

BLUE LINE

Canada's National Law Enforcement Magazine

February 2010



& SUPPLY SERVICE GUIDE 2010



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February 2010
Volume 22 Number 2



Cover: Ron Bedard



This month's cover picture by Ron Bedard is actually from next month's feature on beat officers in Vancouver's Downtown East Side - but also neatly illustrates the problems Saskatoon is experiencing. In his cover story this month, Saskatoon police officer Lee Jones stresses the need to investigate graffiti in our communities and aggressively prosecute the vandals who produce it. The cover graffiti is a replication of a widely circulated 1935 image by world renowned illustrator M.C. Escher. The self portrait obviously inspired the Vancouver graffiti vandal who drew it. As Jones points out, proper monitoring of artistic style and habits of these vandals can lead to arrests. **See page 6.**

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Police and military - knowing the difference makes a healthy society

The duties of police officers and soldiers are completely different and both must understand this when the other takes over. This principle of police and military being willing to relinquish control – and take it back – is what makes a stable and safe society and country.

I focused last month on the unreasonableness of placing police officers in war zones. A few readers felt this placed both police and the military in a negative light, which was not my intention.

Post traumatic stress disorder is a serious problem in the military and is multiplied many times over for police officers placed in a war zone. Far from being negative about either function, my main point is that we must get back to basics and understand there is little virtue in confusing the two roles. If there is no difference between police officers and soldiers, as some would suggest, why are they separate entities? Would it not be far more convenient and fiscally responsible to simply let the military handle the policing function?

Over the past century major events have affected and afflicted both the Canadian military and civilian police.

Canada's over emphasis on placing soldiers on the "peace keeper" pedestal, which dates back to the mid 50s era, has obscured the purpose of the military. This not only confuses but also heaps far too much stress on the individual soldier and their otherwise straightforward function. Training a person to fight and be a soldier and then telling them later that they should work like a police officer is bad strategy. It short circuits their military function and, in a multi-cultural country like Canada, confuses the roles of police and military in the minds of the population.

Policing in Canada took an abrupt turn just after the First World War with the de-mobbed military trained people backfilling the ranks

of police forces across the country. This was once again reinforced after World War II when huge numbers of former soldiers were filling most all civil service jobs. During the 90s Canada started placing police in active war zones. This duty confronted these officers with a function they were not trained to handle and once again brought on trauma and stressors these individuals had not anticipated when they volunteered.

As you can see both the military and police in Canada have been forced into unnatural positions, by design or circumstance, for which they do not traditionally function well.

The current and past situation in Haiti is a fine example of the differing roles of police and the military.

Canadian police officers were placed in Haiti in the early 90s to assist local law enforcement and guide them toward a proper policing function. The country had previously been in great turmoil. Paramilitary units competed for control and the idea of simple policing was lost. Once a semblance of order was restored, there was a need for the military to step back and police to resume day to day peace keeping. A United Nations mandate sent in police from Canada and other countries to help establish a civilian law enforcement structure.

In 1991 another military coup deposed the elected leader and the country was once again plunged into a form of civil war. The UN withdrew all police personnel, recognizing the limitations of police work in such an atmosphere.

Two years later an international police presence was once again sought and sent, and the work these officers have done to re-establish order in the country has been tremendous. The military largely restored the basics of peace and order, paving the way for

police to take over the day to day work of maintaining it.

Haitian society has now returned to a state of disorder and police must step back and let the military handle things until some order is restored. This is a hybrid situation, with no organized insurrection. The military function in this case is mass assistance, which police can not provide alone. Once the basics – food, shelter and water – have been restored, the population can focus on the other things needed to rebuild their society. Basic police presence will once again be the primary need.

One of the fundamentals of modern policing is that a military organization should not conduct police work. Police officers were to be selected from the general population because they best understood that population and the day-to-day functioning of the society they policed or watched over. It was this intimate knowledge which helped them prevent crime and keep the peace.

Police use force as a last resort – the vast majority of arrests an officer makes involve no resistance whatsoever. The organized use of force is the primary (although far from singular) function of the military, and is either practiced or implemented daily.

The future of the Haitian people rests in the hands of both police and the military – and the ability of officers and soldiers to understand their appropriate roles. It is important for Canadians in general and police in particular to understand the differences between the roles.



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A GATEWAY CRIME leading to a dangerous path

by Lee Jones

Many people, including some police officers, feel investigating graffiti is a waste of time because, “it’s just kids messing around.” This simple response shows a lack of understanding and knowledge of the subject matter.

Dedicated officers who investigate graffiti know it is associated with rampant abuse of

drugs and alcohol and other criminal activity, including break and enter, arson, theft, robbery, sexual assault, drug trafficking and production and possession of weapons and child pornography. With almost nine years of experience investigating graffiti crime I have become very familiar with the dark side of the subculture.

To simply put up a tag, a true graffiti writer will steal his tools, spray paint, markers, etc (it’s called “racking”) and illegally consume alcohol and drugs before heading out (it’s common to see “drunk” or “high” written next to a tag, especially if it’s sloppily done, to excuse the poor technique). They will also break and enter or trespass to access the target property. Then there’s the placement of the tag itself – mischief – and assault or worse if the writer encounters a rival tagger or crew. As you can clearly see, one act results in several illegal activities.

When I first started conducting graffiti search warrants (I have executed 36 since 2003), I came across several writers with no

apparent connection to each other drawing the same symbols – a severed hand with the finger tips cut off and a combination of hooks and nails sticking in and piercing the flesh. Disturbing images indeed. More troubling was the common theme amongst these unrelated writers. One attempted suicide while in custody by trying to drown himself in a cell toilet. Another asked, while being placed in a detention area interview room, if anyone had killed themselves there. When I asked why he asked, he calmly explained how easy it would be to bash his temple on the corner of the table.

Professor Graham Martin of the University of Queensland studied young taggers in 2003 (*Family and individual characteristics of a community sample of adolescents who graffiti*). I have quoted segments from this study below. Even before reading it, I was already beginning to see a pattern of behaviour that appeared consistent with graffiti writers. This allowed me to draw my own conclusions that a writer, particularly a hardcore, experienced one, is more likely to be an intelligent male from a single parent family who didn’t do well academically, is not involved in sports or extracurricular activities and has antisocial and illegal behaviour. I had even started to refer to graffiti crime as a gateway crime for youth.

The objective of the study was to examine the covariates of graffiti behaviour in adolescents and determine its independence of graffiti behaviour from antisocial behaviour.



The study had 2,603 adolescents from a community sample complete a questionnaire which measured perceived academic performance, general family functioning, parental care, overprotection and criticism, suicidal thoughts and behaviours and other psychological factors (e.g. depression) and behaviours (e.g. antisocial behaviour and drug use). The differences between these variables for both boys and girls were examined in four group comparisons:

- (1) Graffiti versus no graffiti;
- (2) Low antisocial behaviour with graffiti versus without graffiti;
- (3) Serious antisocial behaviour with and without graffiti;
- (4) Extreme antisocial behaviour with and without graffiti.

Significant differences were found between the graffiti and no-graffiti groups in both girls and boys on all variables measured. The study concluded that adolescents who graffiti are likely to also experience a number of other family, parental, behavioural and psychological problems. There was also a significant difference between youth that graffiti and those who do not.

The study's findings supported my own layman's observations. Particularly interesting was the prevalence of graffiti and antisocial behaviour in boys and girls with a mean age of 13 years.

Of the 2,603 13 year olds involved with the study, 169 (12.3 per cent) of the boys and 121 (10.9 per cent) of the girls stated "I have graffitied (tagged) things in public places." Furthermore girls were less likely to be involved with serious and extreme antisocial behaviour (ASB) than the boys.

	Males	Females
Graffiti and no ASB	2	4
Graffiti and low ASB	45	74
Graffiti and serious ASB	49	30
Graffiti and extreme ASB	75	17

Of the 169 males that committed graffiti, 124 were involved in serious and extreme antisocial behaviours; of the 121 girls, 47 were involved in serious and extreme antisocial behaviour.

Graffiti offenders in Saskatoon I've dealt with over the last nine years have been linked to arson, theft, assaults, break and enter, possession of child pornography, drugs and weapons, grow ops and murder. Many have also exhibited behaviour that would likely be assessed as clinically definable personality disorders. On one search warrant I found the blood book used as a record for every time the graffiti writer cut himself. During his interview he admitted he had an addictive personality and that doing graffiti gave him as much release as drugs and cutting but he felt it was less harmful to himself.

Even when you look at graffiti crew names one sees a glimpse of its dark side, with names like TWR (The Wall Rapists) and RSO (Rugged Sex Offender). When dealing with one graffiti writer's parents while executing a search warrant, I was compelled to have them view the drawing which depicted the taggers mother and the text "KILL MUMMY" and other disturbing imagery and text.

In the last three years I have seen more



and more graffiti writers joining formal street gangs, increasing their involvement with other criminal offences.

The bottom line is investing time and resources in investigating graffiti crime will pay dividends in the end because you decrease other, previously undetected criminal offences that the writers are committing. You also increase the opportunity for early intervention and access to counsellors and psychologists to treat undiagnosed clinical personality disorders.

An example of a graffiti investigation paying dividends would be a case (and I could list many more) involving a gang graffiti search warrant where we seized not only matching samples but also drugs. However it was during the warned statement that the real advantage of this investigation came through. The suspect, a 17 year old native male, was a four year Native Syndicate Street Gang member who confessed within 40 seconds to placing the gang graffiti. He then provided an intelligence goldmine of everything you wanted to know about the street gang on video for a further 25 minutes. This was of great assistance to our street crimes unit.

Saskatoon has achieved a 16 per cent reduction in graffiti in 2009 compared to 2008 figures. The anti-graffiti unit has laid more than 1,000 criminal charges since its creation in June 2006. These investigations have assisted several other Saskatoon Police Service (SPS) units, including street crimes and break and enter, providing key information that would not have been available had resources not been provided to investigate graffiti crime.

Cst Lee Jones (lee.jones@police.saskatoon.sk.ca) of the SPS Anti-Graffiti Unit is recognised internationally as an expert in graffiti criminal investigations and assists other agencies in dealing with the problem. He manages the Canadian Graffiti Intelligence Network (CGIN), lectures on the subject and, in partnership with the Canadian Police Knowledge Network (CPKN), developed the online Graffiti Investigators Course. **Det/Cst Andrea Vogel** (andrea.vogel@police.saskatoon.sk.ca) can also give you information on the SPS Anti-Graffiti Unit.

