risk of physi-

continued page 34

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- cal harm to any person;
4. Where possession of the evidence is illegal, or
 5. Where the lawyer is instructed to do so and the evidence has been taken by the lawyer for that purpose.

Also, the lawyer should carefully consider whether returning the physical evidence to its source or original location may have the effect of preventing law enforcement authorities from learning of evidence of which they would have had knowledge if the evidence had not been removed, thereby affecting the proper administration of justice. For example, where a client delivers evidence to a lawyer that the client has taken from a crime scene, and the lawyer returns the evidence after a period of time to its original location at the scene after the authorities' investigation of the scene has been concluded, the opportunity for the authorities to discover the evidence will have been lost. In these circumstances also, the evidence should be disclosed to law enforcement authorities. When a lawyer discloses physical evidence relevant to a crime to law enforcement authorities, the lawyer must protect the client's confidences and preserve solicitor and client privilege. This may be accomplished by the lawyer retaining independent counsel, who is not informed of the identity of the client and who is instructed to maintain in confidence the identity of the instructing lawyer, to turn over the evidence.

F. Advising the Client

When presented with physical evidence relevant to a crime, a lawyer should attempt to ensure that the client understands the lawyer's ethical duties and legal responsibilities, and how

“The duty of loyalty to the client must be fulfilled in a way that reflects credit on the legal profession, and inspires the confidence, respect and trust of clients and the public.”

they affect the lawyer's advice to the client and the client's case. At a minimum, the lawyer should advise the client that:

1. The lawyer cannot be used as a means of destroying, concealing or altering the physical evidence.
2. Communications made for the purpose of destroying, concealing or altering the physical evidence are not protected by solicitor and client privilege.
3. A lawyer may take possession of physical evidence only in exceptional circumstances, and even then only temporarily, as explained above.
4. The police or Crown can seize the physical evidence by means of a valid search warrant, regardless of whether the evidence is held by the client or the lawyer.
5. If the physical evidence is received by the lawyer, the lawyer may be required to turn over the evidence to the authorities.
6. If the client chooses to keep the physical evidence,
 - (i) the client cannot destroy or alter the evidence without committing a

criminal offence.

- (ii) the lawyer is bound by the knowledge of the client's possession of the evidence and the lawyer cannot lead the client's evidence if the client proposes to testify that he or she never had possession of the evidence that the lawyer has observed,
- (iii) if the client persists in the instructions described in (ii), the lawyer must withdraw as the client's counsel, and
- (iv) any evidence of damage to the physical evidence that can be proved by the Crown will be available as potential incriminating evidence.

The lawyer should keep a professional distance to avoid the problems that may arise from personal involvement in the client's case. The lawyer should prepare a written record of all communications and actions taken respecting the physical evidence to be kept in the lawyer's file.

G. Seeking Advice

A lawyer who is asked to receive or does receive physical evidence relevant to a crime should seek the advice of senior counsel or the Law Society. This will serve the interests of the administration of justice and also assist the lawyer, should professional ethics issues arise, through the existence of a record showing that appropriate counsel was sought. The lawyer should document all communications and dealings with respect to the physical evidence for the purposes of the advice, and the lawyer should record any advice obtained from senior counsel or the Law Society.

VITALITY

Fitness pin helps officer beat cancer

by Peter Thorn

Twenty-seven year old Dino Morandin has been an officer with Hamilton Police Service for five years. While effecting an arrest in August 1994, he fractured his left wrist. On having the wrist x-rayed there were signs of a growth near the fracture. By November 1994, Morandin underwent his first operation, the results of the second biopsy confirmed his worst fears and in January 1995, he was diagnosed as having malignant bone cancer.

In February 1995, Morandin underwent six-and-a-half hours of major surgery which resulted in the lower half of his radius bone being removed, along with the surrounding muscle and tendon. It was replaced with a 10 inch metal plate. His wrist was fused and bone was grafted from his hip and inserted into his left wrist and hand.

As a result of the operation, Morandin spent 10 days in hospital during which time his surgeon told him he would never work on the street again as he had a "glass wrist."

By March 1995, Morandin started back at work carrying out his duties as reception officer at the east end station and commenced

physiotherapy treatment while his arm was still in a cast. During the first three months of 1995, Morandin lost 40 lbs. and six inches around his left biceps, causing him to pay more than one visit to the stores branch on his return to work to find a uniform to fit him.

