

Blue Line Magazine

Canada's National Law Enforcement Magazine

August September 1992



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The Hamilton Wentworth Police Male Chorus was privileged last May to perform at the annual ceremony held in Washington D.C. honouring police officers who have died in the performance of their duty. This was the first time a Canadian contingent was recognized in this fashion. Blue Line Magazine would like to congratulate these fine officers on a job well done. You may read more about this from the article submitted by Rick Rizoski.

This month we commence a new series by Richard Duplain on the history of the Criminal Code in Canada. This series salutes the 100th anniversary of the creation of the Criminal Code and should be quite enlightening.

This month we also commence a mini series on the LAPD-King affair. This three part series, written by Blue Line columnist Tom Rataj, focuses on the events leading up to the incident, and an overview of the LAPD's methods and training which may have mitigated the sequence of events.

This month we also present Dave Langstroth's series on ballistics. This should prove to be interesting reading for those of us who thought a gun just goes bang.

This month we also conclude our three part series on Bicycle Patrol Tactics and the boys at Halton Regional Police are busy working on next years series for you.

Out Of The Blue

By David Bluestein
& Morley Lymburner



Police Commission To Curb Police Gun Use

-FANTASYLAND- The police commission recently passed a regulation requiring police officers who take a gun out of a police station to file a report as to why it was necessary to do so. This is the latest in a number of measures recently introduced to curb the use of firearms by the police force.

"I see no need for police officers to carry guns," said one board member, "we gave them the Fairy Dust when we took away the pepper spray and that should be good enough. It has been well documented that the Fairy Dust is far better because it is not lethal, it has no harmful effects on the subjects being arrested, and it is environmentally friendly. The citizens of this great city should be happy we are keeping the police under control. It is a thankless job."

The board member concluded by stating, "this is another great victory for us!" Again she refused to say who the victory was over and who the enemy was.

Response: James Ridge

The commentary by Mr. Hinchcliffe and the editor in your May issue concerning body armour standards is exceptionally important, and identifies some critical issues in body armour testing and quality control. Your readers should be aware, however, that the Ministry of the Solicitor General in Ontario, in conjunction with the police community, is taking major steps to test and evaluate police body armour.

Ontario has, every two years, tested representative samples of used body armour since its introduction in 1982. To date the armour has been tested to the old Ontario Police Commission Standard (approximately NIJ 2A) and all testing has been conducted by the ORTECH research labs in Mississauga. All of the armour met the standards. The result of that testing has been reviewed by the Ontario Police Equipment Advisory Committee, which includes members of the Ontario Police Association, Ontario

Association of Chiefs of Police, the OPP, and Metro Toronto Police. The results have also been passed on to all police services in the province, and the full test data has been available to interested parties.

In 1991, the same committee approved a new standard adopting NIJ Protection Level 2 as the Ballistic Standard. The existing armour should meet this standard, however tests are being performed to determine this more precisely. Not only will the armour be subject to the NIJ protocol (wet and dry), but it will also be subject to full V50 testing to compare 10 year-old used armour, and identical 10 year-old armour which has never been out of the box. This will allow us to very carefully assess the relative performance of the armour as it ages.

The Policing Standards Section has also conducted an extensive review of research literature on the subject, and has examined destructive testing data from the RCMP and elsewhere. In the

near future I hope to submit to Blue Line Magazine an article prepared by our researcher, which details the results of both our literature review and our upcoming destructive testing.

I hope this goes some way to reassuring your readers that rigorous testing and research into body armour capabilities and aging is being conducted, and will be fully shared with the police community. I believe that the research and testing now being conducted by this Ministry, on behalf of the police community in Ontario, is ground breaking research on the still poorly understood issue of armour aging. Consequently we have a professional and ethical obligation to all those who use armour in Ontario, Canada and Internationally, to publish and share our findings.

James Ridge is the Manager of Policing Standards with the Ontario Ministry of the Solicitor General. His office may be contacted at (416)965-6071

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Response: Connie Boyden

Reading Chris Braiden's article made me wonder if he was suggesting management is the main problem in getting the most from the "Grunts". Personally, any management types that I know care a great deal about their people. Most of them realize poor morale, which usually results in poor service, has deep roots in a messed up court system and media representation of an over-critical public.

Frankly, I'm happy the Ontario Provincial Police Association has taken on the task of educating the public about causes of poor police service. Maybe what they have done is a first step in taking "ownership" of a big problem to find the public support that is needed to correct it. Most of the public support police efforts, but if the police maintain the "mea culpa" (it's my fault) mentality

how are the tax paying public going to know who to believe or blame.

If management is failing, I'd suggest it is because the "politically correct" line is easier to speak than the truth about poor service/poor morale. After all, "Grunts" can't say much because of "bridle clauses" in various Police Acts. They are just expected to do more with less, and THAT is what leads to failure in the system!!!

Editor's Note

Connie is one of the founders of the Ontario based "Concerned Citizens for Order, Peace and Security" (CCOPS). People may write her at P.O. Box 1436, Stouffville, Ontario L4A 8A4

Commentary: Morley Lymburner

A Licence Or A Declaration

In the city of Detroit way back in 1898, the local police had a real problem on their hands. It was a local man with a reputation for being accident prone. It seemed this man could not go anywhere without getting himself into a real jackpot with his car. It would either breakdown in the most congested area of the city or he would drive so fast it would scare the daylight out of man and animal alike. The local police had so many encounters with this hard luck motorist they nick-named him "Hazardous Hank."

Now it wasn't that Hank did not understand his situation. It was a simple problem of his driving one of the very few automobiles of the day. The citizenry could not get their heads around the idea that a man driving a horseless carriage was constantly driving at a galloping speed for extended periods. A citizen knew that if they walked in front of a horse and buggy the horse (going at a speed that was predictable) would simply stop or go around the pedestrian.

But not so with "Hazardous Hank's" smelly, noisy beast. When it was placed in this environment of little or no pedestrian controls the inevitable was bound

to happen. And happen it did. One day, as Hank rounded a corner his vehicle struck a child who walked in front of him. Horrified citizens ran from all around to help lift the automobile off the child stuck under the car. Although the child walked away relatively unscathed it was not so for "Hazardous Hank." He was extremely shook up by the incident and even more upset when he realized the anger of the citizens toward him and his new automobile. Hank decided to do something about this. He went to the mayor's office and made out a sworn declaration that he would, from that day forth, drive his automobile with the utmost care and with consideration for all persons using the public thoroughfares. The document was signed and registered at City Hall as evidence of his intent. And thus in 1898 the world's first driver's licence was made out in the name of ... "Henry Ford."

It is a shame such a declaration is not specifically signed by every motorist. A document saying "I promise to drive with due care and attention and reasonable consideration for other persons." This would be far better than the cold hard facts we place on licences today.

Never Let Them Walk Alone

by Rick Rozoski

In Canada May 15th is traditionally part of a week-long series of events held to promote a better relationship between the country's police officers and the public they are sworn to protect. National Police Week festivities include such things as mall information programs and media coverage, all of which serves to enhance the image of the Canadian police officer.

In the United States of America however, May 15th has been designated by the President as the day on which to honour and remember fallen Law Enforcement Officers. The monumental task of organizing a fitting tribute to these officers is superbly completed by a committee comprised of members of the Grand Lodge Auxilliary Fraternal Order of Police and an organization known as "Concerns of Police Survivors" (COPS).

Each year at this time, for the past eleven years, thousands gather at the Sylvan Theatre, in the shadow of the Washington Monument, to pay tribute

to the officers killed since the previous memorial. This year 138 heroes' names, from thirty States, were added to the honour roll of this national shrine.

This year, for the first time, fallen Canadian police officers were collectively remembered at the service as well when Hamilton-Wentworth Police Constable Cam Rumpel placed a red carnation at the floral display representing the deceased officers. It was an honour for

HAMILTON WENTWORTH POLICE CHORUS



Members of the Hamilton-Wentworth Police Chorus had the pleasure of meeting Devin and Trina Cutugno when the chorus entertained a show hosted by "Concerns of Police Survivors." Devin and Trina are grandchildren of a New York City police officer killed on duty.

the Hamilton-Wentworth Police Chorus to be invited to participate in this nationally televised ceremony.

Months of preparation resulted in families of deceased officers from across the nation being brought together to share the grieving and healing process at this memorial. It was truly an emotional but rewarding experience for many of the survivors.

The Hamilton-Wentworth Police

Chorus, the oldest police chorus in Canada, sang three songs including an American Medley, during which, the Battle Hymn of the Republic was dedicated to the officers who "heard the call, did their duty and paid the supreme sacrifice". In addition to these American patriotic songs, the chorus sang "I Believe" and "Softly As I Leave You" while the survivors were escorted to their seats past an honour guard of several motorcycle officers and flag bearers.

Shortly after the honoured guests were seated, the President of the United States, The Honourable George H.W.

Bush, ascended the stage and gave a chilling speech about the support his government pledges towards law enforcement. The President produced a badge of a slain New York City Police Officer, Eddie Burns, which he keeps in his desk at the Oval Office. He said the badge reminds him daily of the unrewarding but necessary job law enforcement officers across the nation are asked to do each and every day.

Following the President's remarks, John Walsh, host of the television series "America's Most Wanted" addressed the survivors. He knows very well the anguish these families were experienc-

ing as his own son, Adam, was kidnapped and murdered. The killer has never been brought to justice.

Before Suzie Sawyer, Executive Director of Concerns of Police Survivors, began to read the names of the 138 heroes, the chorus once again sang a rendition of Amazing Grace, arranged for the service by chorus director Steve Becker.

Dewey Stokes, National President



Members of the Chorus have participated in Police Memorial Services in Ottawa, New York, Cleveland and now have the distinction of being the first Canadian group to entertain at the National Law Enforcement Officer Memorial in Washington D.C.

Grand Lodge Fraternal Order of Police, presented boxed medallions on behalf of the FOP and the United States government to members of the surviving families. Each family added another red carnation to the floral tribute designed to depict the star of the Fraternal Order of Police logo. This was indeed the most moving part of the memorial service. Everyone can feel the loss when mothers, fathers, brothers, sisters, wives and children of the fallen officers stop to remember and salute their heroes.