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Digging deep *into records to solve crimes*

by Rob Ashe and Mark Cleverley

The recent Depression-era gangster movie *Public Enemies* has something important to teach us about the way criminals beat the system in 21st century Canada.

In more than one scene, John Dillinger, played by Johnny Depp, stages a violent bank robbery, then flees town in a fast car. There are no roadblocks to stop him and no police in nearby towns join the chase. The gangster simply melts into the countryside.

Dillinger took advantage of the fact most police departments in the early 1930s did not equip their patrol vehicles with radios. He avoided the cities where police had radio cars.

He did what smart bad guys have been doing forever – exploit the gaps in the law enforcement network.

It's still happening today and right here in Canada. Today's police departments are staffed by thorough professionals who know their business. The drop in the overall crime rate in recent years is a testament to their skill. But many of these departments, particularly the smaller ones, lack modern support mechanisms that can give officers a deep and comprehensive picture of crime



activity in their communities. As a result some holes in the system can be wide enough to drive a 1933 Hudson Terraplane through.

Crime exacts a terrible price in Canada. Each year there are about 600 murders, 30,000 robberies and 230,000 break-ins. Car thefts cost an estimated \$1.2 billion. A 2008 survey indicated that half of all Canadian respondents had been victims of cybercrime.

Nevertheless, any fifth-grader accustomed to using the Web for homework research would be amazed by the inadequacy of the tools the average detective uses for solving

serious crimes. In many departments, important data is scattered, isolated and hard to get at. There are incident databases, arrest databases, patrol databases, warrants databases, corrections databases and so on.

Even worse, sometimes a “database” is nothing more than a box of paper files in the corner of the squad room.

This cumbersome arrangement can prevent vital information from getting to officers in the crucial initial stages of an investigation, when detectives have their best chance of solving a crime.

And when it comes to Internet-era crimes like identity theft, law enforcement personnel can be at a particular disadvantage, as criminals are often extremely inventive at devising new tactics. We saw this recently with the discovery of the world's first cell phone “botnet” – a network of “zombie” cell phones, similar to virus-infected personal computers, which could be used to send spam or carry out cyber attacks.

Police departments don't have to live with the current state of affairs. They can now rely on computer and communications systems that provide authorities with seamless access to everything that is known about a particular criminal – arrests, convictions, hangouts, associates and distinguishing features like scars and tattoos.

In addition, departments can avail themselves of sophisticated analytics software that can study the mountains of crime data and spot relationships and trends.

Some police officials are doing just that. Using analytics technology, Edmonton Police Service recently noticed an upward trend in arson in a particular area. By quickly comparing new information with data from previous years, the police service determined that the trend was likely to increase from March to July. They redeployed their forces accordingly and were ultimately successful in nearly eliminating arsons in that particular area during this period. The Ottawa Police Service employs similar modern analytical techniques to fight crime.

Making a dangerous community safer is one of the best ways to enable business investment. It also raises the collective quality of life and provides new opportunities for law-abiding citizens – especially youngsters. It is hard to overstate the positive effect that growing up in a safe environment has on a child's development.

Dillinger is long gone, but his brand of criminal cunning is still very much alive. We must give police every advantage as they work to protect us.

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Rob Ashe is the general manager of IBM's Business Intelligence and Performance Management unit. **Mark Cleverley** is the Director of Strategy at IBM Public Sector. He may be reached by email to mark.cleverley@us.ibm.com

A person in tactical gear, including a helmet and goggles, is aiming a handgun at a target. The target is a silhouette of a human figure with a central oval. The background is a textured, light-colored wall. The overall scene is in a dark, high-contrast setting.

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Keep your ground game up to par

by Troy Ostapiw

We have all heard catchy phrases like “95 per cent of all fights end up on the ground” and “100 per cent of all fights start standing up.” There’s a good chance you will end up going to the ground at some point if a suspect assaults you – are you prepared for a ground battle?

The common ways police may end up going to the ground include:

1) A suspect taking advantage of a officer slipping and falling either during or just before an arrest. The slip could be due to ice, which is not uncommon, or the officer could be tripped up, which happens even to the most prepared warriors in competition (Murphy’s Law).

2) Being pulled to the ground by a resisting subject, either before or during the arrest or while attempting to control an active resister. You could find yourself on the ground, with the subject on top of you, within a split second. Individuals will often grab or pull clothes, hair or even an officer’s belt in an attempt to recover and put you in a bad position.

3) Being knocked to the ground by a wild punch or kick – a sucker punch, for example – while the officer is busy with something else (running a name, listening to the radio or other distraction). A motivated resister may wait for the opportune time, striking when you least expect it. The bad guy may show no signs of aggression and be totally co-operative to make you think they are in control. If the set up is good, you may end up on the ground only half conscious, with the bad guy on top; this is a bad position and could result in a worse case scenario.

4) The body tackle or leg grab, which are similar in that a person attempts to quickly and aggressively put you on the ground by controlling your hips and/or legs. A person can move forward faster than backwards and this gives a huge advantage to the bad guy; if successful during an altercation, there is a good chance he may end up on top. Once there, things can escalate very quickly; gun retention becomes a problem when the subject has better positional control.

Many other factors put you in a poor tactical position:

A) You will tire more quickly due to the pressure on your diaphragm;

B) Strikes are more effective from the top position;

C) It is very difficult to strike effectively when you’re on the bottom.

An officer may attempt to retain their weapon on the ground, but this can leave you vulnerable to punches and elbows to the head. Our tools can work against us if we do not have a sound understanding of ground tactics and survival.

Any of the above could happen in any order. Here is just one example:

You attempt an arrest by placing your hands on the suspect. Bad guy becomes verbally abusive and you back off. As you step back, the subject attempts a hay maker; you duck the punch but fall on your side. The bad guy is in a corner so he kicks to move you so he can escape. You grab the suspects leg and pull him to the ground and the fight for ground control begins. As the suspect continues to fight, you need to control the situation.

Trying to retain your weapon or calling for back up will pull your focus away from the ground fight. Attempting to access tools at extreme close quarters can work against us in many ways. The most important thing is to gain control of the offender. Time and distance is a good, solid and very effective tactic, but we must recognize that there will be situations where there is no distance between us and the offender and so no time to access the options on our belts.

A better understanding of grappling and positional control will enhance an officer’s confidence and ability to survive an extreme close quarter situation. Dealing with the situation at hand, working through the fight and gaining the positional advantage buys time to move to appropriate options. Grappling skills are key to getting control and winning the fight.

“Never go to the ground,” one of my instructors would stress; this is good advice but not always possible to follow. There are many variables you can’t control when it comes to preventing an altercation from going to the ground. A person can slip, be pushed, kicked, pulled, tripped or tackled to the ground.



What to do when you’re down

Keep it simple. Here’s a brief overview of ground positions and how to control, maintain and resist being taken to the ground. The idea here is to become comfortable in each range and focus on developing a skill, not just a technique where a person passively allows you to win.

Develop the skill against a resisting subject, with real energy in real time. Safety is crucial to this type of training.

Counter grappling: A person moves in and takes your legs or waist to take you to the ground. You counter by sprawling, dropping

your hips and extending your legs away from the aggressor as they lunge in. It is important to put your entire weight on the aggressor and keep an arch in your back. Do not stay in front of the aggressor; you will want to move back and create space, then possibly go to your tools. Striking is also very effective and can buy you valuable time needed to recover. Keep in mind this is one response, there are many others:



Clinch work: Most fights will hit the clinch arena. Take your time learning to control an individual in the clinch. Keep in mind most will resort to this as they feel the need to grab and control an individual.

When people get scared, they grab and

grapple – both are natural gross motor skills. Learn how to control the clinch, create space and get to your tools:



Knee riding is a valuable position for police. If you end up on the ground, learn how to get to the knee ride position. Advantages include not being committed, having the freedom to move and the ability to disengage.

Your weight is bearing on the suspect, pinning him to the ground, allowing you to simply ride and tire out the subject. They cannot hit you when you're in the ride position but you have the option of striking or transitioning to the cuffing position. Knee ride also allows smaller officers to control larger resisting subjects:



Keep in mind there are many more control position and ground options. This article is only meant to scratch the surface and bring up different ideas, some non-traditional. Methods and options will vary and this article is meant to provoke conversation and develop awareness and understanding, not replace effective street tactics and sound patrol skills. I urge you to seek a qualified instructor and further develop your ground fighting skills.

Cst. Troy Ostapiw is a defensive tactics instructor with the Regina Police Service. He has worked as a provincial corrections officer, C-ERT member and deputy sheriff and was previously with the RCMP defensive tactics unit at Depot. He is certified in police defensive programs and has well over 20 years of martial arts experience. He may be contacted at



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The national use of force framework

It is NOT a “Continuum”

by Joel Johnston

Here we are being dragged down the road by our American friends – again. The Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia decided some time ago that the “Use of Force Continuum” is a bad thing and is trying to convince anyone who will listen of this, including Canadians.

Canada has not subscribed to a continuum for the better part of 15 years. Unfortunately people are continuing to adopt this perspective without the requisite consideration – Oregon is the most recent example, I’ve read. While abandoning continuums in the US may be entirely appropriate, the same does not hold true here.

The condemners lump their continuums with, “heels, ladders, force matrices, etc., thereby condemning anything and everything that addresses use of force concepts in a model format. Eliminating the continuum, they say, “will potentially reduce officer hesitation when split second decisions are called for – where under the guidance of a continuum officers hesitate because they are trying to apply a rigid, structured and unyielding cognitive tool to a stressful, fluid, constantly changing situation.”¹

This is not so in Canada. Officer hesitation



may be a factor in certain situations, but it is not model-based. There is more apprehension about the role of media in reporting these events and how they will subsequently be analyzed by the Monday-morning quarterback crews that exist in and around the world of policing.

Sadly there are those among us who continue to be swayed by everything Americana in the law enforcement education and training realm; this despite the fact that we have

created a use of force framework that functionally embodies every concept related to force response in a simple, flexible, understandable model – and have done so in a manner that conveys the concepts around the Canadian judicial standard of reasonable force.


The more globally-aware and engaged American trainers realize that Canada got it right in creating the National Use of Force Framework – (NUFF) and its supporting document (along with the evolved RCMP Incident Management Intervention Model – IMIM) – something that hasn’t been achieved in the Divided States of America.