Morandin admits he went through the emotional and psychological ups and downs that every cancer patient deals with but decided to tackle the disease in a positive and aggressive manner.

Determined to beat the cancer and prove the doctors wrong, as they again told him he would never work the street or be able to lift weights again, Morandin embarked on a rigorous fitness regime. He began strengthening his left arm and wrist by performing arm curls with a dumbbell collar.

He states that although the pain was immense, his mental determination to get healthy again overcame the pain barrier. He progressed from curling the collar to a one pound barbell then jumped to a four pound barbell. Morandin remembers the jump from two pounds to four pounds as one of the greatest achievements in his life.

"It felt like I'd broken a world record," he

said. "I was ecstatic."

Between April and October 1995, Morandin worked out nearly every day.

"There were days I just didn't have the energy," he admits.

The doctors were amazed at the speed with which he had gained his weight and strength back and also how strong and dense the new bone had become.

In October 1995, Morandin returned to uniform patrol and set his goal of attaining his 1995 fitness pin before the end of the year. He states that beating the disease is as much psychological as physical. He achieved a psychological goal in proving the doctors wrong by returning to work.

"I knew if I could get the pin then I could do the job," he said.

In the first week of November 1995, Morandin tested and passed his 1995 pin completing all four components, including 31 one-handed push-ups, which has earned him the nickname of Rocky.

Morandin's recovery can only be classed as remarkable. His grit, determination and zest for life demonstrates what can be achieved if one puts one's mind to a task.

Forum to examine crime in the new millennium

Speakers at a new global forum to be held in June will warn that governments, law enforcement agencies and businesses have to adopt more strategic and long-term approaches if they are to prevent the 21st century from becoming the age of the criminal entrepreneur.

The Global Forum for Law Enforcement and National Security, to be held in Edinburgh, Scotland, from June 19 to 22, will see a unique gathering of business leaders, government officials and senior academics. The forum will aim to forge an "agenda for action" to tackle the changing and growing threats to law, order and national stability over the next two decades.

"This is an era of small wars and low-intensity conflicts rather than all-out, nation-against-nation wars," Dr.

Mark Galeotti, the Director

of the Russian and Eurasian Organized Crime

Research Unit at the University of Keele

explains. "As overt

security threats

have become in-

creasingly less

likely, there has

been a corre-

sponding rise in

the danger posed

by non-tradi-

tional, 'soft' se-

curity issues relating

to transnational

and serious crime,

and economic and po-

litical stability. Rather

than being confined to

internal affairs or law

enforcement, such

threats

are, in many cases,

becoming a major

influence on political,

economic and national

security

agendas."

The organized crime

phenomenon is just

one example of such

a threat, and one need

only begin to look at

the figures to illustrate

the enormity of the

problem, Galeotti

says. The turnover

of the global criminal

economy is roughly

estimated at one

trillion dollars, some

five per cent of

global economic

activity, of which

narcotics may

account for about

half.

The predatory

operations of

organized crime

have their impact

on economic

activity at every

level, whether

through imposing

extra business

costs, undermin-

ing intellectual

property rights,

illegally dump-

ing environmental

and hazardous

waste, corrupt-

ing IT networks,

facilitating the

movement of

illegal immig-

rants, or money-

laundering the

proceeds of

drug traffick-

ing.

Known losses

to American

industry as a

result of copy-

right violations

in 1998, for

instance, were

\$124 billion.

Counterfeiting

costs the

United States

\$200 billion

each year in

lost sales,

jobs and

tax revenues.

Software

piracy

alone

costs the

industry

\$15 billion

a year, and

more than

half of all

software

in the

world is

estimated

to be

counterfeit.

Losses

from

economic

espionage

are now

put at

\$450 billion

a

year, up from \$150 billion a few years ago. The figures for financial fraud are also well into the hundreds of billions of dollars.

In Russia, an estimated 70 to 80 per cent of businesses pay for protection from the numerous gangs of the Russian "Mafia". Almost every major Russian firm has a sizeable security department, in some cases running to thousands of armed officers.

Globalization

Global organized crime is evolving, embracing new markets and new technologies, and moving from traditional hierarchies towards more flexible, network-based forms of organi-



zation. In the last quarter of the 20th century, criminal organizations have, like their legitimate business counterparts, embraced globalization.