The solemnity of the service was only broken by the crowd standing to join the dignitaries on stage in the singing of Lee Greenwood's popular hit, "I'm Proud To Be An American". Everyone in the audience proudly waived their blue ribbons over head to symbolize their support for each other and for their country.

A few of the chorus members had the pleasure of meeting John Walsh and discussing with him the success of "America's Most Wanted" in Canada. He indicated that his show, which incidentally was the only national program to cover the memorial, was credited with at least 12 arrests in Canada. The most recent being that of Clyde Dempsey (alias Mior)

who was arrested in Hamilton after evading arrest for a murder committed in a Boston bar ten years ago.

Many of the 12,000 to 15,000 people present for the service later visited the National Law Enforcement Officer Memorial in Judiciary Square. This Memorial, opened and dedicated by President Bush in October 1991, has the names of over 12,500 law enforcement officers killed in the United States since 1794. Much like the Vietnam Memorial, it was sad to walk along the pathways of remembrance and read some of the handwritten and sometimes printed notes from children of the slain officers. One in particular simply read, "I love you - to daddy" printed with crayon.

The Hamilton-Wentworth Police Chorus performed at a luncheon the day following the memorial which was hosted by COPS. The survivors had been attending lectures aimed at attempting to address several problems inherent with losing a loved one. In this regard American survivors are more fortunate than their Canadian counterparts. The network of support in the United States is unparalleled and better organized than anything Canadians are offered. True,

we don't experience the number of fatalities in Canada proportionate to the United States, but nonetheless, the three families which suffered a loss in Canada last year deserve this support as well.

We in Canada should lobby for a similar permanent tribute to our officers. Apparently the FOP executive attend our memorial service, held annually in Ottawa, and have tried to convince the Canadian government leaders to produce a medallion which could be awarded posthumously to officers killed in this country. The Canadian Police Association is working hard to fulfill this goal.

Since we can't stop the killings of police officers, we should at least support agencies and organizations, on both sides of the border, which will continue to support survivors. By doing this we will fulfill the mandate and motto of the FOP Auxiliary and we will "Never Let Them Walk Alone".

Fallen Canadian Officers Honoured



Hamilton-Wentworth Police Constable Cam Rumpel lays a red carnation at the floral display in honour of all Canadian police officers slain in the line of duty last year. This was the first time the U.S. based National Law Enforcement Officer Memorial has recognized Canadian police officers. This symbolic gesture graphically shows this type of recognition has no boundaries.

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An Introduction To Ballistics

What Really Happens When It Goes Bang

By D.W.D. Langstroth

Blue Line Ammunition & Firearms Editor

"At the target in front, draw, fire three rounds and holster your firearm"; and so, with the first squeeze of your trigger, an odyssey begins that defies logic and common sense. The process of explosion, launching, guidance and striking a target appears (at first) to be a simple matter of point and pull. During the next three articles I will attempt to enlighten (and entertain) you the reader as to what really happens in the comedy of errors commonly referred to as "firing your firearm".

I will attempt to explain, in simple terms, what happens, in what sequence, the causes (and effect) and the results. There is a fair bit of action happening in about .0015ths of a second so if I become somewhat redundant please forgive me.

Let's begin with the four main parts and/or sequence of the entire ballistic problem. The first part (and the part I will concentrate on during most of this article) is called internal ballistics and (wonder of wonders) this occurs within the chamber and bore of the firearm from the time the striker or firing pin hits the primer and initiates the deflagration (oops...!) burning of the propellant (oops!... powder).

The second part is called intermediate ballistics and is not commonly discussed. This part, perhaps more than any other, more profoundly affects the final path of the projectile as it exits from the fixed and relatively controlled environment of the barrel (at the muzzle we hope) and encounters a tenacious and sometimes viscous medium, aka air.

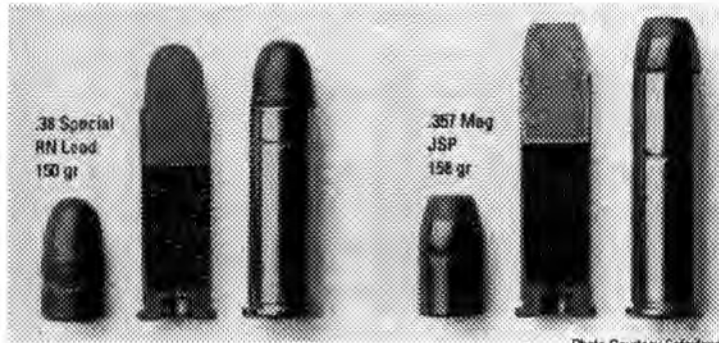
External ballistics deal with the projectile wallowing through air from the muzzle to the intended target.

Terminal ballistics is the final phase and a field that is currently very much on the minds of most law-enforcement of-

ficers. Without getting myself in too much doo-doo, I will explain what happens when the projectile strikes something other than air.

INTERNAL BALLISTICS

A firearm is basically an internal combustion engine. The action of firing and



the movement of the projectile along (and within) the bore is like the power stroke of a car engine with the hot burning gases driving a projectile instead of a piston.

The striker and/or firing pin crushes the primer mixture in the primer cap (in the base of the cartridge) and causes the mixture to explode (on a very small scale). The exploding particles are driven through small holes (called vents) inside the case and ignite the grains of propellant (gun powder).

When gun powder is burned and contained, pressure is created and continues to build up rapidly. The cork of the bottle (so to speak) is the base of the projectile and it has a tendency to stay where it is (some of you "youngsters" may recall something in high school called Newton's Laws of Physics which states. In part, "a body at rest will stay at rest ...")

Resistance to the initial motion of the projectile is great and very high pressures are generated in the cartridge case and chamber (in the neighbourhood of 35,000 to 45,000 pounds per square

inch in an average handgun). At last the resistance of the projectile is overcome by the expanding interior pressure and the projectile begins to move.

The movement of the projectile causes the chamber area to increase which decreases the pressure; however the rate of burning of the powder increases until a maximum pressure is achieved. This happens shortly after the projectile becomes engaged in the rifling.

All kinds of wild & woolly things are happening to the projectile during its "first steps". The pressure and heat (did I mention that we're cooking at about 2000 degrees F) have caused the base and middle of the projectile to start to move before the front and this has caused some incredible stresses to be placed on this poor cylindrical object. Then, as if to add insult to injury, somebody has placed small angled obstructions (rifling) in the path of the projectile causing the front to begin to twist before the middle and base of the projectile. Finally, after great resistance,

crushed and twisted beyond recognition and accelerating at incredible speeds, the front of the projectile observes "The Light at the End of the Tunnel".

It is my hope that these articles will create pictures in the reader's minds of what happens every time you squeeze the trigger so that you may develop a better understanding of your duty equipment and its operation.

NEXT MONTH

"The Light at the End of the Tunnel"
"From Darkness was created Light".

Did You Know

In the U.S. over the last 10 years, police assault deaths have been trending downward as a result of improved training and increased body armour usage. However, there has been a dramatic increase in accidental deaths, doubling since the 1970's. This is mostly due to traffic accident deaths.

Wear your vest and buckle up!

Blue Line Classified

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Up-Coming Events

September 5 - 7

Blue Knights Conference

(Atlantic Region)

St. Johns - Newfoundland

The Newfoundland Chapter of the Blue Knights are proud to host this years Atlantic Regional Fall Conference to be held in St. Johns, Newfoundland. This event is open to all members of the club internationally. For further information contact Paul Hierlihy at (709) 747-4138 or (709) 729-8094.

September 16-19

Canadian Police Association

Annual General Meeting

Edmonton - Alberta

The annual general meeting of the Canadian Police Association will be held in Edmonton Alberta. Contact Doug Ramsey (416) 491-4301

September 21 - 25

Profile 2000

Toronto - Ontario

The Metropolitan Toronto Police Sexual Assault Squad will present a four day sex crimes seminar. Several experts and international key-note speakers will be featured. For further details contact Sgt. Wendy Leaver at (416) 324-6060 or FAX (416) 324-0697.

October 14 - 15

Forensic Identification Seminar

Toronto - Ontario

The Metropolitan Toronto Police Force, Forensic Identification Services will be hosting its annual seminar at Police Headquarters 40 College St. Toronto. The seminar will have a number of guest speakers covering topical subjects and exhibitors showing products of interest in the field. Registration enquiries may be made to John Skeaff at (416) 324-6197 or Fax (416) 324-6362

October 13 - 16

Western Canada Traffic

Conference

Saskatoon - Saskatchewan

The W.C.T.A. is an association of traffic professionals from the engineering, enforcement and education fields working toward promoting research and education. For further information about their conference contact Murray Totland at (306) 975-2631.

October 18- 20

Canadian Association Of Road

Safety Professionals International

Conference

Montreal - Quebec

This international conference is being jointly sponsored by the Canadian Association of Road Safety Professionals, Quebec Highway Transport Association, Transport Canada and the Insurance Society of Quebec. This year's topic will be Airbags and Seat Belts: Evaluation and Implications for Public Policy. For further details call (514)274-3573 or Fax (514) 274-9608.

February 8 - 12

International Law Enforcement

Winter Games

Ottawa - Ontario

The 1993 games will be hosted in Ottawa. The games will be sponsored by the Ontario Law Enforcement Athletic Association. All sworn Federal, Provincial, and Municipal Law Enforcement officers, active or retired, are eligible. Events include Badminton, basketball, broomball, curling, darts, hockey, volleyball, and skiing. For further information call (613) 225-1204.

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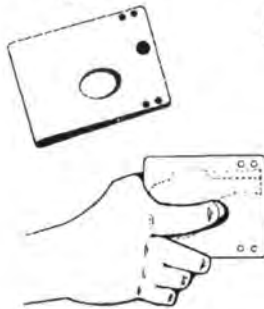
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Property Checks and Road Safety



Property Checks

Property checks are one of the more important tasks of any patrol officer. Quite often it is the property check that will gain you the confidence of the community. It is the one task which helps the officer understand his community more and helps to ensure the prevention of crime.