I testified at a civil trial of four police officers in central Canada in November which focused largely on their use of force. Using NUFF allowed me to impart the concepts of officer selection, training, experience, perception, equipment (force response options), situational factors, subject behaviours, totality of circumstances, proportionality and reasonable force very simply and understandably. It did so because the NUFF was carefully thought out. It embodies the legal concept of reasonable force, clearly defines subject behaviours and the variety of officer responses that may be appropriate given the totality of circumstances, as dictated by the situation itself and those involved in it – both as subjects and responding officers.

No one sought to, “have the (force matrix or continuum) model removed from the case in chief,” as has been indicated by my American friends – certainly not the attorneys representing the officers. This hasn’t occurred at any trial that I have been involved with – and I have successfully utilized the NUFF as an effective teaching tool at all of them because it is an valuable educational tool. It provides clear guidelines while affording the flexibility required of a complex circumstance and response relationship within the confines of the federal statutes governing the use of force, understanding that every situation is unique and that variances among responding officers exist, despite the commonality of their training.

Folks who have created an ill-fitting tool that is being used well beyond its intended function are propagating the mistaken notion that the NUFF is simply another continuum. No model constitutes law and does not – or should not – constitute agency policy. Unfortunately, many continuums have been applied in precisely this manner – certain specific behaviours merit specific responses. If the subject is doing “this” then the officer should be doing “that.”

Many of these continuums have a linear relationship between behaviour and force response, with little or no regard for the totality of circumstances and the complex dynamics of any given officer-citizen contact. They display that if the officer is, “off the line,” they either, “used excessive force,” or they, “under-reacted.”



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By their very nature continuums are rigid mechanisms, inferring the misguided standard of minimal force, the notion that steps must be progressed through in an escalating fashion – that the lower levels of force must be exhausted before progressing to the next level. Continuums talk about levels of resistance and levels of control – where one should align with the other. The NUFF talks about subject behaviour and officer response options – all in the greater context of the totality of circumstances based upon the situational factors.

A quote from a widely-touted 2006 US article (“Use of force: Are continuums still necessary?”) is relevant:

In Graham (Graham v. Connor – U.S.S.C. – 1989) the court specifically stated “the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application,” but that is exactly what use of force continuums attempt to do. Additionally, most use of force continuums do not address the concept of totality of circumstances.

*Most continuums are structured in such a way that a specific subject action equates to a specific officer response, regardless of the totality of circumstances known to the officer at the moment force was used. Experienced law enforcement officers know that use of force incidents do not occur in a vacuum. There are factors such as known violent history of the suspect, duration of the action, officer/subject variables and other facts that make up the totality of circumstances. Rather than a specific response to a subject’s actions, there may be a wide range of reasonable responses from which an officer may choose.*²

The *Graham v. Connor* concept of “objective reasonableness” is transferable to the Canadian judicial system. The author describes everything that the NUFF is NOT and in the last two lines, also explains what must be considered to meet the test of reasonableness – the totality of circumstances based upon the situational factors. This is precisely what the NUFF does so effectively.

The NUFF is situationally driven – as depicted by the “hub” of the model. It demonstrates that an officer must, whenever possible, assess the situation, plan an appropriate and reasonable response and then act – or implement the response and then re-assess until such time as the situation has been resolved. The “totality of circumstances” plays the pivotal role in determining the appropriateness/reasonableness of the officer response.

Uniformly defined, nationally standardized subject behaviours surround the situation hub and are central to the assessment process – but do not single-handedly drive officer response. Uniformly defined, nationally standardized force response options surround the subject behaviour ring, indicating that the officer must consider the totality of circumstances, having regard for the behaviour that the subject is engaged in, as they determine an appropriate and reasonable response – which, as demonstrated by the model, could be any number of different responses. In doing so, the NUFF conveys the concept of “proportionality,” which is another factor in determining “reasonableness.”

One officer may employ physical control in what would appear to be the same situation, where another officer may use a conducted

energy weapon (CEW) – and both responses may be appropriate and “reasonable” given the totality of circumstances.

In the September 2009 Police Executive Research Forum (PERF) report submitted to the National Institute of Justice (NIJ) – the following quote becomes highly-relevant to modern day policing in the US and perhaps even more so in Canada, particularly in light of the recent Braidwood Commission on Conducted Energy Weapon Use:

One of the greatest barriers to conducting use-of-force research is the absence of uniformity and comprehensiveness in the collection of force data by LEAs across the country. We observed limitations in content (information about many of our areas of interest wasn’t collected by the LEAs) and timing (many of the LEAs were limited in how long they kept their force records – limiting our team to no more than four years of analysis).

*Also, the use-of-force tracking systems we observed lacked a common architecture or set of definitions, making comparative analysis very difficult. We believe that a national use-of-force database, as recommended by Smith and colleagues (2008), would greatly assist the law enforcement community to produce reliable answers to the above and other questions.*³

The absence of a NUFF, embedded standardized definitions of subject behaviour and officer response options and a consistent, reliable use of force lexicon preclude the ability to gather uniform data on the use of force. Gathering reliable data is of tremendous value to the public, police oversight bodies and law

enforcement. After all, there is safety in the truth. The NUFF (and IMIM) are critical to create a reliable, standardized use of force database, whose time has certainly come.

When a model is misunderstood – including its application in training, the fact that it does not assist the law, is not a “justification tool” and should not be used as policy – it becomes problematic. However, it is not the hammer that won’t drive the nail straight – it is the carpenter misusing the tool.

The NUFF is a well-designed Canadian tool. When used in the hands of astute professionals, it becomes a valuable asset in building the foundation for reasonable and appropriate force response in any given situation.

1. Oregon Department of Public Safety Standards and Training – Memo on the elimination of the use of force continuum/matrix – p. 1
2. FLETC Journal D – Fall 2006: Use of force: Are continuums still necessary? – John Bostain – p. 33-37
3. PERF Report to the National Institute of Justice (NIJ) – September 2009: Comparing safety outcomes in police use-of-force cases for law enforcement agencies that have deployed conducted energy devices and a matched comparison group that have not: A quasi-experimental evaluation – p. 15

Joel A. Johnston (jajohnston@jibc.bc.ca) is a 25-year Vancouver Police Department officer currently on secondment as a S/Sgt. – provincial use of force & ERT coordinator. A Simon Fraser University graduate, he is a court-certified use of force subject matter expert across Canada and has contributed to Blue Line for the past 15 years. The opinions in this article are solely his own and do not represent any official position of offices held.

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Turns out you're not that special

I have met a lot of officers in the many years I have worked with police organizations. On the surface, most seemed fairly normal; I have yet to meet one who breathes fire, is growing horns under their cap or thinks the little voice on the radio is coming from an alien.

Apparently, I must be a bad psychologist because I seem to be missing a whole lot of pathology. If you check things out on the Source of All Knowledge, the Internet, you find out pretty quickly that police officers are a pretty screwed up lot. I did a quick search on mental health problems in police and discovered:

- The suicide rate for police is six times higher than for the general population;
- The majority of police are involved in domestic abuse;
- 67 per cent of police drink on duty;
- 30 per cent have ulcers;
- Only 1/10th of police marriages last;
- Police stress is physiologically unique – “burst stress;”
- The amount of stress police are under is greater than in other professions – and is increasing;
- Fears about safety are the primary source of stress;
- It's hard to get psychological assistance if

you are a police officer because “no one understands;”

- You can kiss your career goodbye if management finds out you have a “mental health problem.”

I could list more, but the above alleged bits of information were enough to lead me to the conclusion that all this is:



Talk is cheap – and often inaccurate. At this point, I could digress into writing about why much information obtained over the Internet should be taken with a large grain of salt. I will instead remain with my original premise. (I suspect most of you would rather hear about the Internet, since talking about mental health issues generally makes us all a little uncomfortable. Too bad; suck it up – you're supposed to be tough, remember?)

I don't think any of the stuff I listed above is true. It may be glamorous to paint police officers as some kind of tragic heroes – and Lord knows, it helps at contract negotiation time – but the evidence is a little thin.

What we do know for sure about mental health in police officers is... well, not much actually. There is really almost nothing in the way of reliable data available on this subject – and what data there are do NOT support any of the above contentions. One might guess that there are more similarities than differences if you compare police to other people.

Researchers have theorized that there may actually be a slightly lower rate of psychological disorders among police than the general working public. Officers generally undergo a psychological assessment prior to being hired, which excludes some people with pre-existing psychological problems and makes the base rate lower to start with.

The best guess seems to be that the suicide rate in police is also possibly lower, and almost certainly not higher than the norm – at least in Canada. (You often see US data quoted, which may paint a different picture.) Police do seem to have a higher incidence of post-traumatic stress disorder than some other occupations.

Overall, what this suggests is that – frankly – you are just not all that special. However, now that I have burst that bubble, let me point out that all this does NOT mean that police are free from

mental health problems. If you assume, for example, that police are regular people – and we estimate that there are about 67,000 police officers in Canada, then in an given year:

- 7,761 will have a diagnosable anxiety problem,
- 5,279 will have another mood disorder, including depression,
- 192 will have schizophrenia,
- 5,026 will have a substance abuse disorder.

That means more than 1,800 police officers a year with a mental disorder serious enough to warrant intervention. What does that mean in your everyday life? A police service with 50 officers and 20 support staff will have seven people with a diagnosable psychiatric problem in any given 30 day period. If you have 500 officers and 200 support staff, then the number jumps to 70.

Perhaps most sobering for those of us who are just regular people, not management or human resources – consider that the lifetime prevalence of mental disorder is 37.5 per cent. That means the odds are better than one in three that each of us is, at some point, going to have a serious mental health problem.

While these data may cause some panic, the implications are both positive and negative. My guess is that you probably cannot look around your organization and pick out the people with mental health issues. You probably can't pick out those with allergies or diabetes very easily either. The good news is that most of these problems are treatable and manageable and people can certainly be effective workers and carry on as usual with a psychiatric diagnosis. It is definitely not the end of the world to have a mental health problem.

The bad news – some people with mental health problems are still reluctant to get help. That's really too bad and certainly does not help you out in the long run. I figure if something is broken, you'd best get it fixed. A senior police person once told me he would not want an officer being treated for depression covering his back. I said I'd much prefer someone being treated than one who needed to be treated but wasn't. He did not have a snappy come-back for that one.