"In an age of global commerce, cyber-banking and an expanding European Union, national borders are increasingly permeable and sometimes even irrelevant," says Galeotti. "The 1999 Bank of New York scandal, for example, not only saw the USA's oldest bank embroiled in the alleged laundering of around \$9 billion illegally transferred from Russia as a result of both embezzlement and organized crime, but also involved dozens of other banks around the world, from China to the UK. Money-laundering operations through the infamous Bank of Credit and Commerce International were linked to 32 separate national financial systems. Responses must be similarly transnational."

However, while much transnational crime is organized, it need not be, and computer hacking, in particular, can be a solitary process. In 1994, Vladimir Levin, a Russian computer hacker, working with only a small handful of accomplices, stole \$3.7 million from Citibank. Recent attacks on computer networks, including the notorious Love Bug and Anna Kournikova viruses, have been attributed to individuals or very small groups.

Lawry Freedman, Professor of War Studies at King's College London, gives some examples of the close connections between organized crime and political instability.

"The Romanian government recently estimated that 40 per cent of the country's finances flow from the 'grey' economy Freedman said. "The underground economy is said to account for a similar proportion of Russia's wealth. So big is the crime business and so fragile are the state structures that organized crime in Russia has now become a political force to be reckoned with.

"The U.S. government has estimated that there are about 200 sophisticated and organized crime groups in Russia, and a number of these have operations touching some 60 countries."

Other statistics support Freedman's views.

By 1994, it had been

estimated that organized

crime controlled 55

per cent of capital

in Russia. In 1999,

Mexico's narcotics

industry was

estimated as being

worth \$30 billion

in profits - four

times the revenue

from the country's

largest legal

export, oil. Drug

money has

similarly been

estimated as

accounting for

25 per cent of

Pakistan's

GNP.

"In the past, these criminal activities have appeared quite apart from any considerations of national security or balances of power," Robert Hall, the project director for the LENS Global Forum, says. "They were police matters unrelated to grand strategic questions of war and peace. This division no longer applies.

"The world is heading for the criminal millennium, with the struggle against organized and transnational crime to be the defining security concern of the 21st century. What we aim to do at the LENS Global Forum is to transcend political agendas and corporate goals to explore and prioritise the new issues that will affect the security and stability of the future.

"The result may involve some new alliances and alignments, closer public-private relationships as well as recast priorities for some participants. These may have political, social and financial implications in both governmental and commercial activities."

For further information on the LE&NS Forum please contact Robert Hall at +44 (0)1206 845615, or email robert.hall@spearhead.co.uk.

Canadian torch runners lauded

by Tracy Ford



Torch Run efforts in Canada have been acclaimed amongst their peers on a grand scale. Here are some interesting facts about the Canadian contribution to this monumental effort:

- Ontario is the top grossing fundraising program in the world for the ninth year in a row.
- Manitoba, largest percentage growth in Red Lobster "Cops & Lobsters" program.
- Saskatchewan, has the third largest percentage growth in Red Lobster sponsored program.
- Saskatchewan, has the third highest per capita fund raising program.
- Saskatchewan, has the fourth largest percentage growth program.
- Ontario, has the fifth highest per capita fund raising program.

Cst. Chico Ouellette, of Cornwall Police Service in Ontario, received the John Carion "Unsung Hero" Memorial Award at the annual International Conference. This award was created to recognize outstanding individuals who have contributed to the success of the Law Enforcement Torch Run on the local, state or community level. The award was also created to honor the memory of Sgt. John Carion of the Sterling Heights, Michigan Police Department and his many contributions to the Torch Run and Special Olympics. Chico was one of two recipients worldwide to receive this designa-



ON THE MOVE: Runners carry the torch in Alaska for the 2001 Winter Games.

tion and it was presented in front of more than 1,000 law enforcement officers at the annual International Conference. In 1998, Cst. Mike Currie of the Chatham Police Service in Ontario was a recipient of this same award.

The conference attracts representatives of Torch Run programs and Special Olympics programs from around the world. The International Torch Run Council is responsible for overseeing the effective management, direction and mission of the Law Enforcement Torch Run organizations, Special Olympics International and the International Association of Chiefs of Police.