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We would prefer to stop in a straight motion if we had the choice. In the real world, however, this does not always happen, so we make sure course candidates are able to control the bike while skidding to avoid obstacles



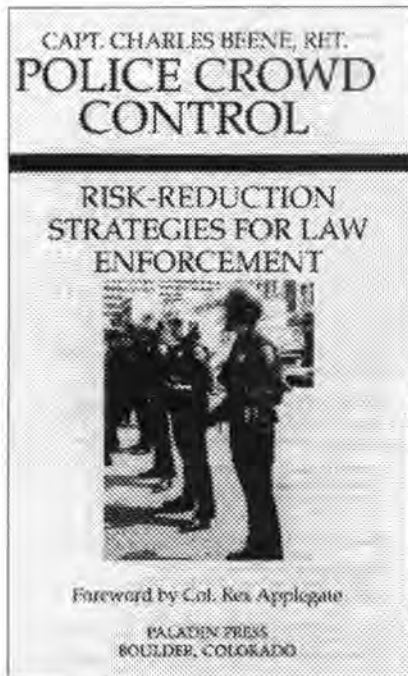
Hopefully the photos from the three issues of Blue Line Magazine have been of assistance. Our preliminary course is taught in 8 hours and we have planned an advance course for next year which will take two full days. To date we have taught sixty riders from various police services.

We have pushed the use of bicycle patrols since 1989 and feel the most important thing we can do for our bicycle officer is provide the officer with the best equipment and the best training possible. Utilizing bicycles in our job can be effective in the right hands, but it can lead to injury if the rider is not properly prepared.

**Gary Coles - Halton Regional Police
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Book Review:

by Morley Lymburner



Paladin Press - Boulder Colorado
\$19.95

"There are three new elements present that should cause the police to pay more attention to crowds... The technology of home-video cameras and television reporting means that the action is captured on film for later viewing and judging by thousands or even millions of people... The second element is the explosive rise in the number of protests and demonstrations... The third is judicial restrictions on intelligence gathering... demonstrations just aren't an enjoyable part of police work."

This is the fashion in which retired Captain Charles Beene of the San Francisco Police Department sums up the problems of Police Crowd Control in his new book just released by the same name.

Captain Beene has handled more than one thousand riots, routs, demonstrations, protests, parades and marches during his 28 years with the San Francisco Police Department. This common sense book is a must read for nearly every cop who is or may get involved in public disorders. It includes some good suggestions on how to utilize other and unorthodox means to quell a public distur-

bance. They work because, as has been stated, he has tried them all.

Some of the Chapters I had particular fun with included such titles as Avoiding "Keystone Kops" capers, Use of force, and Dealing with the Media.

With the last item Beene states, *"In this day and age it is mandatory to consider the press. If a vacuum exists in press stories, ignorant and foolish views will fill the vacuum (the news hole). Getting the facts to the media as quickly as possible prevents idle speculation and editorializing."*

He continues later, *"Generally the press is not concerned with a long, detailed account of the event. They need twenty- to thirty-second quotes that fit in the news hole."* Beene then gives a few quick phrases he has used to describe the police planning for demonstrations;

"We're hoping for the best, while planning for the worst."

"We are here to assist people."

"Don't take our friendliness for weakness."

"One would question the motivation of anyone who didn't feel he or she could cooperate with us."

One section of his book gives some pretty good advice on tolerance;

"It is not necessary for the police to be overly soft or back down every time the job becomes difficult. The police must constantly weigh decisions against the consequences of what may happen now or in the future. To be wishy-washy could be disastrous. To back away from using citations, force or arrests could lead to every group calling for more leniency... However, the ability to make timely adjustments so the overall situations run smoothly and law enforcement appears in the best possible light just might be at the heart of crowd management. It is the key to handling crowds successfully."

Each section and chapter is riddled with great examples of crowd management. One good example; *"the designated area for demonstration was so small that one large group complained that some of their participants would be too far away to have any effect. The police chief directed the barriers and control tape be moved so the demonstration area could be enlarged. The*

decision avoided crowd problems and showed the police could be tolerant if the need arose."

Now this is a book that every cop can get a lot of knowledge from. And it isn't written from a Police Department known for weakness when it comes to tough decisions. In 1986 San Francisco had 128 demonstrations. Only three years later they had over 250. The record for arrests are ominous. In one demonstration in 1984 almost 600 people were arrested while in 1991 during a Desert Storm War, (one of the more popular wars of recent years) they arrested nearly 1,000 demonstrators in one day.

Beene also points out one sobering thought; *"The negative handling of demonstrations comes back to haunt many police departments and, in some cases, can be devastating... unlike the war on drugs, police can't declare a war on demonstrators. They can only plan for the eventuality and then react."*

This book can be obtained from Blue Line Magazine or ordered from your nearest book store.

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Team Canada Receives Top Honours At Police Motorcycle Championships

By Dave Stewart



A Canadian team of riders took top honours at the 4th World Police Motorcycle Championships on June 27th. The event was hosted by Canada at the Shannonville Motorsport Park near Belleville, Ontario. The team (above) consisted of Pierre Valiquette, RCMP Ottawa, Jeff Ling, Belleville Police, and Scott Spicer, Metro Toronto Police.

The Canadian team has been trying to achieve this goal for the past three years and their phenomenal success has brought them from 12th position to first in that time. The Team Champions were decided by the best team qualifying times over a two day period.

The three day event was the result of many months of hard work and promotion. The fourth World Police Motorcycle Championship races were officially opened by Robert Crosbie, the Mayor of Belleville, Ontario at a reception held in the host hotel, the Quality Inn, Belleville on Wednesday 24th June, 1992.

In total there were 52 officers from 9 countries including Denmark, France, Germany, Ireland, Italy, Northern Ireland, Norway, U.S.A. and Canada. It

was especially nice to welcome for the first time into these races the 4 man team from the Republic of Ireland.

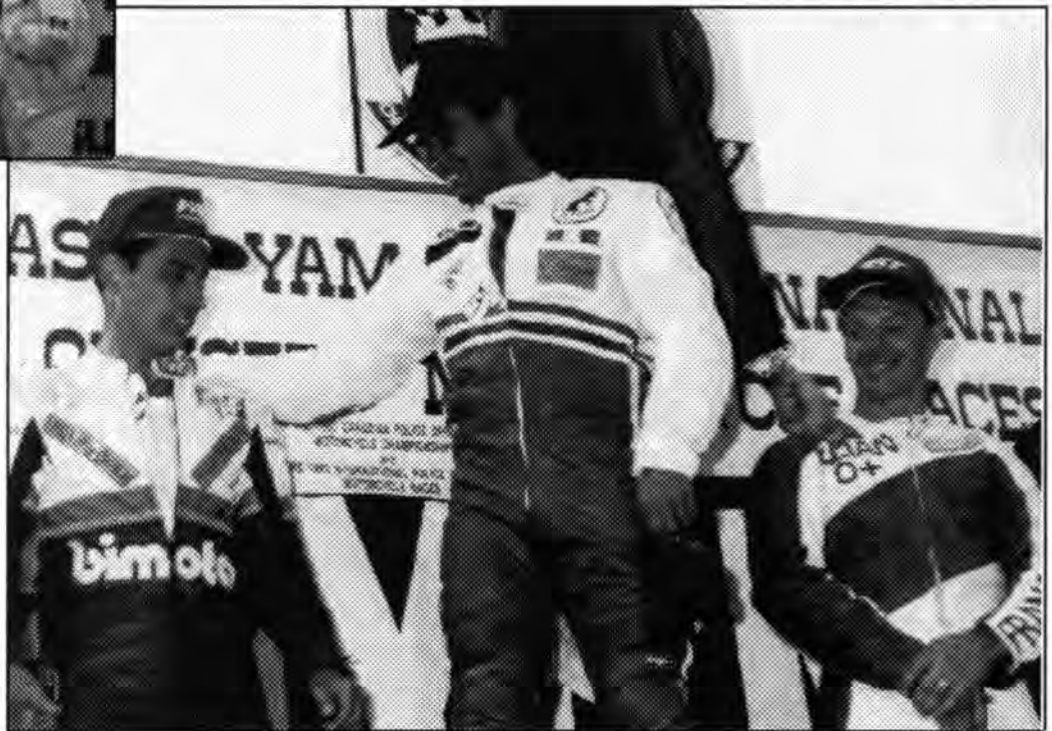
For many of the riders this was their first time on a race track, the age range varied from 21 to 55 and the riders also included Canada's two female motorcycle racers from 1991 returning to compete again this year.

Entries for this years race event dif-

fered from the two previous Canadian Championships held by C.P.O.M.C. to promote safe fast riding.

Mark, together with the officers, listened intently as Michel Mercier, 3 time Canadian superbike champion and owner of FAST Racing School, explained the professional methods of road racing to the officers. Michel was ably assisted by two of his FAST Racing School teachers Peter Wilson and Chris Knowles, both pro racers on the Canadian race circuit.

At the end of the three qualifying sessions the results were posted and a final training session was offered to all riders not riding on Saturday. When the final times were tabulated Team Canada



The International Police Championship chequered flag fell first for Marc Granie of France. The second place was taken by Italy's Oscar Bellini (left) and Julian Elliott (right) of Northern Ireland. In spite of challenging weather and track conditions Granie managed to clock the overall fastest timed lap, 122.6 km/h, on Shannonville's 15 corner 4 kilometer track.

fered from the two previous Canadian Championships held by C.P.O.M.C. in that many of the foreign riders, especially from France, Italy, Northern Ireland and the U.S.A. are semi-pro motorcycle racers including the current World champion, Marc Granie of France who competes in the European Superbike series all across Europe.

On Thursday, the first day of riding, the officers were joined by a civilian rider, Mark Buitenhuis of Cambridge,

(who placed 12th of 14 countries in the last World Championships in 1989) outstripped the premier motorcycle race countries of France, Italy, U.S.A. and Northern Ireland. The accumulated team time on all laps was 24:24.136 minutes. This placed them just ahead of France in second position with a time of 24:25.915 and the United States Team with a time of 24:59.573. These three teams were followed by Norway (25:31.356), Northern Ireland (25:50.793), Italy

(25:52.281), Germany (26:16.443), Denmark (26:20.524) and Ireland (26:22.212).