The biggest culprit in workplace mental health is, of course, stress, which we know causes a variety of workplace problems, including:

- Aggression/avoidance;
- Short fuse;
- Impaired judgment/poor problem-solving;
- Attention problems and distractibility;
- Memory problems;
- Fatigue/decreased energy;
- Irritability;
- Reduced efficiency;
- Slower pace of work overall;
- Increased absenteeism;
- Lower immune function (meaning you get sick more often);
- Other physical ailments.

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It's 2010 and policing has changed. We need to think about:

- Increased complexity of tasks;
- Flattened hierarchies and the resultant greater responsibility of individual officers;
- External linkages, which lead to greater visibility;
- Higher education, which leads to higher expectations by employees;
- Greater corporate liability;
- Increased accountability both to employees and the community;
- Increased competition for good employees;
- A more complex policing environment.

It is more fun and far more exciting to think of police work as being terribly stressful by nature, but the fact is that the main causes of stress in the police workplace – just as in any workplace – tend to be structural and organizational rather than related to the nature of the work itself. In policing, the literature suggests that the majority of stress comes from:

- An autocratic, quasi-militaristic management model;
- Poor supervision;
- Lack of employee input into decision-making and policy;
- Excessive paperwork;
- Lack of administrative support;
- Role conflict and ambiguity;
- Adverse work schedules;
- Unfair discipline, performance evaluation and promotion practices.

You will note that “bad guys” and “scary stuff” do not even make the list. That is not to say that these things do not play a role – of

course they do – just a smaller role than the things listed above.

What all these things taken together mean is that police organizations really need to think about their organizational structures and policies. Are you part of the problem or part of the solution?


This column would turn into a book if I were to itemize the things that an organization ought to be doing to be a mentally healthy workplace. I can refer you to a few web sites that can tell you far more than I can.

A final word for those of you older, more experienced and more curmudgeonly folks who think the younger generation has gone soft and all this hoopla about supportive workplaces is for wusses. If you don't want to do it for your employees, do it for the bottom line:

- Honeywell saved \$2.80 in productivity losses for every \$1 spent on providing health information;
 - Telus saved \$3 million in WCB/WSIB claims as a result of its wellness strategy;
 - McDonnell Douglas saved \$4 in reduced absenteeism for every \$1 invested in employee mental health;
 - First National Bank of Chicago saw mental health related insurance claims drop 32 per cent after education, manager training and early detection;
 - Pepsico measured and found a relationship between managerial style and accident rates.
- You might want to give it some thought.


Dr. Dorothy Cotton is *Blue Line's* psychology columnist, she can be reached at deepblue@blueline.ca

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Technology trumps talk

Police agencies set example for complaint-shy corporate sector

by Mark Giles

There's a lot of criticism of the police in today's media-saturated world – and some of it is justified. But in some areas, police agencies are the ones showing leadership, and other organizations would be well served in following their example – especially with the use of technology and complaints.

It's been a little more than a decade since dramatic improvements in computer technology, including the emergence of the internet, started to make email, websites – and related electronic forms of communication – a dominant force in our lives.

In both the public and private sector, many organizations have used these technologies to improve access and transparency – improving their reputation and corporate brand in the process. Police agencies are leading many of these initiatives that extend outreach to communities and citizens, while providing additional access to information and services.

The Calgary Police Service is one of many forward-thinking organizations that use technology to communicate well, both internally and externally. Its website supplements traditional forms of communication, providing



email and electronic feedback options, but without ignoring the fact that many people may also want direct contact. Also available is a list of telephone numbers, including one for the Professional Standards Section.

The Halton Regional Police Service in Ontario routes calls through a central number – easily accessible on its website. Calling this number, I was speaking with a real person in the Professional Standards Section in less than two minutes. An on-line option for filing complaints is also available.

The Vancouver Police Department's website provides mail, a direct telephone line, fax and even face-to-face options at two public-service counters for those wishing to file a complaint. And the provincial police complaints commissioner has even had the needed form translated into 12 languages.

Hiding behind websites and email

But while many police agencies use technology to further improve contact with the public, some in the corporate sector have been less enthusiastic to do so. Some even use email and websites to limit contact with the outside world, especially when it comes to dealing with complaints.

Increasingly, some organizations seem to be hiding behind technology – perhaps as part of a larger strategy – using it as a filter or a blocking mechanism to deter complaints. As a result, many complainants experience such stress and frustration that they often give up trying to get answers.

Take Air Canada, for example. Recently, a friend wanted to complain about her treatment at a major Canadian airport when, despite arriving a full 81 minutes prior to her flight to a US

destination, she was advised that the airline's staff were too busy that day and that she would have to pay more than \$400 for a later trip.

As the only means of complaint is through the airline's website – where one can only use email or fax – she had a complaint registered online. The response came a few days later, but without addressing the real issue. Most significantly, a few emails later – and after requesting copies of "records" that Air Canada says it had that proved she arrived later than she did – the airline closed her complaint.

The closure was communicated by email, of course.

Subsequent emails either went unanswered or without substantive response, and, most worryingly, phone calls to the general line – trying to make phone contact with a supervisor to address the complaint – were met with one stalling technique after another, including being placed on hold for long periods of time.

Phone service for good news only

Pushed back to email again, this time requesting a phone number to speak to a real person about the complaint, generated a candid response.

"Unfortunately, we do not offer a phone-in system"

As apparently no company phone number was available, yet another email was sent – requesting that a supervisor call, while providing both work and home numbers. To date, there's been no response.

Bloomex – a large florist – is another example of a company that appears to use technology to limit customer contact and deter complaints. It has both on-line and phone-in service, but with a catch – its phone-in service is only for good news. Calling to place an order is simple – an operator answers the telephone quickly – but try to discuss problems and things rapidly deteriorate.

Operators only deal with new orders; complainants must press "2," and the previously quick-to-answer operator is replaced by voicemail – "all our agents are busy with other clients" – which then encourages customers to use email. In my case, repeated voice and emails finally motivated a supervisor to call me back – almost two days later.

The supervisor was at least apologetic, indicating that she didn't agree with the company's policy in handling complaints. A quick Google search – one I should have perhaps done before choosing this company – suggested that a lot of other customers weren't too happy either.

They've got their corporate headquarters covered too. Both strenuously avoid giving out telephone numbers for head office, however one Air Canada agent started to provide the number,



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then abruptly put me on hold. When he returned – almost 10 minutes later – he announced that there was no phone number available.

After eventually getting the number for Air Canada's head office in Montreal, I was subjected to the usual gauntlet of voice options – the one for customer concerns directing me back to the website and email, completing the full circle.

Double standard

In the business world, web technologies now allow on-line shopping, banking, gaming and even dating. And on-line customer service is quick, convenient and effective as an initial point of contact. But it can be much slower and less effective when a problem develops, which is perhaps why some companies prefer this option. It's like having only Facebook friends and Linked-in business colleagues – without any real people to talk to.

Government departments at all levels provide many services on line now too, but most still at least provide telephone service or the option of walking into a local office. The complaint process may not always be quick, but the option of talking to a real person – or at least leaving a voicemail with a reasonable expectation of receiving a call back – goes a long way in reducing stress and frustration.

Imagine if police agencies restricted citizen complaints to email or fax, refusing to provide a phone number when requested. If a police agency used such a process, the public would be indignant – and the fallout would

significantly damage reputation and the overall organizational brand. But this behaviour seems to be tolerated from other organizations.

It's a double standard, perhaps one that some may attribute to the public-private sector divide. But either way, an organization that serves the public – whether taking money through taxation or otherwise – should be held accountable, and should allow the option of dealing with a real person when electronic forms of communication don't resolve a complaint.

In many ways technology is a wonderful thing – allowing organizations more options in dealing with the public and internal audiences. I use it extensively, both personally and at work, as most do these days – at least until a misunderstanding arises. Then I quickly pick up the phone or better yet, drop by for a personal visit.

Perhaps these companies don't realize the damage they do to their reputation when they ignore complaints – or maybe they don't care. The good news, at least, is that most major Canadian police agencies appear to be setting a high standard, and that their actions will strengthen their agencies' reputations and overall brands – while hopefully raising the bar for others.

Mark Giles is *Blue Line's* public and media-relations editor. He is also Public Safety Canada's director for Vancouver 2010, responsible for planning and partnerships with Emergency Management British Columbia and other federal government departments. The opinions expressed in this article are those of the author.

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RNC constable AWLE officer of the year

by Danette Dooley

Royal Newfoundland Constabulary (RNC) Const. Sharon Warren was named police officer of the year during the Atlantic Women in Law Enforcement's (AWLE) annual training conference in Nova Scotia in October.

The recognition means a lot to her, Warren says, because it comes from her peers.

"To know that someone took the time to put something together saying I deserve an award for the work I do, felt really good," she says.

A 21-year-veteran of the RNC, Warren worked on street patrol for a decade, in the force's sexual offense unit for seven years and in major crime investigations for the past four years.

She and husband/fellow RNC Cst. Tom Warren have four children aged 12 – 17.

Balancing family life with their careers isn't easy but they've always found a way to make things work, she says.

"When the kids were small we did the



same shifts, we did different shifts, we did overlapping shifts trying to figure out what worked best," Warren says.

Over the years, Warren says, women have found their niche in policing careers.

AWLE – which recently celebrated its 17th annual training conference – has grown in numbers and recognition, she says, adding the organization is also open to male police officers.

"At first it was like, 'Oh, the women are getting together,' but that's changed now. Our conferences are a time for officers to find out what's going on in the other Atlantic Provinces. It's a time to learn and a time to share ideas," she says.

Warren says female police officers in Atlantic Canada are delighted to have won the bid to host the International Association of Women Police (IAWP) 50th training conference in 2012, one of the largest policing organizations in the world.

AWLE made the bid to bring the milestone

conference to Canada, in partnership with the RNC and provincial RCMP. RNC Sgt. Sue Bill and RCMP Cpl. Colleen Fox headed the team that presented the proposal to almost 600 delegates from 34 countries during the IAWP 2008 training conference in Darwin, Australia.

It's estimated that more than 1,000 officers from over 50 countries will be in St. John's for the historic event.

"Our officers did a fantastic job in putting forward the proposal. We're really looking forward to hosting this event," says Warren.

Born in Moose Factory, Ontario, Warren is a firm believer in the power of hard work.

"I believe you have to work hard to achieve anything in life... I like to think that at work I do my best."