The Torch Run has grown to include over 35 countries from around the world. The Canadian Association of Chiefs of Police (CACCP) continues to support the Torch Run through the provincial associations of chiefs of police.

Plans are underway for Canada's first an-

nual National Torch Run Conference in 2001. Round table discussions will focus on communications, fundraising, logistics, sponsorship and program standardization. Cst. Al Richardson, Timmins Police Service and Canadian Coordinator, would like to thank each Torch Run Director for their drive and dedication which helps to grow the program throughout the year.

2001 Final Leg Torch Run for Special Olympics - Alaska

Ninety-two runners from around the world ensured the arrival of the Flame of Hope to the 2001 Special Olympics World Winter Games which took place March 4-11 in Anchorage, Alaska. The International Law Enforcement Torch Run Final Leg is held prior to each Special Olympics World Games. On February 17, 2001 in Athens, Greece, the Flame of Hope was lit in the ancient Olympic tradition at the sacred site of Pnyx. The journey of the Flame of Hope then began by a torch relay of Special Olympics athletes and law enforcement officers to the United States Embassy in Athens. The flame then traveled by air to Anchorage, Alaska via the North Pole and visited school, civic and official ceremonies prior to lighting the cauldron at the Games Opening Ceremonies on March 4.

Tracy Ford is the assistant director for the Ontario Law Enforcement Torch Run. For information about the Torch Run across the country, please contact Alan G. Richardson, National Torch Run Coordinator at (705) 264-1201.

Rossmo becomes director of research

Dr. D. Kim Rossmo, the creator of the geographic profiling methodology and is an internationally recognized expert in serial violent crime investigation, has joined the Police Foundation.

As the director of research for the U.S.-based centre, Dr. Rossmo will guide the direction and identity of the foundation's research program.

"I am excited to be working at the Police Foundation and by the opportunity to build upon the foundation's long history of conducting cutting-edge research," said Rossmo. "Our goal is to meet the challenge of improving policing and community safety.

"My particular interest is in the field of criminal investigation, where significant progress can be achieved through the integration of the academic and practitioner worlds. You might say we want to move the ivory tower a bit closer to Raymond Chandler's mean streets."

Prior to his appointment, Rossmo was the detective inspector in charge of the Vancouver Police Department's Geographic Profiling Sec-



Kim Rossmo

tion. He has assisted in the investigation of serial sexual and violent crime across North America, Britain, Europe, Asia, Africa, and Australia.

Rossmo has worked with local, national, and international police agencies, including the Royal Canadian Mounted Police, the Federal Bureau of Investigation, and Scotland Yard.

Over the course of his policing career, Rossmo has had assignments in organized crime intelligence, emergency response, criminal investigation, patrol, crime prevention, and community liaison.

"Kim Rossmo brings a rare combination of distinguished practical experience and academic excellence in the policing field," said Police Foundation President Hubert Williams. "He is particularly well suited to tackle some of the very technical challenges the police face in this new century."

The Police Foundation is a private, independent, nonprofit organization dedicated to supporting innovation and improvement in policing through its research, technical assistance, and communication programs.

Mountie shot during gun fight

An RCMP officer who was shot three times outside of a suspect's home can thank his bulletproof vest and a bit of luck for being alive.

Cst. Kevin Christensen was shot in the chest, leg and arm after confronting a suspended driver in Salmon Arm, B.C. on March 24.

After being shot, Christensen returned fire at the 59-year-old suspect, Harold McCarty, hitting him in the hip and abdomen. McCarty's son, Todd, was shot twice in the head during the altercation.

Police believe the son was struck by bullets fired by his father's handgun.

Christensen, a four-year member of the service, said he would have surely been killed without the protective vest.

He was fortunate not to suffer serious physical injury to his arm and leg as well.

McCarty faces several charges, including the attempted murder and aggravated assault.

The RCMP is also investigating Christensen's actions. The RCMP routinely investigates officers who discharge their firearms in the course of their duties.

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Up-Coming Events

May 7, 2001

Informant Development Cambridge - Ontario

Every vehicle stop and issuance of a ticket is a chance to cultivate an informant. Just by simply asking key questions you may learn material on a criminal investigation. Contact Chris Collins of the Southern Ontario Law Enforcement Training Association at (905) 335-9056.

May 19, 2001

Patch Collectors Show Milton - Ontario

Hosted by the Canadian Police Insignia Collectors Association. For more information contact John Tatham at (905) 877-9249.