The Canadian Police Officers Motorcycle Championship races were also decided by the qualifying times and the overall winner for the third successive year was Pierre Valiquette of the R.C.M.P. Ottawa (1:59.990) followed by Jeff Ling, Belleville Police Force (2:01.544) dueling in a tire by tire race with Scott Spicer, Metro Toronto (2:01.677). Forth place went to Steve Shadlock, Metro Toronto (2:07.553) followed by Michael Jenkins, Metro Toronto (2:09.093), Russ Yates, St. Thomas (2:11.935), Tammi Inwood, Metro Toronto (2:18.621), Kevin Yeoman, Ontario Provincial Police (2:20.085), David Thomas, Belleville Police (2:21.273), Vicki Dawson, Metro Toronto (2:26.290), Dan Belanger, Metro Toronto (2:32.090), and Terrance Moore, R.C.M.P. Ottawa, (2:32.127).

The up and coming second place rider from the C.P.O.M.C. 1991 race series, Kevin Cisaroski of the Winnipeg

Police, was riding extremely fast during these qualifying sessions but unfortunately ran off the track, had a minor crash and was unable to finish. This was a major blow to Kevin who has been racing very successfully in the Canadian Motorcycle Association race series in Manitoba and also in a race series in the United States and it appeared he was ready to seriously challenge Valiquette for the Canadian Championship title.

After the race the trophies for the Canadian Championships winners were presented by Waterloo Regional Police Chief Harold Basse representing the Canadian Association of Chiefs of Police. Pierre Valiquette accepted the C.P.O.M.C. cup for the third year running. The second and third place winners, Jeff Ling and Scott Spicer were awarded a pewter tankard. After receiving their prizes from Chief Basse the officers were each given a congratulatory bottle of Canadian champagne. They not only sprayed each other but also most of the crowd and even Chief Basse who was caught in the middle of

the celebration! These three top Canadians had achieved the nearly impossible task of penetrating and toppling the ranks of the world's fastest police officers and - rightfully so - enjoyed every minute of it.

The 1992 FAST/YAMAHA International race trophies were presented to first place winner Marc Granie, France, while second and third place medallions were presented to Oscar Bellini of Italy and Julian Elliott of Northern Ireland.

During the three days of races officers were plagued with intermittent rain, race cancellations and wet track conditions. In spite of this only four of the 52 officers entered received injuries. All injuries merely consisted of scrapes and scratches. A glowing tribute to the riders abilities and the training of Michel Mercier's FAST Racing School.

There are too many nasty self-centred nations in the world already; God forbid that Canada should add one to the number!

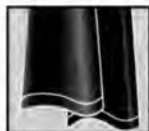
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Women Injured By Police Car Win Over \$20,000

Two Smithers, B.C., women injured by a police car which was responding to an emergency call have won a civil action against the RCMP. The award included \$19,500 in damages plus costs of the civil action and interest accumulated since 1989.

In this case police received a call a man was threatening people with a bull whip. The officers responded to the call along with another car which was closer to the incident. While enroute the officers heard the second car was on scene. They killed their siren but left on their emergency lights to monitor the radio call. The cruiser continued on, however, at an established speed around 120 km/h in an 80 km/h zone. The police car then came into collision with the women's car which was stopped awaiting a left turn.

The RCMP attempted to defend itself by citing section 118 of the B.C. Motor Vehicles Act which permits police to ignore traffic laws in cases of emergency and also permits them to turn off their sirens where use would hamper the police in the performance of their duties.

The court pointed out that under

subsection 3 of the same section it clearly states the police must "drive with due regard for safety having regard to all the circumstances of the case."

In this matter the court heard the women's car could have been visible to the officers 150 yards back from the scene of the collision but the car did not respond until only 70 yards back.

Mr. Justice Duncan W. Shaw stated in his judgment, "The inference I must draw is that the (officer) failed to see that which it was her duty to see, and because of that, she failed to slow down the police vehicle in keeping with the dictates of safety."

The Justice continued by adding "the urgency of the duty the officers were performing" versus "the danger of approaching the intersection at a speed 30 to 40 km/h over the 80 km/h speed limit toward a vehicle signaling a left turn and failing to see the vehicle which was there to be seen in sufficient time to reduce speed safely."

In conclusion the court said in a situation such as this with one officer already on the scene, "it did not justify what occurred here."

New "Rape Shield" Law Set To Come Into Force This Fall

"I am pleased to announce that the amendments to the Criminal Code to protect sexual assault victims received Royal Assent," said Kim Campbell, Minister of Justice and Attorney General of Canada.

The amendments, announced last June 24th, provide a clear framework and a set of procedures for judges to determine whether past sexual history can be admitted as evidence. The legislation also provides the first Criminal Code definition of consent to sexual activity.

Three significant changes were made to Bill C-49 in Committee. The section dealing with incapacity to consent, considered too narrow, was broadened. In addition, the pre-requisite for the defence of mistaken belief in consent was modified from "all reasonable steps" to "reasonable steps". Finally, changes were made to the ban on publication.

"I consider that the public process followed with this legislation is a fine example of consultation with interest groups," said Minister Campbell. "It has provided ample opportunities for the exchange of views and the enhancement of the proposed amendments."

Changes to the Criminal Code were made necessary by the August 22, 1991 Supreme Court of Canada decision to strike down Section 276, known as the "rape shield" provision.

It is expected the new law will come into force by Order-In-Council before the fall.

Fraud Artist Duped In Own Scam By Crime Stopper Call

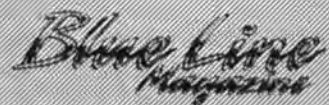
A man featured on Crime Stoppers in a Toronto newspaper was caught by police after assuming a friend's name. Unfortunatley for him, his friend was also wanted by police.

Police said Richard Shawn McLaughlin, 25, was arrested on a warrant for fraud. When he was arrested he gave the name of Talbot when picked up in Burlington, Ontario. He picked the name of a guy he knew, but he didn't know Talbot was also wanted.

McLaughlin was booked on the fraud charge and police held him on the Talbot warrant and took him to a bail hearing court the next day.

Meanwhile a person phoned Crime Stoppers with a warning that it was actually McLaughlin who was in custody, not Talbot.

McLaughlin was re-arrested and charged with a further charge of fraud and public mischief.



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Credit Card Investigators Get High-Tech Edge

By Tom Rataj

A new cooperative effort between the Credit Card industry and the Police has resulted in the distribution to Fraud and Credit Card investigators of a new high-tech weapon

In an ambitious project funded by VISA, MasterCard, and American Express, the International Association of Credit Card Investigators (IACCI) is distributing Bank Identification Number (BIN) checking machines.

Outwardly the BIN machine appears to be a stripped down version of the Point of Sale Terminals (PST), commonly found at many retail establishments throughout Canada. Unlike the PSTs however they are not hooked up to the banks by phone, but rather, they have a programmed memory chip built in which contains all the information needed to conduct a basic verification test on most credit cards.

To use the machine an officer need only plug its adapter into an outlet, give it a few seconds to warm up, and swipe a card through. The machine reads the information on the black magnetic strip

on the back of the card, and promptly displays: (1) the card number, (2) the expiry date, and (3) the name of the issuing bank or institution. The officer can then check if these three items match the information embossed on the front of the card, if they don't....BINGO, if they do....then the card is probably legitimate.

This project has been under way for several months now, with approximately 60 of the \$300 BIN machines distributed to police agencies, Canada Customs & Immigration, and bank investigators across Canada, with another 40 on order.

This project was initiated due to a sudden increase in the instances of very well forged or altered credit cards, which are easily used both by individuals and organized gangs in Canada and elsewhere.

In a recent case in Toronto an individual was investigated after he was found to be in possession of 23 credit cards. A bank investigator armed with a BIN machine was called, and 23 swipes

later the individual was charged with numerous charges relating to the possession, alteration, forgery, and use of the cards. Without the availability of this machine the individual would likely still be shopping.

A prototype with more advanced features is being developed and should be available some time later this year.

Any police agency or officers interested in further information about the BIN machines should contact their closest IACCI chapter representative:

☐ Pacific Chapter:
Mr. Bill INGENTHORN,
c/o Royal Bank of Canada - VISA Investigations
(604)665-8935

☐ Prairie Chapter:
Detective Donald J. MacLEAN
c/o Edmonton Police Department
(403)421-3559

☐ Toronto Chapter:
Mr. Bob HARRIS,
c/o Canadian Imperial Bank of Commerce - VISA Investigations,
(416)784-7196 FAX:(416)784-6395

☐ Eastern Chapter:
Mr. George BLANCHETTE,
c/o National Bank of Canada - Mastercard Investigations,
(514)394-4120

Guns And Drugs Can Replace Air Bags

Auto theft investigators in the Seattle region have encountered alterations of the driver's air bag system located in the steering wheel hub. The cosmetic covering looks normal, however, the air bag has been removed. Access to this hiding spot is quick and easy. Guns and contraband have been recovered from this cavity.

More information on this subject may be obtained from Sgt. Van Roy, Auto Theft Supervisor, Seattle Police Department.

Blue Line Magazine

FLASHES

By Tony MacKinnon

*"Pull it over to the side
Fonzie, I'd like to give you an
autographed memento of
your speed for the last couple
of miles!"*





A History Of The Criminal Code

By Richard Duplain - Part 1

1892 - 1992

Just over a century ago Canadian provinces and territories united under one flag but it wasn't until another 25 years had passed before a melding of legal statutes occurred, making Canada the envy of the civilized world.

Before 1892, Canada had no unified system of criminal law. The provinces and territories including Newfoundland, clung to British Common Law traditions and practices.

After Confederation, the federal government began the task of unifying the various laws which were in place in each region across the dominion. In 1887 the Criminal Procedures Act paved the way for the government to unify criminal procedure, property law and crimes against the person.

In the text, *Criminal Law*, Alan W. Mewett, Professor of Law, University of Toronto and Morris Manning of the Ontario Bar, describe the birth of the Criminal Code.