She is inspired by people who have had difficulties in their life but are able to overcome them, she says.

"We didn't all grow up with perfect lives but we're still human beings. We maintain a positive outlook on life and do our best to help others."

She credits Newfoundland and Labrador Premier Danny Williams with making the job of all RNC personnel easier by hiring more officers, though "on a personal level, I'd like to see taxes lowered, especially on necessities," she adds.

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RCMP rolls out central communications system

The RCMP "O" Division in Ontario, will institute a new state of the art Central Region Operation Communication System, supplied by EADS Defence & Security. The rollout is a multi-step approach with a number of phases. Phase 1 of the project will be implemented in time for exclusive use to secure the G8 Summit and be spread out across a 360km corridor in Ontario.

The IP based P25 digital public safety radio ensures efficient and secure communication and will be used as the primary means to provide secure wireless communication during the upcoming G8 held in Ontario in June 2010.

The second and larger phase will extend the network for the RCMP to cover the entire province as part of a major project as a P25 Mission Critical Region Operation Communication System. The RCMP will not operate both trunking and conventional networks, but will fast track the new P25 system across the province.

The Division's 1,537 members and employees are committed to the enforcement of federal statutes and to providing investigational assistance and protective security to other departments of the Federal Government and law enforcement agencies.

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Drug Investigation Techniques April 27, Fee:\$250 +GST

This course is designed to assist young officers or veteran officers in transfers or promotion to a drug enforcement unit through the development of appropriate skill sets that relate to drug investigation.

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- Interception of private communications and acquiring an intercept order
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Instructor: Det. Steve Walton (retired).

The Non-Accusatory Interview Technique April 27, Fee:\$250 +GST

This topic is designed for all police officers as well as private investigators and security people involved in interviewing suspects and/or victims.

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- Conducting an investigative interview in a conversational setting with the emphasis on obtaining important information.
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- How to plan and enter into an interview and get the subject talking and keep them talking.
- Current legal status of investigative interviews and how far you can pursue the truth in a legal manner.



Instructor: S/Sgt Gordon MacKinnon (retired).

Detecting and Defusing Deception April 28, Fee:\$250 +GST

This topic is of interest to all police officers as well as private investigators and security people involved in interviewing suspects and/or victims.

In this course you will learn:

- How deceptive subjects act?
- What they say and how they say it?
- What they do when faced with certain probing or bait questions?
- We will also cover some of the latest findings in this field and dispel some of the myths about lying.



Instructor: A/Sgt Wayne van der Laan (retired).

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Law enforcement and use of force

Control tactics – lest we forget self-defence

by John McKay

Maybe it's a lack of experience, overabundance of political correctness or both, but I've noticed that the self-defence aspects of use of force situations have all but disappeared.

I've suffered through the testimony and read the reports of many so-called "control tactic experts" and it would seem that the self-defence sections of the Criminal Code of Canada (CCC) which protect police officers no longer exist. All that does exist is theory and policy. This control theory and policy view presents massive problems when applied to a use of force incident and can lead to an upsurge in excessive force rulings against officers.

When I began my policing career in 1973, the techniques and tactics used to control violent people and make arrests were taught beneath the tenets of self-defence. Clearly, police encountered situations where, during an arrest, an officer would be fighting for his or her life and so *Sections 37 and 34* of the CCC were used to justify the officer's actions. *S.37* empowers anyone to use reasonable force to prevent an assault or the repetition of one and *s.34* empowers anyone to use deadly force in the face of a deadly force attack.

Once I got out into the field, I realized that while I sometimes found myself fighting for my life, there were also a myriad of situations I encountered where force was used more to control an arrested person than to survive the encounter. These situations involved everything from handling resistive drunks to passive resisters during protests. In these situations, a lower response option was used to achieve the operational objective.

These non-life threatening situations didn't really fit the self-defence sections of the CCC. They were more suited to the broader *s.25*, which empowers anyone to use reasonable force in the administration of the law.

In 1980, I met and trained with Jordan Roth, a retired LAPD officer and pioneer in the modern concepts of use of force in the US. He and partner Bob Downey taught officer survival and use of force courses at the California Specialized Training Institute in San Luis Obispo, California. Roth was a well-recognized martial artist who trail-blazed new tactics in weapon retention, baton usage and handcuffing. During our time together, I learned the "Downey-Roth System,"



which includes many techniques and philosophy I still teach today.

Roth introduced me to a model he called "Force Options Theory" that he used to instruct use of force techniques and, in court, articulate how officers responded to various levels of resistance.

One of the essential points of this model was that police used defensive force in response to a subject's behaviour, but their ultimate goal was to control the subject. It was predicated on legal principles and the theory postulated that as a subject escalated his or her behaviour, so did the officer. The model also included the use of deadly force.

This shift from self-defence to control tactics became the accepted view of police agencies in Canada and many in the U.S. This model also validated what I had personally encountered on the street and I used this model from 1988 onwards when testifying in court about use of force incidents. Eventually, many different models based on that original theory became the vogue and in recent times the CACP have adopted the National Use of Force Framework, which is also derived from Roth's model.

Over the years, many instructors were trained and instilled with response options and control theory. Unfortunately, that means the self-defence components of police encounters are gone. These theories and policies not only fail to address the myriad of situations a police officer can expect to encounter on the street, but they can also create an easy conclusion of excessive force.

Recognizing that assaults on police are primarily self-defence situations with a control tactics follow up provides a more accurate and reasonable account of the event and the officer's actions. The inability to recognize and consider self-defence aspects, particularly in those incidents when no weapon was used against the officer, really limits the acceptability of the officer's actions.

A crime is only categorized once it has been committed. An assault on a citizen or police officer may end in injury or worse and both have the legal power to defend themselves. A spontaneous attack of any kind on an officer or citizen is clearly a self-defence situation. From a legal standpoint, the citizen or officer can respond with *s.37* (self-defence), as opposed to *s.25* (administration of the law). Let's not confuse these issues by making everything an officer does a routine *s.25* event.

Yet, other permutations exist. One is that a routine *s.25* arrest may begin as a control tactics situation but suddenly escalate to a *s.37* or *s.34* Incident. The officer has the legal right to defend him or herself and, in so doing, use any technique or tactic, taught or not, to save their life. The techniques they use wouldn't be justified under *s.25*, but are completely justified under the concepts of self-defence. Let me make an analogy.

Dallas, Texas, 1966. Charles Whitman climbs to the top of a bell tower and uses a rifle to murder 16 people and wound 31 others before police are able to stop him. Folklore has it that this incident resulted in the birth of SWAT teams, which used assault tactics until the mid-80s when Dr. Harvey Schlossberg and NYPD SWAT teams began to teach the "contain and negotiate" theory. This philosophy became the overriding policy, so much so that when the Columbine High School shooting happened, SWAT teams contained the situation and tried to negotiate with the shooters while they continued their killing-spree inside. As a result, we now see "active shooter" training scenarios. In other words, there is a place for both types of tactics and it is for the experts to decide which should be used. Both tactics have value and must be used appropriately.

In today's terms, use of force training and "expert" opinion evidence treats everything an officer does as a control tactic. The truth of the matter is that many incidents where officers are assaulted should be viewed as self-defence situations and evidence should be given from that point of view. A police officer, no matter how well trained in control tactics, has the right to defend himself first and then has the obligation to control the subject.

The concepts of self-defence and control tactics must be recognized and the differences between them taught to law enforcement personnel. Those experts who review an officer's actions must consider the self-defence aspect of these situations; otherwise our street officers will remain as vulnerable to legal implications as they are to physical ones.

John K. McKay is a former Inspector with the Vancouver Police Department and currently a principle in the Defensive Tactics Institute. He may be reached by phone at 604 541-8467 or email: john_mckay@shaw.ca.

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A mandated standard

Ritual child sex cases' lessons often unlearned

by Deborah Hastings
The Associated Press

There are cases in which the accused admits, in sickening detail, exactly what was done to children: A self-anointed pastor walks into a small-town Louisiana sheriff's office and announces he and others have forced children into sexual acts for years, dabbling in witchcraft as well.

Those are the easy ones.

Then there are those in which the facts may never be known. The ones that show some authorities still stumble when talking to children about abuse – despite the awful legacy left by hysteria-driven trials that began in the 1980s and lasted two decades.

The accusations continue, though in smaller numbers and with considerably less media attention. And investigators still use discredited interviewing techniques blamed for prompting children to describe crimes that never happened.

Such questioning elicited bizarre stories of underground tunnels and satanic sacrifices during the McMartin Preschool case in Southern California, which lasted seven years and involved hundreds of children – only to end in 1990 with no convictions and dropped charges. It was the most expensive criminal trial in U.S. history.

"I don't think we've learned any lessons since those cases," said New York attorney Robert Rosenthal, who has appealed several convictions of accused molesters.

Among them were Margaret Kelly Michaels, indicted in 1985 for 299 offences involving 33 children at the Wee Care Nursery School in Maplewood, N.J. After she spent five years in prison, her 47-year sentence was overturned. The state Supreme Court said interviews conducted with the children were coercive, suggestive and highly improper.

"This stuff is still happening," Rosenthal said.

There is no standardized protocol for interviewing young victims of alleged sexual abuse. Neither are there uniform policies for recording their questioning, whether on video or in writing.



Anatomically correct dolls are still given to toddlers, child experts said, though their use in the McMartin trial and others produced embarrassingly unreliable testimony. Young children appeared unable to see the doll as a symbol of themselves, and were more interested in playing with the dolls and taking off their clothes and finding extra features not found on typical dolls.

Some jurisdictions, including Los Angeles County, home of the McMartin trial, have markedly improved the way they question children and now work with psychiatric experts at a university hospital. States including Washington and Michigan have guidelines for such cases.

Still, there is no central repository for information on sexual abuse cases, nor an accounting of what interviewing tactics are used by individual law enforcement agencies.

"They're really hard cases to prosecute, I understand that," Rosenthal said. "The kid is the evidence. The kid is the crime scene. There's rarely any physical evidence. That doesn't mean abuse doesn't happen. It happens every day."

But there remains ample room for improving the way authorities talk to children, say those who work such cases – ways that don't taint the investigation and do no added harm to a frightened

child suddenly thrown into the very adult world of police and prosecutors.