May 26 - June 5, 2001

IPA Canada 40th Anniversary Celebration

This tour, which celebrates the anniversary of the IPA, will make stops in Hamilton, Niagara, Brantford, Orillia, Ottawa, Kingston and Toronto. For more information and to register fax (416) 221-5825.

May 28 - June 1, 2001

Tactical Rope Access and Rescue Workshop Ottawa - Ontario

MultiTrek Ltd and the Ottawa police tactical unit will be hosting this five-day instructor level training program in rope use for special intervention units. For further details contact Michel Goulet at (800) 263-5232.

May 30 - June 1, 2001

Reid Interview & Interrogation Techniques Oakville - Ontario

For more information on this three-day course contact Cst. Kate Pulford at (905) 878-5511, ext. 5113.

June 2, 2001

Patch Collectors Show Woodstock - Ontario

Hosted by the Canadian Police Insignia Collectors Association. For information contact Bob Pyefinch at (519) 539-8629.

June 16, 2001

Patch Collectors Show Kirkland - Quebec

Hosted by the Canadian Police Insignia Collectors Association. For information contact John Carroll at (514) 630-0343.

June 25 - 29, 2001

19th Annual Advanced Homicide Investigators Seminar Toronto - Ontario

This seminar is hosted by the Toronto Police Service's homicide squad. For information call (416) 808-7400.

July 2 - 6, 2001

24th Annual Training Conference Ottawa - Ontario

The Canadian Identification Society. This conference will feature a forensic identification technician education program in addition to a management education program for supervisors and unit commanders. Contact Holly Raymond at (613) 236-1222, ext. 5964.

July 6 - 8, 2001

19th Annual Denis Williams Charity Slo-Pitch Tournament Hamilton - Ontario

This tournament, hosted by the Hamilton Police Association, is open to all members of emergency services, corrections and affiliated agencies and their spouses. Contact Joanne Engelhardt at (905) 574-6044.

August 27 - 31, 2001

Anthropological / Forensic Short Course

Stouffville - Ontario

The York Regional Police are hosting this course which will feature excavation of shallow graves, the collection of entomological samples, burnt human remains and a number of lectures. Class size is limited. For information contact Staff Sgt. Greg Olson at (905) 830-0303, ext. 7400.

September 1, 2001

Patch Collectors Show Calgary - Alberta

Hosted by the Canadian Police In-

signia Collectors Association. For information contact Colin Mills at (403) 938-6110.

September 5 - 9, 2001

22nd North American Police Soccer Championships Toronto - Ontario

Police teams are invited to participate in this tournament. Recreational and competitive teams welcome. Contact Det. Tracey Cook at (416) 808-7319.

September 9 - 12, 2001

Western Canada Use Of Force Conference Calgary - Alberta

This conference features leading trainers from Canada and the United States presenting material dealing with the use of force. This event includes a limited enrolment full day firearms component, interactive physical skills training sessions and vendor displays. Contact Cst. Phil Haggart at (403) 216-5376.

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The incredible shrinking police service

by Robert Stevens

If police forces are less effective today, it is easy to understand why. Relentless pressures brought to bear on police services coast to coast, on the one hand, to downsize and eliminate services and on the other, to become "pro-active" rather than reactive, have created an utterly hopeless dichotomy for police professionals to bridge.

Implicit in all this was the baffling demand of government for police to prioritize more touchy-feely service oriented policing, instead of enforcement driven policing. Police have been forced into the role of high profile nannies of the nanny-state, given more to regulating citizens' lives than protecting those lives and property from crime. The ultimate example to cite is Bill C-68.

It's hard to say when it started. It was evident throughout the 1990's, but surely it started before that. Attrition and work fatigue, rather high among police personnel, raged unchecked. Hiring was reduced to a trickle, then frozen. The closing of many police training facilities followed the redefining and refocusing of police duties to serve the demands of the Charter.

A general softening of attitudes toward Criminal Code property and nuisance offences, such as theft, fraud and mischief followed, since the Charter remained completely silent on property rights. Only the most serious of crimes against the person, such as serious assaults and almost any offence of a domestic nature, were pursued with any vigour.

Many of us have stood by, powerless to stop the rot from within and without. The anecdotal and name-free observations contained herein are intended to protect the innocent, and the guilty.