"In 1892, after some five years of study, the 'Bill Respecting Criminal Law' was introduced by the Attorney General of Canada who stated that it was based upon the English Draft Code as presented in 1880 and the Canadian statutory law. It was expressed to be the reduction of the existing law to an orderly written system, freed from needless technicalities, obscurities and other defects, but it did not purport to reduce all the criminal law of Canada into one comprehensive document. While it was a code, it was not a complete code," they wrote.

"In England, in 1838, Criminal Law Commissioners were appointed to consider the drafting of a comprehensive code of indictable offences which many

people then thought were in a hopeless state of confusion. In 1878 such a code was formulated and proposed but, although twice presented in the form of a Bill before the English Parliament, was never enacted. (It was felt the judges of the day opposed codification.) The proposed code received, nevertheless, widespread publicity both in England and in the British Empire. It is not surprising that, in view of the situation in Canada, the proposal for a code of criminal law would be given more encouragement."

"The Criminal Code of 1892 formally abolished the distinctions between felonies and misdemeanours, so that under its terms criminal offences were classified as either 'indictable offences, ones which could be prosecuted by way of indictment, or summary conviction offences, ones which could be prosecuted through a simplified summary procedure based on the information of complaint made to a justice of the peace or magistrate,'" according to Philip C. Stenning in *Appearing for the Crown*.

"A small number of offences were classified as 'dual' offences, that could be prosecuted either by way of indictment or by way of summary conviction, at the option of the prosecutor. A dual offence, if prosecuted on indictment, typically rendered the accused liable to a heavier penalty than if prosecuted by way of summary conviction," says the text.

In 1947 a Royal Commission to Revise the Criminal Code was appointed. It reported in 1952, and in 1953 a revised Code was enacted which came into effect in 1955.

A number of new offences were included in the 1953 revision. The new

laws pertaining to public mischief and common law conspiracy had not previously appeared in the 1892 Code. The 1953 revision did away with all common law offences, offences under Imperial Acts and offences under pre-Confederation Acts.

The Code contains, for the most part, only that part of the criminal law that, apparently for historical reasons, is of general application to the public at large, consisting of enactments of general principles followed by parts dealing with offences against the public order, offences against the administration of justice, sexual and moral offences and conspiracies. The second half of the Code is concerned with procedure and punishments," notes Mewett and Manning.

They explain, "The historical development of the criminal law of England is not one susceptible to logical analysis. That part of it which was developed by the judges doubtless originated in their views of what was morally reprehensible and, in their view, therefore socially harmful, while that part of it represented by statute law was enacted to meet ad hoc situations which were felt to be in need of remedy. It is not surprising that, as a result, criminal law was viewed as a code of substantive law incorporating concepts of moral fault as well as concepts of social harm. Many criminal offences had their origins in religious laws while many more were enacted to preserve the social and political advantages of those who were dominant in society. The result was no more than an ill-defined and ill-assorted hotch-potch of more or less repressive penal measures."

"However, the admixture of moral law to the common law criminal law had some noteworthy beneficial side effects. Moral blameworthiness connotes moral fault and this in turn connotes some freedom of choice. This developed into a rather sophisticated system of liability based upon mens rea, that became one of the most single features of English law. Furthermore, the severity of the penal sanction imposed could be geared to the degree of blameworthiness of the offender (not always, in view of the large number of fixed punishments, very successfully). It meant that a system of punishments could be devised which

moved away from a rather primitive one to one which took into account the degrees of blameworthiness of the offender. Simple as this might seem to us now, it represented a great step forward in the criminal law," say Mewett and Manning.

The authors say the Criminal Code of 1892 was only a common law type of codification, a collection into one statute a multitude of existing provisions and common law doctrines.

"Much of the criminal law is regulatory; it is not a moral decision as to whether one drives on the left or right hand side of the road or whether one displays a requisite sign or gets a requisite licence. What both the legislators and the judges are searching for is the isolation of those acts which cause damage to society or to members of society which ought to be subject to criminal sanctions," say Mewett and Manning in their text "Criminal Law."

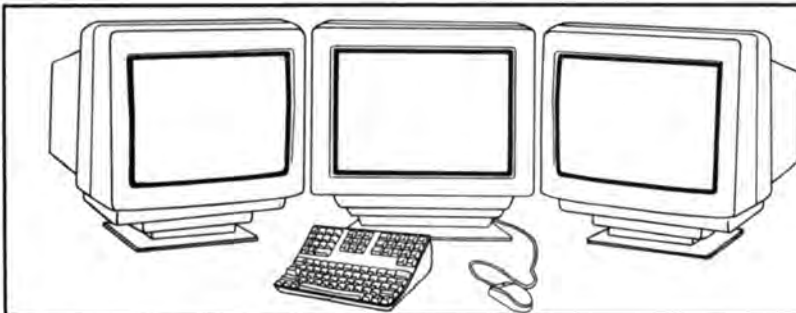
"The essence of criminal law is its public nature. A crime is, in fact, not a wrong against the actual person harmed, if there is one - the victim as he may be called although it may also and coincidentally be a civil wrong against him - but a wrong against the community as a whole. The prevention - or lessening, since total prevention is not possible - of crime cannot be left to an individual's choice but is the responsibility of any member of the community and, in particular, those who represent the state - the police or the prosecuting authorities," they say.

The degree of harm caused is a consideration in determining an appropriate penalty, note the authors. The lessening or diminution or prevention of crime is achieved by the imposition of punishment.

Quick Facts

- 📖 It took Maritimers, Robert Sedgewick and George Burbidge less than a year to draft the Criminal Code in 1891. Recently it took three years to revise it.
- 📖 In the beginning, 20,000 English copies of the Code and 2,800 in a French version were printed. A total of \$6,000 was budgeted for printing and distribution to every member of the judiciary.
- 📖 Today there are close to 37,000 lawyers, judges, notaries, law teachers and students across Canada and most have a copy of the Criminal Code.
- 📖 In 1892, the estimated cost of a copy of the Criminal Code, delivered was \$3.80. Today, the Code can be purchased and delivered for \$60.00
- 📖 Canada is one of the harshest Western countries when it comes to use of prison sentences. Imposing jail sentences on 97 of every 100,000 people, Canada's prison reputation is third in the world behind the U.S.
- 📖 It costs \$7 billion each year to operate the Canadian criminal legal system, a system which according to the Law Reform Commission, resembles a vast machine sucking people in one end, spewing them out the other and then sucking them back in again.
- 📖 Set up 21 years ago to make recommendations to enhance and streamline the expensive criminal law system, the Law Reform Commission of Canada with a budget of under \$5 million has fallen victim to a floundering national economy.
- 📖 The Canadian Criminal Code contains 700 sections or laws. Outside the Code there are about 20,000 federal offences, another 20,000 provincial laws as well as several hundred municipal laws and bylaws presently on the books.
- 📖 Of all the federal offences, 70 per cent are strict liability ones and need no proof of fault; prove the act and conviction follows automatically.
- 📖 For every crime prosecuted there may be 10 reported and 40 not reported.

NEXT MONTH: *A Look At The Criminal Code*



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Evidence Still Admissible After Warrantless Search

Regina Vs. Fridleifson

The Supreme Court of British Columbia recently ruled evidence admissible after two officers searched a truck without "bothering to get a search warrant."

The case involved two experienced Vancouver police officers, who were staking out a residence for stolen property, saw a truck back into the driveway and two men carry out a large object covered with a blanket. The two officers approached the two men and both men fled. The accused was captured by the officers and arrested at the time on the belief the accused was breaching his probation. After giving the accused his Charter Rights the officers lifted the blanket and found a television set. It was later discovered the television was stolen and charges were subsequently laid.

In his defence the accused argued the officers had breached his section 8 Charter Right to be free from unreason-

able search. He cited the Supreme Court of Canada decision in Regina Vs. Klimchuk as he felt the circumstances were pretty much the same.

Mr. Justice Peter D. Lowry disagreed. He stated the decision in Klimchuk was after evidence found the officer actually stopped the vehicle and tore the dash apart to discover the evidence without a warrant. The judge in this case stated the breach of the accused's Right was "so un-intrusive as to be trivial."

At trial both officers stated they had never even considered getting a search warrant and in fact had never obtained a search warrant to search a vehicle in their respective 12 and 16 year careers.

Referring back to the Supreme Court of Canada rulings Justice Lowry stated in the case of Regina Vs. Collins it was decided there were three broad factors to determine whether evidence of this nature was admissible.

- The fairness of the trial;
- The seriousness of the Charter violation;
- The consequences of exclusion.

In conclusion the ruling stated in this case the evidence was the Crown's entire case and the exclusion of it would mean an acquittal. To determine the admissibility the Supreme Court Justice concluded the court's job was "one of making a determination that reflects what is conceived to be the views of the community at large or what a reasonable member of society, dispassionate and fully appraised of all of the circumstances of the case, would consider about the administration of justice if the evidence in question were not excluded." The B.C. Justice concluded the administration of justice would probably be brought into disrepute if the evidence were to be excluded and an accused person escaped justice because of the trivial breach.

Officers Not Limited To Two Hours For Tests

Regina Vs. Deruelle

The Supreme Court of Canada, in a July decision, determined that the two hour limit required by the Criminal Code for Breath testing was not designed to prevent officers from making demands beyond two hours after the offence.

The court ruled that the section setting up the demand "was not a model of clarity," but the section's wording and the broader scheme of the Breathalyzer's usage supported the concept that the officer has two hours to administer the test from the time the officer forms a belief.

The wording in question states "where

a peace officer believes... that a person is committing, or at any time within the preceding two hours has committed... an offence under s. 253, the peace officer may, by demand made to that person forthwith or as soon as practicable, require that person to provide," a breath sample. In other words the section is not concerned with the admissibility of the evidence but rather with the quality of the breath readings.

The ruling means that a person involved in an accident is interviewed by police two hours after an offence the officer can still make a legitimate demand that must be complied with. The only difference will be the manner in which

the Crown can obtain a conviction.