Take the case of Pennsylvania child psychologist Jerry Lazaroff, acquitted in May of sexually assaulting and endangering the welfare of four children, ages five through 10, who once were clients. The therapist, who treats emotionally disturbed youngsters and conducts court-ordered custody evaluations for divorce proceedings, had practised for 30 years in suburban Delaware County and used "play therapy," including basketball and a foosball table, to encourage children to interact with him.

He was arrested in 2008, after a 10-year-old girl told her mother Lazaroff had touched a place she called her "Virginia." His attorney, Mark Much, said the psychologist acknowledged touching the girl accidentally. She had been running across a couch in his office, while Lazaroff sat on the floor in front of a board game they'd been playing, the therapist testified. When he reached back to stop her, he didn't realize the girl had sat down, and his hand bumped her private parts.

He apologized, Lazaroff said, telling the child, "That part of your body is off limits. That was a mistake and it won't recur."

Jurors apparently believed him, acquitting him of abusing the girl and three other children whose parents went to police after the psychologist's photograph appeared on the local paper's front page, accompanied by a story asking other potential victims to come forward.

Deputy District Attorney Michael Galantino stood by his case.

"We're disappointed," he said. "We believed we presented more than enough evidence, but they chose to acquit and we have to accept that verdict."

Much had argued the children's testimony was contradictory – one boy said he'd been touched on his penis nine different times but later testimony showed his parents had been in the room during each of those sessions. Another boy told investigators the therapist Scotch-taped his hands to the floor and then tickled the boy's privates.

Interviews with the children were handled by law enforcement officers. "I was shocked that the interview process didn't have any child psychologists or social workers," Much said. "These

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children were abused – by the process that put them on the witness stand.”

Police took one mother’s report in front of her daughter. Then officers questioned the girl while her mother looked on. “A child doesn’t want to call their parents a liar,” Much said. “Children have a tendency to regurgitate what the parent has said.”

Social and mental health workers now generally agree children should be interviewed separately, in an atmosphere that makes them feel safe and is built to their scale – small tables and chairs, for example, in colours and styles they’re used to seeing in everyday life.

Children should be asked open-ended questions that allow them to tell their stories in their own words. Details should be repeated, to make sure both child and questioner understand what was said.

The techniques are designed to strengthen cases that go to trial and weed out cases that shouldn’t.

Those tactics might have saved everyone involved from being dragged through a muddy case that fed a local media frenzy, Much said, but fell apart in front of jurors.

“If only someone had challenged what the kids said,” he said.

“I don’t blame the kids, I blame the interviewers. How can Scotch tape hold an arm to the floor?”

Carl Lewis, a former police officer in northern California, taught himself to work sexual abuse cases by researching interview protocols published by the National Institute of Child and Human Development, part of the National Institutes of Health. After watching publicized abuse cases spectacularly implode, Lewis taught fellow officers to alter their approaches to children.

It wasn’t easy.

“I thought we could change it overnight,” he said. “I ran into a lot of resistance. I constantly heard, ‘What’s wrong with the way we’re doing it now? We’re putting people in jail.’ And while there certainly has been an attempt to improve the way children are questioned, moving a mountain is a hard and slow process.”

Lewis said he has interviewed hundreds of abused children. The trick, he said, is to never ask yes-or-no questions, and to never prompt, suggest or lead a child.

“I would start by saying, ‘I want to talk to you about why you’re here today,’” Lewis said. “And the kid may say, ‘I’m here to tell you what my uncle did to me.’”

And Lewis would respond, “Tell me everything about that.”

The questioner may get details that bolster a case – the colour of the walls where the abuse occurred, a painting in the room, something that can be shown to exist in reality.

Earlier interviewing methods tried to reassure children, but instead twisted their answers.

For example, in the Little Rascals Day Care Center trial, North Carolina authorities charged seven defendants with abuse including rape and sodomy against dozens of children. Most convictions were later overturned when hindsight showed mistakes were made in handling the children.

Don’t worry, they were told: Your school-mates have already told us about the bad things that happened and here’s what they said.

“That intimidates kids,” Lewis said. “A kid thinks, ‘If I don’t say what the others said, they’re

going to think I’m stupid.’ So the child answers the way he thinks the questioner wants.”

In the Little Rascals scandal, children as young as three told of kids being taken on boat rides and then thrown overboard, of babies being killed, of children taken to outer space in a hot air balloon.

Maggie Bruck, a psychiatric expert at The Johns Hopkins Hospital in Baltimore who’s written extensively on the way children describe molestation, says some authorities – but far from all – have gotten better.

“I deal with cases all the time where the investigations were just horrible,” Bruck said. “The interviewers were just horrible. Do you know

how many people interview children? A gazillion. Some of them are very, very poorly trained.”

Bruck testifies in abuse trials, sometimes as a witness for the accused, on how questioning methods can produce false accusations.

Changing those practices would not be difficult, she said. But it would require a national movement.

“A mandated standard would make a huge difference,” she said. “Mandatory taping of all interviews would make a huge difference.”

This article was excerpted from *Blue Line News Week*. This weekly executive reading service is available for email delivery every Thursday. To subscribe to this service go to www.BlueLine.ca or phone 905 640-3048.



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Lessons from a gun battle

Winning the battle before engaging is key

by Michael Soden

There are about 865,000 police officers in North America. Roughly 2% – 17,300 – have gone through the psychological and physiological trauma which comes with having to use deadly force. I wrote about the trauma in the April, 2009 issue of *Blue Line*, briefly outlining what I and two other officers experienced in a Nov, 2006 departmental shooting, the after effects and how it changed us and our lives.

On Oct. 16, 2009 it happened again. I was already rolling up to the scene when I received the dispatch – an armoured car robbery in progress. Time distortion began to set in as I heard the distinct pop of 7.62 rounds going off. “You have got to be kidding me,” I thought to myself. “So much for laying low for the day.”

I stopped about 300 yards away from the scene, which was right in front of a high school on a major road, and a children’s day care centre on the opposite side. To complicate the situation, school was letting out and an audience began forming on the sidewalks. I couldn’t see any suspects; I believed they were at the rear of the armoured truck and I was facing the front. There was no available cover or concealment.

More shots rang out. I wondered if the gunman was actively killing innocent citizens



or the armoured truck employees. Beginning my approach, I realized I would be coming up against a 7.62 rifle – likely an AK or variant – with my .40 caliber pistol. I was clearly outgunned and perhaps outnumbered. Here is where the dynamic shifts; as an active shooter instructor I have taught and preached that you have to seek out and eliminate the threat in such a situation, remaining vigilant and active in your plight.

You must keep your composure and push the active shooter into psychological defeat even before you confront them; the battle must be won in your mind before you even engage. You may not be able to choose the time, place or conditions in a gun battle but you can choose your mindset, which must be of strength, confidence and composure. You must have already won the

battle upstairs before engaging.

You are undoubtedly scared and full of adrenaline, but so is the shooter. You are a finely trained machine and cannot let them take the battle to you; take the battle to them, put on the pressure and the chances are high that the engagement will end in your favour.

What better chance to practice what I have advocated, but is this an active shooter? I began to prepare myself psychologically and physiologically as I approached, slowing my breathing and making sure to keep my heart rate below 155 beats per minute because anything more and you lose motor skills.

The initial dispatch was vague. Auditory exclusion set in after the initial gun shot, so I had not heard anything else that came over the radio. As with my first gun battle in 2006, conditions could not be any less in my favour, but you can’t always pick the time and place for a gun battle.

All this occurred over two to three seconds, when time distortion allows your body to prepare for the flight, fight or training response. Perfect repetitive training, if conditioned properly, will allow your subconscious mind to control your primal instinct of fight or flight, allowing you to do what you are trained to do.

I saw a masked figure holding a long gun emerge from behind the armoured truck when I was about 35 yards from the target area. I quickly closed the gap between us and could see that this confused him; he wasn’t prepared for this type of response. I had clearly just won the psychological battle – now for the physical one.

The suspect is like a deer in the headlights and is about 25 yards away. My back drop is clear so I feel confident enough to begin firing. He is moving and so am I, making accurate fire difficult. We exchange shots – I end up shooting five times before stopping because my backdrop has changed. Bystanders are now in my line of fire and they have frozen out of fear.

The suspect made it to his car and fled. He ran into a nearby house and barricaded himself, but was incapacitated by a well-placed shot from an AR15 when he tried to run to another house. He was taken to hospital with two gun shot wounds, one to his abdomen and one to his left arm.

Four hours elapsed from the time of the initial call to the suspect being taken down – plenty of time for the physical and emotional roller coaster to take many ups and downs, just as it did the first time. Oddly enough though, this did not occur. I was strangely calm this time and the whole event was very surreal.

So is the second time around easier?

A lot of things were much different, including my mindset. I had been mentally prepared for my first shooting, but did not fully understand how the human body responds to a critical life-threatening situation and how to control those responses.

The second factor was training, not only the perfect repetitive training but also mental

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training – controlling my emotions, envisioning the confrontation playing out the way I wanted it to and foreseeing the successful outcome.

I developed a class on “officer involved shootings” after my first event in response to the stress and trauma which followed it. I have taught and advocated better preparation for officers so they can be prepared for the after effect of police involved shootings.

These things undoubtedly contributed to the successful post event, but the way my department treated me was the biggest factor in helping me to properly decompress after this critical incident. The first time I was rushed around. The chief came to meet us on his time and seemed rather aloof to the whole situation.

The district commander at the time seemed more concerned about getting his face on TV and speaking about the incident than how I and the other officers were doing. We were then relegated to administrative duty for six months sorting traffic tickets. I am not saying we were mistreated but skip ahead three years and things were different and in my opinion very successful and professional.

Upon securing the initial scene, Major Dwayne Preston, my district commander, immediately responded to me at the scene. The first words out of his mouth were “are you OK?” I was taken to the station for the administrative paperwork. New Chief Roberto Hylton arrived and the first thing he did was thank me, tell me how proud he was of me and how happy he was that I wasn’t hurt.

District Captain Robert Gibson and Bureau of Patrol Commander Michael Blow then also asked if I was “OK” – all this while I was accompanied and supported by my former Lieutenant (now Captain) Mistinette Mints.

Upwards of 100 chemicals, endorphins and hormones are dumped into your bloodstream as a critical incident unfolds, far above what is normal. The most important thing is for you to get your levels back to normal. Undue stress will keep these levels above normal, thus causing physical problems such as irregular sleep and psychological problems like hyper arousal.

It’s very important that your commanders and peers put you in a comfort zone, allowing you to decompress and return to your normal “zone of safety.” This is the most important aspect of dealing with post event police shootings.