There is no reliance on statistics either. Nothing spins, for good or ill, like a well honed stat. It will tell you whatever you choose to hear.

One of the laws of nature is that a vacuum created will soon be filled. That vacuum, caused by shrinking police forces everywhere, has resulted in the security boom of private police and investigators throughout Canada. who are dedicated to the protection of the client's product and a focused pursuit of criminals who illegally encroach upon it. There is a concern that private security companies should be properly regulated to maintain a high professional standard. Canadian Police Association President Grant Obst made the fair observation; "Private security is accountable to their employer ...their client.... They're not held to be same degree of accountability as the public police are." No argument there.

Charter challenges have pushed Crown costs through the roof and governments are looking for alternatives. Alternative one was obvious; fewer police will equal less enforcement. Alternative two; fewer charges laid by police mean fewer charges proceeding to court. Alternative three; lesser charges for first offenders will be disposed of by "diversion" and would hence never come to trial. Diversion means if the accused performs an act of contrition, a written apology or a donation to a charity, the Crown withdraws the charges. The result - "Crime Is dropping, we need fewer police. Cut those police budgets."

It's a circular argument. Crime will drop (or appear to) if enforcement drops.

Some years ago, here in Ontario at least, Crown witness fees were reduced to an insultingly low level. Police witness attendance, due to critical shortages of personnel, was spotty and not always reliable. Little wonder then, that cases which the Crown did manage to get into court, tanked in increasing numbers. Here's an anecdote one might hear. Some genius police budget guru has decided police officers will only be scheduled for court appearance dates while working on day shift, so the police budget will be spared paying costly witness fees for off duty constables. Whole trial lists have been know to

collapse when all the players were present except the key police Crown witnesses who failed to show to give evidence in their cases.

Imagine the following scenario. The chief has issued a general order for you, and all officers to attend court when required to do so. Your sergeant says no, you are required on patrol, so stay on patrol. You, the constable, are caught in the middle. In your absence, the Crown has little choice but to withdraw the charge and the case will be lost. But by not attending court, you have done only half your job. Who do you defy, your chief or your sergeant?

In so many ways, while allowing police numbers to deplete and denying police budget increases, governments demanded more of their police services. Police and court administrations were hard pressed to keep up with demands made by the justice system to subject municipal by-laws, provincial and federal statutes and Criminal Code matters to the constant test of the Charter.

The Charter of Rights and Freedoms continues to change the landscape of Canadian policing and justice. While the Charter and Supreme Court hold Canada's public police to the fire of dynamic, turbulent and costly change, private police and security personnel firms have, because of their much narrower mandate, been largely exempt. Simplicity of purpose means that private police and security personnel know what is expected of them.

It is little wonder why large companies and organizations opt for their own private police and security, given the difficulties facing the publicly funded police. Jurisdictions have meddled to the point where real damage has been done to the professional status of their police forces. Some day, it may occur to someone that providing police are operating within the letter and spirit of the law, they should be left to do the work they were hired to do.

The private security industry is flourishing. The times are right for it. Public policing, however, will always be the dominant force, despite pinched budgets and reduced work forces. Cooperation between the two will be to their mutual benefit and that of society as well.

THE GREAT MAC ATTACK

By Tony MacKinnon



SOMEHOW WHEN I SAID
"TAKE COVER!" THIS ISN'T
QUITE WHAT I HAD
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Denton Technologies	17	Police Leadership Forum	13
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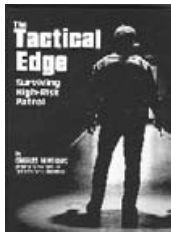
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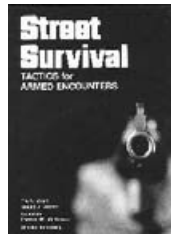
1 \$46.⁰⁰

Described as a "Paper Police College", this unique and comprehensive Canadian text book is designed to instruct you in the workings of the Criminal Code of Canada in a logical, easy to read fashion.



3 \$58.⁹⁵

Advanced material ideal for academy and departmental training programs and for all law enforcement officers. This very real-life book will not only teach you about the "Tactical Edge" it will help keep you on it.