Under the provisions of the Criminal Code the court can take a reading taken within two hours of the offence and relate it automatically back to the time of the offence. However if the tests are beyond the two hour limit the Crown must call some expert evidence as to the proper readings at the time of the offence.

This ruling was a unanimous decision by the Supreme Court of Canada and settles a long standing debate by various courts throughout the country. The Breath tests still must be taken as soon as practicable after the demand is made. This ruling also applies to blood tests.

But... This Isn't Supposed To Happen To Me!

By Heather Hodgson

"After several years of involvement in the impaired driving awareness field and seventeen years of police service, I really believed that I understood the victims' plight. On December 23, 1990 at about 11:50am, I found out how wrong my assumption had been!"

It was two days before Christmas. Police work was far from my mind as my children and I traveled across the 401 highway toward Pickering. We would meet my husband for lunch, then he would take the kids to his parents while I helped to prepare our family Christmas Eve dinner with my sister.

Thinking back, it was ironic that my son and I were discussing defensive driving techniques as we moved into the outside passing lane.

Suddenly there was a severe blow from the rear of the car. My daughter was screaming and crying that her neck hurt, my son was sobbing. I had a pain in my head and neck and could hardly hold my head up. It was all so fast!

I checked the mirror. A large blue car was sitting on my rear bumper. He backed off, then struck us again.

I signalled to pull onto the left shoulder and started to slow down. He pulled around and veered at us from the side. Then he fled through traffic.

The police side of me took over. I calmed the kids down and started to follow, calling out the license number as we worked our way - safely - through the traffic.

He showed all of the classic signs of impaired driving. Then, he abruptly swerved onto an off ramp. He lost control of his vehicle. There was room for one car ... the black car that was already in the lane ... he proceeded to ram it off

the roadway.

He went through the traffic light and hit a pole on the south side of the "T" intersection. He sped backwards and in the process, he struck another (off duty police officer's) car.

I had to stop him. I got out of my car



and ran towards his car. I thought that I may be able to get to the keys, to arrest him.

As I crossed the path of his car, he sped towards me. I yelled "Stop! Police!" - It may work in the movies, but not in real life! I ran, for my life!

I felt pain in my left side. Then I was in the air. As I landed, my right ankle took the initial impact, with the right leg twisting as I met the road.

I could hear another car behind me. But, his rear tire tread was heading for

my face. There was no chance of escape. I thought "But, this isn't supposed to happen to me. I'm going to die." I closed my eyes and waited.

The driver of the black car, Grant Pacey, is a real hero. When he saw me being struck, he rammed the accused's vehicle to prevent it from running over me. He could have been killed. Later, in court, when we discussed it, he really wouldn't accept that he is a hero. What words are there to express gratitude to a person who has made it possible for you to continue to share a future with your children?

I opened my eyes to see the tire about four inches from my face. The black car was about four inches from my back.

I dragged myself up and tried to assist the other off duty officer. Eventually we were on our way to the hospital. Fortunately we were all released to share Christmas with our family!

We were all so very lucky. My children recovered from their injuries, and in time, overcame the emotional trauma of seeing their mother struck.

I suffered soft tissue damage. Nothing was broken, I have no visible scars. But, the emotional scars run deep.

He pleaded guilty and was sentenced to eight months in jail and his license was suspended for 2 years. By the time you read this he will be foot loose and fancy free.

For ten months, I was unable to work. My left arm may never fully recover. My right hip won't hold my weight properly. My neck and back are still not right.

But, I am alive and well. My children are alive and well. And I have a new appreciation for each day of life. My friends who stood by me are treasured and cherished. It was a hard process. One that is difficult to understand unless you have been there yourself.

Rodney King Vs. THE L.A.P.D.

By Tom Rataj

There is no single incident in the last several years that has caught the attention of so many people, as that graphic home video, taken early on Sunday morning, the third of March 1991.

We all saw the tape, broadcast and re-broadcast for days on end as the incident sparked outrage across the U.S.A., Canada, and around the world. It was powerful and raw.

Then the 'Not Guilty' verdict started a wild frenzy of murders, looting, and arson in Los Angeles, some copy-cat hooliganism in Toronto, and renewed condemnation from around the world.

Regardless of the fact that this incident occurred in the City of Los Angeles, the first impressions leave an enormous impact on everyone, while the entire incident raises a number of serious questions.

Nowhere were those questions more pointed than in Los Angeles, and rightly so. Less than one month after the incident, the Independent Commission on The Los Angeles Police Department, also known as the Christopher Warren Commission, began its work.

Established by Los Angeles Mayor Tom Bradley, the Commission was established to conduct a comprehensive investigation into the LAPD and its use of excessive force and other related issues. Their 250+ page copyrighted report was presented to the Mayor on July the 9th, 1991.

It is the result of an exhaustive process involving hundreds of interviews, thousands of personnel files, the analysis of numerous LAPD computer databases, training materials and practices, as well as other assorted reports, letters of complaint, executive sessions and public hearings.

After reading the report cover to cover, one is left with a feeling of shock and surprise. What is so shocking is that although the LAPD has in the past been recognized as among the most efficient and innovative police agencies in the U.S., there appear to be numerous serious problems within the department. Starting with a wholly ineffective discipline system that allowed the Rodney

King incident, (and apparently many others like it) to occur, and finishing with poor accountability throughout the chain of command.

The Commission Report appears to be a fairly well researched and reasonably objective document which holds a wealth of information for any police agency. Starting this month with a review of the Rodney King incident, is the first of three installments summarizing the report. All details, figures and statistics are as reported in the Commission report.

THE RODNEY KING INCIDENT

Two California Highway Patrol (CHP) officers first observed Rodney King and his two passengers driving a white Hyundai at approximately 12:40 am on Sunday the 3rd of March 1991. His vehicle was reported to be travelling at 110 to 115 mph (177 to 185 km/h) while moving between the three lanes of travel. The CHP unit tried to stop Mr. King, only to have him slow down and exit the freeway.

His vehicle was followed through city streets at speeds estimated at up to 80 mph (128 km/h) through one stop sign and one red light. He finally brought his vehicle to a halt at about 12:50 am at the corner of Osborne St. and Foothill Blvd. By this time the pursuit had been joined by units from the LAPD and the L.A. Unified School District Police.

After several radio transmissions cancelling additional units, another twelve officers arrived at the scene, bringing the total up to 13 LAPD units (including one helicopter). Five of these officers were at the local station finishing their paperwork at the end of the shift, when they heard the pursuit, left the station, joined the pursuit and arrived at the scene after the call for no additional units had gone out.

Mr. King and his two passengers

were ordered out of the car using a loudspeaker to conduct a 'felony stop' procedure. The two passengers exited the car on the right side, following all instructions, while Mr. King initially refused to get out. When he finally did, he responded to orders to lie flat on the ground by getting down on all fours, slapping the ground, and refusing to lie down.

When one officer attempted to force him to the ground, Mr. King tried to get up and almost knocked the officer to the ground. A TASER electric stun gun was then used with only temporary results. It is at this point that the home video camera starts to roll.

Mr. King attempts to get up and appears to lunge at an officer, who strikes him in the head with a baton. Mr. King attempts to get up several more times, while swinging at the officers, and after 56 baton blows and six kicks he is finally subdued when swarmed by six officers, who handcuffed and cord-cuffed him.

He was taken by ambulance to a local hospital where he received 20 stitches, with notations made of other injuries including a broken cheekbone and a broken right ankle. Blood and urine samples taken five hours after his arrest showed a blood-alcohol level of 0.075% (the legal limit being 0.08%), as well as traces of marijuana (26ng/ml), putting him over the legal limit at the time of the incident. (The officers initially reported that they thought he was on PCP).

Mr. King was booked on charges of evading arrest, and was held for four days. He was released without charges, because the District Attorney's office determined that there wasn't enough evidence to prosecute him.

The video tape of the incident was broadcast the following day, and provoked an immediate public reaction. LAPD Chief Daryl Gates said he was shocked by the tape, but that he would withhold any further judgement pending an investigation. Parallel investigations were launched within days by the FBI, the LA District Attorney's Office, the LAPD's Internal Affairs Division, and the Police Commission.

Four officers were charged criminally, while the DA's office did not commence any proceedings against the other

17 LAPD officers at the scene. The LAPD and the CHP commenced internal discipline against some of the other officers at the scene. The LA United School District Police terminated its involved officers.

What really speaks volumes about this incident is the immediate aftermath. In the recorded phone conversation between the LAPD dispatcher and the LA Fire Department some strikingly unprofessional attitudes are apparent:

LAPD: ...*Foothill & Osborne. In the valley dude* (Fire Dept. dispatcher laughs) *and like he got beat up.*

LAFD: (laugh) *wait* (laugh).

LAPD: *We are on scene.*

LAFD: *Hold, hold on, give me the address again.*

LAPD: *Foothill & Osborne, he pissed us off, so I guess he needs an ambulance now.*

LAFD: *Oh, Osborne. Little attitude adjustment.*

LAPD: *Yeah, we had to chase him.*

LAFD: *OH!*

LAPD: *CHP and us, I think that kind of irritated us a little.*

LAFD: *Why would you want to do that for?*

LAPD: (laughter) *should know better than run, they are going to pay a price when they do that.*

LAFD: *What type of incident would you say this is.*

LAPD: *It's a...it's a...battery, he got beat up.*

About 15 minutes later a Mobile Data Terminal (MDT) message is sent from the car of officers Laurence Powell and Timothy Wind to some other officers. The exchange went as follows:

"Oops"

"Oops, what?"

"I haven't beaten anyone this bad in a long time."

"Oh not again...why for you do that....I thought you agreed to chill out for a while. what did he do?"

"I think he was dusted.....many broken bones later after the pursuit."

Additionally, at the hospital, officers who accompanied King, quite openly bragged and joked about how many times Mr. King had been hit.

Next Month
An inside look at the LAPD's procedures and politics

How the World Deals With Impaired Drivers

Australia - The names of the drivers are sent to newspapers and are printed under the heading, "Drunk and In Jail."

Malaysia - The driver is jailed, and if he is married, his wife is jailed too.

South Africa - 10 years in prison and a \$10,000 fine.