Chief Hylton has placed a great deal of effort into putting officers back to work quickly, a change from the old way of doing things. This allows them to quickly get back to their normal operating zones.

The actions by my department’s command staff was a key factor in making my second shooting much easier, I have not developed any of the issues that occurred with the previous one and feel much more at ease. As an officer involved shooting trainer, I would like to commend my commanders for doing it right and taking the officer into account before anything else.

Prince Georges County Police Cpl. Michael Soden is an adjunct instructor with Maryland Police and Correctional Training Commissions. He can be reached at mrsoden@co.pg.md.us.

Odditorials

FORT WAYNE, Ind. – Officials say a suspected drug dealer who led police on a 144-kilometre-per-hour chase in Indiana was arrested after he stopped suddenly at a Taco Bell parking lot.

Fort Wayne police Sgt. Mark Walters says 36-year-old Jermaine Askia Cooper told officers he “knew he was going to jail for a while” and wanted to get one last burrito.

Cooper was held without bail on four counts of dealing cocaine, one count of resisting arrest by fleeing and other charges.

Police say the chase began after officers spotted Cooper, who was wanted on other charges, and tried to pull him over.

DETROIT – There were no signs of life in the big cat after suburban Detroit police hit it with a Taser.

Not surprising since it turned out to be a stuffed toy.

The incident occurred when police responded to what turned out to be a hoax 911 call reporting a cougar on the prowl.

Police let fly with the Taser after spotting what looked like the big cat hiding in a discarded section of cement drain pipe.

They hit it right in the stuffing, but quickly realized they’d been had when they approached the lifeless critter.

(The Associated Press)

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Interviewing without accusing

by Gord MacKinnon

You would think it would be difficult for police or any other agency with authority to avoid the question of perceived guilt when interviewing a person.

I am often asked if there is a point at which you should simply tell the subject that you think they are responsible – that they did it.

There are schools of interviewing that promote the belief that you should not let a person deny their actions if you truly believe they are guilty. To do this, they theorize, is to let that subject “cement” their position and thereby make it that much harder to elicit a confession.

The more often a person is allowed to lie, goes the wisdom, the harder it will be for them to confess down the road. I beg to differ.

Telling a subject “look, don’t lie to me, I know you did it – you know you did it!” does two things.

One – you have now played your hand. You can’t backtrack from an accusation and the subject will now likely be in full defensive mode – guard up.

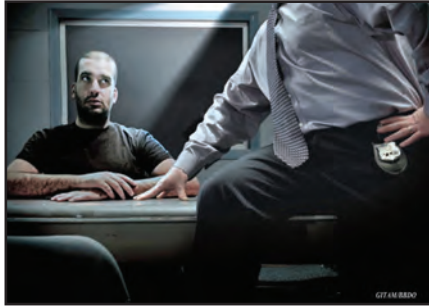
Two – you have opened the door, down the road, for a defense of the subject having “given up” (“they only told the officer what he/she wanted to hear.”)

One of the first things we emphasize with the “Non-Accusatory Interview” (NAI) technique is that we do not go into an interview room to get a confession.

It sounds odd but think about it. As a police officer or an investigator, we interview people to get information. If that information ultimately proves useful in either furthering an investigation or even a future prosecution, then we have done our job.

A lie or a falsehood that can later be disproven may well be very valuable indeed and will certainly hang over a person’s head like the proverbial “Sword of Damocles” in any subsequent trial.

The old adage about, “giving a man enough rope to hang himself with,” can certainly apply in the interview room and I am sure we can all remember seeing a suspect do just that.



Going into a room with the plan of getting a confession automatically puts you into a particular mindset which could possibly blind you to the truth if the person is innocent.

Investigative interviewing is very complex but the product gained at the end is largely driven by the subject of the interview – what they say, how they say it and how this information can be confirmed, disproved or otherwise utilized by the prosecution.

We like to say when teaching NAI that the subject of the interview is “doing the driving.” We, the interviewer, are merely in the back seat; “along for the ride,” you might say.

I wonder where he/she is taking me, what sights I will see along the way and where we are going to end up (and yes, I know – “Daddy, are we there yet?”)

When you approach the interview in this way you are being a more passive actor in the process. We are really looking for two key things by using this approach.

First (and very important) is that the subject of the interview will be doing most of the talking. You, on the other hand, will be listening and, when appropriate, making the subject explain what they have just told you.

Secondly, in this type of interview the subject is more likely to take us into areas that we may never have even suspected were relevant to the matter under investigation.

Lying is a very difficult and stressful undertaking. The more lies a person tells and the longer that they go on lying, the more difficult it is for them to keep everything in balance.

“What did I just say? What did I say five minutes ago?... ten minutes ago?” You get the idea.

Telling the truth is easy. You are simply telling what you know because you were there/not there, have knowledge/no knowledge, etc.

Using the NAI technique, we are simply giving the subject an opportunity to tell us their side of things. However long it takes will depend on the subject and on the way in which their “journey” evolves.

A truthful subject will generally get to the end of the trip much quicker and in a more direct fashion. Their version will stand up to scrutiny, no matter how many times we take them through it and regardless of how we ask them to “explain” certain things.

An untruthful subject will often take much longer to give their account and will almost certainly tell some truth but leave out other details. We can expect to see more unlikely explanations, hesitations and implausible language.

But this could take forever, you say!

Anyone who expects an investigative interview to be successfully “wrapped up” in five or ten minutes is only kidding themselves. A quality interview takes time – sometimes hours and, in some cases, in more than one session.

In serious investigations, where much is at stake, the value of a quality interview cannot be over-emphasized. Police interviews in particular will be recorded and the entire process will be available for the courts to see.

Conducting a fair and impartial interview will go a long way to cementing your credibility with the court. This does not mean that you cannot be persistent and it certainly does not mean that you cannot ask the subject some very difficult questions if the need arises.

There is ample case law to support you as the interviewer in this regard and, by all means, you should use it to your advantage.

The courts will allow us quite a bit of leeway – playing “head games,” making the subject uncomfortable or playing on their change of emotions are all acceptable tactics. You just have to know how far you can go without going too far.

If done right, the NAI technique will result in a much better product which will stand up in court. If the subject has committed the offence, it is much more likely that you will bring them to the point of telling you without having to accuse them of anything.

At the *Blue Line Trade Show* in April we will be conducting a one-day seminar in the NAI Technique. We will look at the latest case law regarding interviewing and also update you on the proper approach to asking questions – the right questions at the right time in the interview.

See you there.

Gord is the instructor for the course The Non-Accusatory Interview Technique at the *Blue Line Trade Show & Training*, in April 2010. Visit www.blueline.ca for registration information.

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DISPATCHES

Retired RCMP Commissioner Maurice Nadon passed away December 21 at age 89. Nadon helped to modernize an antiquated force. He grew up in Algonquin Park, the son of a park ranger who kept the trails safe and tracked down poachers. With that background, it made sense that Maurice Nadon became a Mountie and eventually commissioner of the RCMP. Nadon brought in overtime pay, updated the Victorian marriage rules, hired female officers and let officers choose representatives who met with management. His focus was on organized crime, but he was also in charge of security for Expo 67 and was involved in investigating the FLQ. He leaves his daughter, a son Bob, nine grandchildren and one great-grandson.



The suspended Mountie, Kevin Gregson, 43, has been charged with the stabbing death of 51 year-old Ottawa police officer Eric Czapnik. The officer was sitting in his cruiser taking notes outside an Ottawa hospital when a man approached him and stabbed him. Police say nearby paramedics were first on the scene and helped detain the suspect. Although the two paramedics tried to save the officer, he died about an hour later. The attack is being regarded as a random incident as police say Czapnik did not know his killer. Chief Vern White stated that Czapnik did not place himself in harm's way and could not do anything more to defend himself. Czapnik leaves behind four children, three sons and a daughter. His parents and sister live in Poland, where his father was a police officer for over 30 years. Czapnik came to Canada from Poland in 1990 and was hired by the Ottawa force in 2007. It's been almost 30 years since an Ottawa police officer has been murdered.



Kevin Gregson



Eric Czapnik

On January 13th RCMP Sgt. Mark Charles Gallagher lost his life while serving in Haiti under a United Nations mandate. He was in his living quarters when an earthquake struck the city of Port-au-Prince. Mark joined the RCMP on January 18, 1998, after thirteen years of service with the Moncton Police in New Brunswick. In 2007 he was promoted to the rank of Sergeant as the Media Relations Officer for the province of Nova Scotia. His love of the French language was a perfect fit for his deployment to work with the people of Haiti. Sgt. Gallagher leaves behind his wife Lisa and their two children, Heather and Shane.



RCMP Superintendent Douglas Coates died in Haiti on or about January 13th. His body was located by rescue crews searching through the rubble of the UN Headquarters building in Port au Prince Haiti after the recent earthquake there. Coates was the Acting Commissioner of Operations for the United Nations Stabilization Mission in Haiti. Supt. Coates joined the RCMP on September 15, 1978. He deployed on his first United Nations mission to Haiti in 1993 and had been re-assigned on several previous missions. One of his achievements was to open five police stations in the Grand Anse region, re-establishing police services for the citizens of that area. Doug leaves behind his wife Lise and their children Julie, Mathieu and Luc.



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Imprinting Police Dogs

Raised to take a bite out of crime

by Ann Harvey

Eager puppies scramble over logs, following a kennel staffer. It's basic training for RCMP dogs, but there's a real difference. Human recruits are traditionally yelled at and pushed to their limits, their training designed to forge them into a team whose members rely absolutely on each other.

Puppies are put through a regimen which humanely enhances their instinctive abilities. Those who are ultimately selected work hard to please their human partners but also have fun as they help to serve and protect their communities.

The RCMP devised the system, called imprinting, in the late 1990s, explained OIC, Insp. Lawrence Aimoe, continuing a tradition of dog training which began in 1935 and has been run from the Innisfail, Alberta area location since 1965.

The system begins with brood females, which are fostered out to host families and artificially inseminated with sperm from working dogs when they come in heat.

"It was our relationship with the International Working Dog Breeding Association that helped us convince the people of Canada that we were worthy of support for our breeding program," Aimoe said.

When they are ready to whelp, the females are taken to the centre, where they whelp in pods. Sally Paradis provided a tour of the centre, which has four pods in each of two buildings, allowing it to host eight litters at a time.