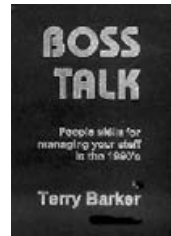
4 \$48.⁹⁵

Tactics for armed encounters. Positive tactics designed to master real-life situations. This book deals with tactics police officers can employ on the street to effectively use their own firearms to defeat those of assailants.



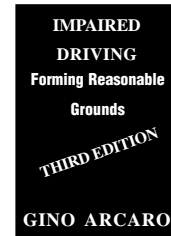
5 \$14.⁷⁰

"The ability to deal with the public in all its forms, moods and temperament with a 'System' allows even experienced officers to feel a new confidence." Give Terry Barker's "System" a try, it will prove to be a valued tool.



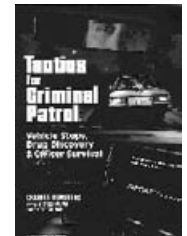
6 \$17.⁹⁵

Written by the author of *The Five Minute Police Officer*, this book is a must read for anyone looking toward a managerial level career. This book has been evaluated by college training staff and psychologists around the world.



12 \$21.⁰⁰

This book is a comprehensive study of Canada's drinking driver laws. Excellent resource for police officers, prosecutors or anyone interested in the administration of laws toward drinking drivers.



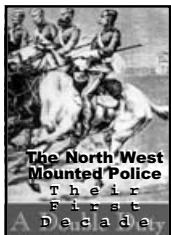
19 \$58.⁹⁵

The main concepts of Tactics for Criminal Patrol states that "vehicle stops are golden opportunities for unique field investigations which ... can lead to major felony arrests." For officers who want to stop smugglers in transit.



23 \$29.⁹⁵

Police officers are seekers of truth and facts. This book will help officers to interview people with the ultimate goal being to identify the guilty party in an effective manner, consistent with the requirements of any tribunal or court.



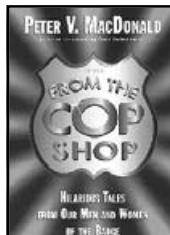
24 \$24.⁹⁵

This book covers the first decade in the history of the North West Mounted Police, 1873-1883, a decisive period in the history of Western Canada. The book examines the beginning of the force and the difficulties it faced.



25 \$27.⁹⁵

William McCormack, a former Toronto police chief, relates some of the city's most famous murder cases. The reader is taken directly into the inner circle of each investigation, where the murderer's steps are traced.



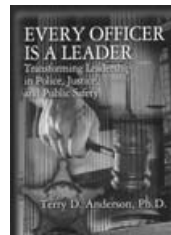
26 \$16.⁹⁵

From the author of the *Court Jesters* series comes a hilarious collection of real-life tales from those who battle crime. Stupid crooks, cops with a sense of humour, incidents gone wrong - this book has it all.



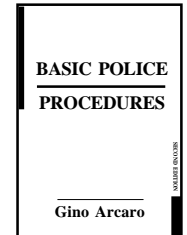
27 \$24.⁹⁵

The sequel to *A Double Duty*, this book covers the 1885 North-West Rebellion. The role of the Mounties has been down-played by historians, but this doesn't do justice to the officers who battled at Duke Lake, Loon Lake and more.



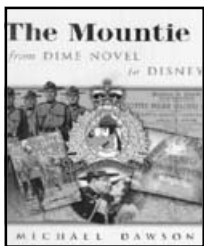
31 \$45.⁰⁰

This book, reviewed in the Jan. 2000 issue, responds to the need for a comprehensive leadership development model for the education and training of police, justice and public safety supervisors, managers and front line officers.



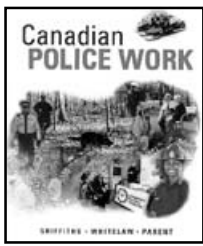
32 \$49.⁰⁰

This book is a comprehensive text that covers the most elementary knowledge that a police officer must process in order to apprehend, charge and gather evidence against the criminal element in our society.



28 \$24.⁹⁵

◀ From legendary Sam Steele to Nelson Eddy in *Rose Marie*. From the Great March West to the Musical Ride, the Mountie shines as an image of strength, courage and the Canadian way. A must read for RCMP members of those interested in the force.
▶ This book effectively bridges both the theoretical and practical aspects of police work. It surveys current research and policy to examine the structure, operation and issues facing policing in the 1990s and the approaching millennium.



29 \$45.⁰⁰



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