Turkey - Offenders are forced to walk 20 miles under police escort.

Bulgaria - Second offenders are shot.

El Salvador - First offenders are shot.



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Policing Principles: By Chris Braiden

Part 6

Specialization By Function

The Answer

I do not advocate doing away with specialisation entirely. Recently, my wife had a serious automobile accident and required major surgery; I did not want our family doctor doing it. Logic dictates that significant specialization remain, and even new ones sprout, which will differ from organization to organization. The guiding principle, however, must be to generalise where possible, specialise where necessary.

In the generalist work environment, the ownership phenomenon stays, but the focus of it shifts from the function to the Core Value. People become peace officers first and specialists second. People must look beyond law enforcement to the Core Value. Everyone is now driven by the commonwealth of their village. Their daily work becomes, and remains, a natural microcosm of the macrocosm (I love these computer words!). The 'right things' to do are the same for all.

By applying the Core Value to their village, individuals remain connected - and contribute - to the "Cause" of the organisation. Over time, a common ownership develops between the producer and consumer of the police product, supported whenever necessary by the police specialist, to achieve the things of utmost importance to that village in the interests of overall community welfare and existence.

Some will say this is naive thinking. So be it. Emerson said that nothing great is ever achieved without enthusiasm; he also defined enthusiasm as the child in us winning out over the adult. Innocence goes hand-in-hand with enthusiasm. Wasn't the little girl naive to blow the whistle on the king's stupidity? Were not the Wright brothers naive too to think their flimsy contraption would work? But where would flight be today if they had said, "We ain't running off this hill until

we see a stealth bomber".

Obviously there were skeptics 400 years ago too because here is what Francis Bacon had to say on the matter way back then; "*As the birth of all living creatures are ill-shapen, so too are all innovations which are the births of time*". The present of everything is at once half dead and half pregnant with the future.

I am not dumb; I don't subscribe to the old adage, "*He ain't heavy, he's my brother*". Sometimes my brother weighs a ton if I have to do all the carrying. I played rugby too long to believe everyone in a scrum pushes. Some use it as a rest period. There are only so many Mother Theresa out there, and I'm not one of them. But I do subscribe to the sensible saying, "*I'll scratch your back if you scratch mine*". Most people will contribute to a common cause, if there is a common pay-off - That is why it is smarter for five neighbours to build a common fence together than five separate ones alone; they can buy in bulk and everyone will do a good job on every fence because they know they will reap what they sow. Besides, it's more fun.

Neighbourhood Foot-Patrol In Edmonton

I have tried to practise the principles of ownership in policing and learn as I go along. I have also tried to practice what Fred Hertzberg said about motivation in the work-place. He said, "*The only way to motivate people is to give them meaningful work, control over it, resources to do the job, then get out of their way.*"

In Edmonton, we have individual police officers assigned permanently to 22 villages. They are on foot, have their own store-front offices manned by volunteer citizens and because they carry pagers, most of their daily work is dictated by the needs of their village. We

started in 1988 with the busiest 21. At the outset we asked for volunteers, got 44 and chose 21 whose length of service averaged nine years. Their role, quite simply, is to take care of as much of the daily policing needs of their village as possible and work back through the specialised units for whatever help they need. They are decentralised, are not part of a specialised unit, work shifts, and respond to all levels of calls for service in their village. I knew from the outset that the success of the enterprise would depend upon the people doing the work. I needed people who would bring their brain through the gate with them. Our Patrol personnel work ten-hour shifts; most specialities work 'eights'. Foot patrol work 'eights'. By volunteering, these people were agreeing to give up 48 days off a year yet every single volunteer was from patrol. Not a single specialist volunteered. This is what people will do to get ownership of their work. There is lots of motivation in policing, it is simply dormant.

The initiative has been evaluated twice, technically by the Canadian Research Institute for Law and the Family (CRILF) through funding from the Federal Solicitor General, and, more informally, by a local author who was contracted to work with the people on the beat and to write a documentary of what the product looked like through the eyes of the people providing and consuming the service; the cop on the beat and the neighbourhood resident. This latter work was funded by a grant from the Charles Stewart Mott foundation of Flint, Michigan. Both evaluations have been published and are available.

They show unequivocally that a common ownership does develop, and indeed after a relatively short period of time. Unlike the specialist who encounters the same task, but not the same people on a continuing basis, this police officer is forced into ongoing contact with the same customers on a broad range of issues so that a common motivation to 'do something' about the problem develops. If they don't face it today, both will have to face it tomorrow. Unlike many of their brethren, these people thoroughly enjoy their work, bring their brains through the door with them, and use them.

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Product News & Views

Gerber's Magnum L.S.T.

Evaluated by Dave Langstroth

It's a simple combination. A couple of pieces of steel, a piece of nylon or two, a couple of rivets and PRESTO ... Instant folding knife. Nothing could be simpler. Folks have been doing it for years.

So, how come the "Gun Guy" is writing about knives? Since the "Gun Guy" got his paws on a new Gerber *Magnum L.S.T.* (light, strong & tough) folder. The slickest combination of form, function and durability that I have had the pleasure of using for a long time. The *Magnum L.S.T.* has a 440 stainless steel 3 1/2 inch drop point blade (available in smooth or serrated edge), 1/8 of an inch thick, tempered to a hardness of 57-59 on the Rockwell "C" scale. The blade is held in a Dupont Zytel nylon handle with two generous finger grooves, deep, diamond checked panels located where you need it the most; at the friction points. Under the tips of your fingers all this in a package that weighs only 4.2 ounces.

It's a rare thing to grasp a factory produced knife and have it feel like it's custom made for your hand. I have become accustomed to seeing (and feeling) palm swells in handguns and rifles, but this is the first time I have experienced them on a folding knife. The two ends of the grip panels are about 1/8th of an inch thinner than the centre of the grip panels and this allows the knife to balance "properly" in the hand. No



more pinching of palms or binding of fingers.

The variety of jobs that I have used the *Magnum L.S.T.* for over the last two months have been made a little faster by a tool designed to "work"; stripping varnish off an old Ross .303 rifle, slicing cardboard for bundling, masking metal parts for sandblasting, dressing out critters and a couple of thousand other things that just had to be done, right now, with the tools at hand. I pushed the knife hard and found it to hold its excellent factory edge and maintain its usefulness until the job was done.

The *Magnum L.S.T.* is made for anyone who needs a good reliable cutting tool and makes weight, design and function the necessary requirements. The *Magnum L.S.T.* comes with a ballistic nylon or leather sheath that fits up to a 1 1/2 inch belt. The Dupont Zytel handles are available in solid black or Real tree (TM) camouflage pattern.

For more information about where you may purchase this knife contact **Fiskars Canada Inc. 1-800-263-2857**

Mini Flashlight With Revolving Head

Streamlight Inc. from Germantown Pike, PA, recently announced the introduction of the *Revolution* mini flashlight which features a revolving head.

The new *Revolution* light is about 6 inches long and is powered by two AA batteries and uses a standard krypton



replacement bulb. The beam head will swivel to a variety of angles up to 90 degrees. The light will clip into a shirt pocket and would be a good safety measure for such things as

traffic control. It is also designed to balance on end to permit both hands free while the beam assists with illumination. For further details contact **Streamlight at 1-800-523-7488**

"Who Works When" Wonderful Way To Work Wonders

Reviewed By Morley Lymburner



Here is a package that could take a lot of stress off the police administrator. This package, quite aptly named "*Who Works When*", is great for doing anything regarding the management of personnel for scheduling shifts, leave and days off.

Mastering this software package can certainly be any agency's ticket to success.

This package can schedule up to 200 employees on up to 26 shifts and complex customized work patterns. If your work place has more than 200 you can create multiple files with 200 to a file and keep on hummin.

Who Works When also creates schedules of 1 to 6 week cycles, has 11 customizable reports for distribution to staff and can schedule by department, shift, job code and station.

The system was obtained by the Metro Toronto Police Courts Bureau as well as their Parking Enforcement section. It takes a little work to get the hang of it but once you have it you're away.

Who Works When can be used on all DOS based computers as well as PS/2. It is available direct from **NewPort Systems (206) 451-0537** and ask for Mr. Lance Thomas.

Screening Device Part of B.C. CounterAttack Success

Roadside screening devices (RSDs) are becoming more and more commonplace in the battle against drinking and driving in Canada. The whole purpose of the RSD, is to eliminate the guesswork officers have to contend with and increase the likelihood that alcohol-related charges will stand up in court.

British Columbia, according to Felix Comeau of Alcohol Countermeasure Systems (ACS), accounts for about 10 percent of the estimated 10,000 screening devices currently in use. Comeau is president of ACS, a Mississauga, Ontario-based corporation which is the only company manufacturing RSDs in Canada.

According to Comeau, 200 RSDs - or SL2 Alcometers as they are known by their brand name, were sold to the province of B.C. in 1988 and most recently, an additional 500 units have been sold. An additional 290 units have also been purchased directly by the R.C.M.P. in British Columbia.

To appreciate why there is such a heavy concentration of RSDs in B.C., one need look no further than the province's CounterAttack program. CounterAttack, headed up by director Janice Schmidt, is one of the most prolific and successful programs against drinking and driving in the country. Launched by the Government of British Columbia in 1977, CounterAttack has waged war against drinking and driving through a series of initiatives. This includes a massive public relations and advertising campaign, a significant increase in the number of roadside checkpoints and the increased use of 24-hour driving suspensions (known as 24 Hour Prohibitions) as a deterrent.

The use of RSDs has made it easier for B.C. police to not only charge drivers over the limit, but also to hand out 24 hour suspensions. Ministry records show that in 1986 20,434 prohibitions were handed out. By 1990, as a result of a stepped up campaign, police handed out 30,007 24-hour suspensions, or 113.8 for every 10,000 drivers.

All of the RSDs were purchased from

ACS because, according to Schmidt, it was the only company able to meet R.C.M.P. specifications, Schmidt says



CounterAttack had little difficulty obtaining government approval for the additional RSDs, a fact that can be attributed in part to the overall success of the program.

Schmidt estimates "we have seen a drop of some 50% in casualties and accidents" as a result of the program. Literature produced by CounterAttack claims that each year, an estimated 30 lives are saved, 850 injuries are prevented and \$10 million in medical, insurance and justice costs are prevented by the program. Schmidt says the program's success can be traced to a number of factors, including the stopping of an average of 665,000 vehicles a year. These stops, which include the increased use of RSDs, help contribute to 15,000 charges of impaired driving per year in the province and a 90% conviction rate.

R.C.M.P. Inspector Gary House, who works closely with CounterAttack to coordinate the use of the RSDs is a strong advocate of the device. "They've been a very valuable tool for roadside screening," he says, adding "we've noticed the level of blood alcohol has been dropping." He estimates the blood alco-



hol level for drivers under the influence has dropped from 190 down to 160 milligrams. As a result of this success, Inspector House's goal is to have "one (RSD) in every uniform driven car by the end of 93... if all of our plans come together."

The number of impaired drivers has shown a steady drop in the province, from a high of 25,412 incidences in 1982 to a low of 13,939 in 1990. While this figure went up slightly in 1991 to 14,248... the rate of impaireds per 1,000 actually went down from 4.5 to 4.4 due to the increased number of drivers on the road. Just as it has taken time for the results of CounterAttack to surface,

Constable Bill Roberts of the Victoria Police Department says it has taken time for RSDs to win acceptance amongst officers and in the court of law. Roberts, who calibrates RSDs and provides instruction on how to use the devices, says most constables have gradually overcome their initial fears. "Getting the RSDs was like getting radar... at first the officers were leery... but as time went on there was more acceptance... and eventually more comfortable with the product."

Having won many of his fellow officers over with the RSDs, Roberts says his current challenge is getting the courts to give greater recognition to the product. "It's a new device for the courts and judges... but they're slowly coming around."

Roberts' counterpart with the Vancouver Police Department is Constable Don Owens. Owens shares Roberts' view of needing to educate the courts. Owens even keeps a log of cases where the RSDs haven't won the day in court, in the hopes that common mistakes can be eliminated and RSDs can win the recognition they deserve.

ACS president Felix Comeau says the appeal of the SL2s, aside from the fact that they meet R.C.M.P. specifications, is they're easy to operate, they're smaller and easier to hold than older units, and they're more accurate - a fact which more and more officers are discovering is essential in the courts.

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Ontario Finds Additional Funding For Police After Media Campaign

The Honourable Allan C. Pilkey, Solicitor General of Ontario, announced in the Legislature on July 22 that the Ontario Provincial Police would be receiving additional funding of approximately \$20 million to hire an additional 241 officers.

Under the announcement, the additional 241 uniformed officers will be phased in over a three-year period. Officers will be assigned to duties in detachments which have been identified as needing additional resources.

The Ontario Provincial Police Association had launched an aggressive media campaign in February which was highly critical of the manpower shortages being suffered by the police force. Media attention was drawn to several incidents where criminal activity went unchecked due to detachments closing down at night because of a lack of manpower.

In one widely reported situation a drug store in a village 30 km south of the Stayner Detachment waited over one hour for police to arrive on a burglar alarm call for a drug store activated around 1:30 A.M. The culprits had stolen a quantity of drugs and merchandise and made good their escape. The following week the same store was struck again and once again the police arrived over one hour later.

People in the village were horrified when they found the Stayner Detachment closed down after 1:00 A.M. and calls for help were being sent to the District Headquarters in Barrie to respond to local calls. As it was apparent thieves were on to this residents were advised to keep all doors locked and put bars in windows.

In a highly publicized statement, the Ontario Provincial Police Association released a series of advertisements in newspapers which indirectly suggested the only real protection would be for citizens to arm themselves. The section, under a headline entitled "Annie's Got A Gun."

stated "Everyone else has. The number of firearms being purchased in Ontario for personal protection has skyrocketed. Here's a number that should blow your mind. 336,147+. That's the number of firearms sold in rural areas alone since 1986. And every year, the number

of hunting licenses issued goes down. Ontario has become an armed camp. The government won't protect you, so what choice do you have?"

The advertisements placed the blame upon the shoulders of "successive wrong-headed governments" which caused continual funding cutbacks.

Other ads indicated the OPP were 500 officers short and were faced with a \$16 million cut for the current fiscal year.

Statistics quoted in the advertise-

IN ONTARIO CRIME HAS BECOME A COTTAGE INDUSTRY.

The Ontario government has created thousands of new jobs.

For crooks.

REVENUES UP 125%

Same Team... Same Service!

Anyone who has been a cop for a while is only too familiar with the name Maher Shoes. That name has been date stamped on tens of thousands of police officer's boots over the years. Likewise anyone who has had any dealings with Maher Contract Sales certainly know Dan (Too Tall) Trudeau, better known in police circles as the marathon marketing man.

Blue Line wanted to pass along the news that the whole Maher operation, product line and personell, will now be known as "Gordon Contract Sales". They will keep their same address at 552 Queen Street West in Toronto and keep the same phone and fax numbers.

Maher Contract Sales operations

were purchased last June by Jules Gordon Agencies Limited who assumed all outstanding balances, invoices and current contracts to supply footwear.

In a letter to Blue Line Dan Trudeau stated, "The entire staff, including myself, has been retained by Jules Gordon Agencies and we are doing business as usual. We are delighted with this change in ownership and look forward to continuing our commitment to serving the law enforcement community as in the past."

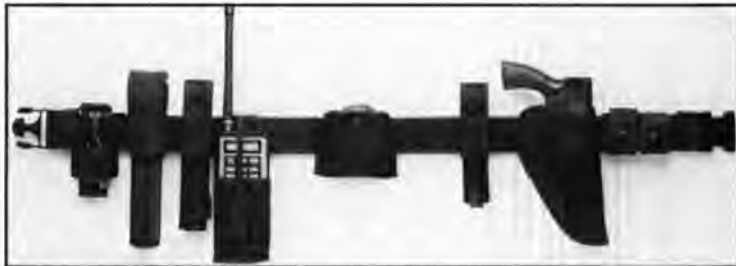
Anyone wishing to get more details is free to call Dan at (416) 368-5503 or Fax (416) 368-6818. We wish all the best to this venerable, all Canadian, organization.

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Presents:

THE DUTY BELT

The patrol officer is the backbone of any police force. The Duty Belt is the backbone of the patrol officer. That's why every component of our duty belt system is street-tested and refined to perfection. Our entire system is made of advanced, light-weight, durable and maintenance-free materials, including Cordura, Velcro and Divers Web. The result is a belt system less than half the weight of conventional leather that leaves your back in the same condition it was in before your shift. Each component on the belt acts as a keeper, so your equipment stays exactly where you put it, and there are no clumsy belt keepers to



remove, replace or lose. All the equipment on the belt is designed for ease of use. The duty holster is precisely fitted to your gun to provide the retention you need.

THE DUTY BAG

For years police officers have suffered with "civilian" briefcases, not designed for the rigors of daily duty use. How many times have your files and equipment ended up dumped on the floor of your patrol car or lost under the seat where they aren't any good to anyone?

Pro Carry Systems has the solution.

Our duty bag system is designed for patrol officers by a patrol officer. There are handy external pockets for your most used items such as your baton, radio, flashlight and ticketbook.

Everything the working police officer needs... organized, efficient and safe.

WHAT WE MAKE:

Pro Carry Systems manufactures for every branch of law enforcement service, including patrol, bicycle squad, plainclothes, surveillance and tactical equipment. Our innovative approach can help you solve your equipment problems quickly and within budget. *If your needs are highly specialized, we can custom design and build to suit those needs.*



SO WHAT HAVE YOU GOT TO LOSE?

Nothing! When you purchase our production, you get a 30-day, 100% money-back satisfaction guarantee and a life-time warranty against defects in craftsmanship and materials.

*Better service, higher quality, competitive pricing.
That's our guarantee*



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BMW SPELLS SAFETY ON THE JOB IN JUST THREE LETTERS: ABS

Most motorcycle manufacturers put their engineering skill to work getting you going. At BMW we put our best minds to work getting you stopped. Safely.

Anti-lock braking systems (ABS) have been used for years on aircraft and high performance cars. Now, BMW has integrated this state of the art technology into our motorcycles, including the K-series Police models.

HOW IT WORKS

The ABS system uses an on board computer to monitor front and rear wheel brakes. When ABS senses the brakes are about to lock, it reduces pressure in the wheel brake cylinder up to 7 times a second, and continues to do so until the risk of lock-up has been eliminated.



Front and rear toothed sensors are constantly monitored by an electronic control unit to determine when intervention by ABS is necessary.

From the officer's perspective, the only change in sensation is an incredible increase in straight line stopping ability. Even applying full brakes in an emergency straight line stop, full control of the motorcycle can be maintained.

WE HAVE WHAT YOU NEED TO GET HOME SAFELY

BMW motorcycles are in active use by police departments in 100 countries around the world. We know what you're facing on the streets in congested traffic areas, and what unexpected demands are put on you and your machine.



The BMW K100LT. The police motorcycle incorporates the ABS system designed to give the officer more control in any road conditions, from dry pavement to rain, sleet, sand or oil patches.

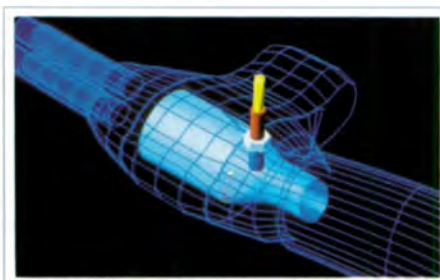


The outrigger-equipped motorcycle, without ABS, has locked up the wheels and lost stability during hard braking on wet pavement (right). The ABS-equipped bike remains upright and controllable under the same conditions (left).

On rain-slick city streets, BMW can provide that additional edge. And in normal traffic conditions, ABS will give you the confidence to stop consistently in the shortest possible distance.

HELPING THE URBAN ENVIRONMENT

BMW now offers our Police models with the option of catalytic converter systems. This technology can reduce harmful exhaust emissions by up to 80% without sacrifice to fuel consumption or engine power. As well, the appearance of the motorcycle is unaltered.



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