She introduced the latest puppies – one group almost two weeks old and another around six weeks old. Access to the pod areas is restricted and infection controls protect the puppies.

Staff wear gloves when they handle the youngsters and all who enter must first dip their shoes in disinfectant. The pods each have separate air circulation to prevent any bugs from spreading.

The imprinting process begins right from birth, Paradis said. She demonstrated by selecting a puppy from the younger group – those whose eyes haven't opened and who can't smell yet – and turning him on his back and then upside down.

"We handle them at least once a day. This is just the beginning of their early neurological stimulation."

She stimulated the older group first by dangling a toy suspended from a stick for them to pursue and then taking them outdoors to the puppy exercise yard and leading them through an obstacle course, which includes climbing stairs and over logs, going through pipes and negotiating a maze – all environments the dogs must become accustomed to.



Insp. Lawrence Aimoe, officer-in-charge of the RCMP Police Dog Service Training Centre in Innisfail, Alberta, and Suzanna, a golden Labrador given to the RCMP by Queen Elizabeth II. The inspector has headed up the centre for six years during which time the centre doubled its size with additions including a new administration building and a memorial site for police dogs achieved with help from the surrounding communities and Olds College.

"We're building on all those things that bring them to the point where they're going to be police dogs. It's like teaching kids math in school. All we do is bring out their natural instincts. We do things with them that they have fun doing."

The activities accentuate the puppies' prey drive, aggression, tracking and familiarity with different environments.

"By the time they leave here they're not really afraid of anything. They're climbing

up stairs. They're not afraid of loud noises."

Cpl. Scott Chapman, breeding program manager, said the puppies first learn how to be dogs, how to socialize and communicate with each other.

"We try to keep the moms with the puppies as long as we can. What Sally and the other people here are doing is they're building on that instinctive prey drive and we're channelling it to what we want them to do."

Aimoe said the pups are periodically



evaluated and those with the right stuff are kept in the training program while the others become pets, going to owners who are first interviewed to ensure they will provide a good home.

The evaluations are done in a room with a hardwood floor. Tests include popping a paper bag. A dog that runs away from the noise fails while a dog that comes to investigate passes. The paper is then tossed away. A dog that ignores it fails while one that picks it up and brings it to the handler passes.

In another test, a large ring of keys is tossed and again, the dog which investigates and then brings it to the handler passes.

The puppies are weaned at six weeks and are sent to imprinters – officers who are interested in becoming dog handlers – when they're seven weeks old.

Current dog handlers supervise the imprinters, guiding them in helping to hone the dog's abilities. The imprinters also serve as quarry so the current dog handler can train with his own dog.

The imprinters then begin to specifically channel the prey drive and use it to build the dogs ability to bite, Chapman said.

"Then they start to channel their natural propensity to track by refining it into what we need for a police dog."

The dogs are most inclined to trail, lifting their heads and following the scent as it is moved by wind, he explained. They must be "checked," stopped and then encouraged to instead keep their heads down and pursue the scent as it was laid before air disturbances shifted it around.

The training is behaviour modification, with rewards given to the dogs every time they complete a task – sometimes food in the earlier stages but most often the chance to play with a Kong Rubber ball. Dog handlers say that for their partners, it's all about the ball.

"Imprinting is taking that natural training and ability and fine tuning it to what we want," Chapman explained.

"My job is to evaluate those pups at various stages – four months, eight months and a year – to determine their potential for our program," said Sgt. Barry Morrison.

"At any time we can cull the dog from the program. We would fill that placement with another pup.

"We usually train them anywhere from

12 months to 15 months or 16 months of age. That varies depending on the dog... it's not written in stone." Some dogs might be up to two years old.

"When it's ready to go we bring the dog into the kennels and then we team them up with the handler," a practice that evolved out of need, Morrison said.

"We had a test program where we tried raising the dogs in kennels. It didn't work out."

This system trains both dogs and potential handlers. "Our job is to teach those people how to raise dogs so they can become police dogs."

When the dogs are ready and training can be arranged – when they're around two years old – they are brought back to Innisfail and paired with an officer for final training. Dogs may also be retrained with a new handler if

their handler retires.

The centre starts the dogs out tracking in the country, then moves on to the suburbs of the nearby communities of Innisfail, Red Deer and Penhold and finally moves them into the most challenging tracks – city streets, Morrison said. Their presence is welcomed, by residents and the tourism they bring to the area is valued.

Then, for careers averaging about six years, the dogs use their natural talents working with their partners to find lost people, avalanche rescues, track criminals, find explosives and drugs and control crowds. Their handlers, like those of the Ontario Provincial Police, differ from most municipal police services because they are dog handlers for life instead of doing a tour in the service.

To meet the physical challenges of tracking, they have to pass the yearly dog PARE

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(Physical Abilities Requirement Evaluation) test, which takes nine minutes rather than the four minutes of the regular test.

“There’s a dog handler that just retired last year, Cpl. Terry Barter, after 37 years as a dog handler and 41 years with the RCMP,” Morrison noted. “Each of those 37 years he had to meet the physical requirements. He was almost 60 and he was running the physical test as well as the young guys.”

Sharing knowledge is a critical objective of the centre, Aimoe said, noting, “we still train a lot of agencies other than the RCMP here.” This is often a reciprocal arrangement. For example, Parks Canada trains RCMP dog and dog handlers to do avalanche rescues.

The centre has worked with police forces from many areas, including Fredericton, the Royal Newfoundland Constabulary, Charlottetown, Saskatoon, Abbotsford, Brandon, New York City, Anchorage, Reno (Nevada), Metropolitan (London), Swedish National and New Zealand. Other agencies include Parks Canada, New Brunswick Forestry, Royal Australian Air Force and the Swedish, Netherlands and German militaries.

“The RCMP has trained all of these agencies, up to and including Brandon Police Service,” Aimoe said. “The others have either visited the kennels or exchanged information with us or purchased dogs from our breeding program.

“Every year we have five to six international



guests who come here to see how we do our training,” he said.

“We are the leading experts in Canada on explosive detection. We’ve just finished our four-year plan and have all our resources ready for the Olympic Winter Games.”

Work in this specialty illustrates the sharing they value, he said. “One of the issues raised for us in detection of explosives was there was a product that was being used by

terrorists that we were not able to detect or hadn’t trained to detect.

“We have wonderful relations with Homeland Security in the U.S. and DND (Department of National Defence) in Canada. They provided us with the ability to train all Canadian police in its detection and we trained those who wanted the training at the Canadian Force Base in Suffield, Alberta.”

The product was so unstable that it was too dangerous to train with, Aimoe said. Chemists at DND stabilized it so that it could be safely used in training.

Studies of inter-agency investigations have shown the poor results that occur when police fail to co-operate with each other, Aimoe stated, adding that it’s better to share information generated by Canadian tax dollars rather than protect it as intellectual property. Canadians have paid for the RCMP to develop its imprinting program and they expect the whole country to benefit, he noted.

“If you don’t share the information that’s out there, how are we ever going to defeat the dark side. There are forces out there within our country and internationally that love it if we don’t get along.”

In that spirit the centre shares its knowledge and has trained dogs and handlers throughout Canada and the world in its humane system of making dogs happy partners in policing, Aimoe concluded.

A child molester meets Ben

by Ann Harvey

For dog handler Cpl. Cy Gorman, one track – which resulted in the capture of a child molester – more than justified the cost of training, equipment and maintenance for him and his dog, Ben.

The 29-year member, who has been in the RCMP dog service for 20 years and worked in BC, Newfoundland and Alberta, said the incident occurred after he arrived in Grande Prairie in 2005.

“We had someone breaking into houses and basically molesting children. He wasn’t having intercourse. He was basically just touching them.”

The concern was that the man would inevitably accelerate his behaviour, Gorman noted, and at that point it would have been difficult to catch him with other investigative techniques. “This is a 25 or 26-year-old person who had no prior sexual convictions, although he had been convicted for break-and-enters before. He wouldn’t have even come up on our radar.

“We had had several occasions where this had happened and we chased him several times. One time we were tracking him and it was in the middle of winter. I ended up slipping on the ice and spraining my ankle.”

Finally he and the now-retired Ben caught



a break. “He did it again and this time we tracked him right to his house.

“It was a very difficult track. Parts of it were easy because we were going through

snow and there was only one set of footprints.

“On other parts the roads were flooded. It went through a playground and we couldn’t distinguish his footprints from others.

“The dog got us through.”

Then came a new development. “As we came up the road, we had a call of a second break-in of the same nature.”

Ben and Gorman followed the suspect’s new track two kilometres through the city – the toughest terrain in which a dog can track, and arrested him at his home. “Then after we caught him I had to go back and connect the tracks to show that the person who did the first break-in was the same one who did the second break-in.

“There were other ones that the man admitted to. In his statement he said he actually picked houses that had playground equipment.”

The man was sentenced to serve seven or eight years in jail and, of course, was listed in the National Sexual Offenders registry.

Gorman credits Ben with the success. “When you get a dog like Ben was, it makes the job a little bit easier.”

The training also helped, he said. “Keeping your training levels very high, your expectations very high; just make the job easier to do.”

It’s moments like this that make the

weekly training, the ongoing physical fitness, the participation in the imprinting program and the extra hours spent doing things such as brushing your dog worthwhile, Gorman said.

Insp. Lawrence Aimoe, OIC of the Innisfail, Alberta-based RCMP police dog training centre, said dogs enhance the police service every day and such cases also illustrate their economic value. When children are exposed to a sexual predator, it horrifies everyone and evokes their protective instincts. Investigations are extensive and expensive.

"I sat down with some of the general investigation section people," Aimoe said. They estimated an investigation would have cost at least \$100,000."

The \$40,000 cost of training a dog justified itself in that one track, Gorman said.

"Some police officers don't value this resource," Aimoe added. "A lot of police managers will say: 'Look at the cost of the training. Look at the cost of the dog and vehicle.'" They overlook the fact that using a dog and handler team saved \$1 million in a murder case at Whistler, B.C., he noted, and that other savings occur every day.

You can't put a price on preventing more children from being molested, he added. "What matters is that at the end of the day people like that sexual predator go to jail."

Ann Harvey is *Blue Line Magazine's* western correspondent based in Alberta. She may be contacted by email to AHarvey@BlueLine.ca

Celebrating the 20th Anniversary of Toronto's Police Dogs, 1989-2009

*Author: Bill Wardle
Reviewed by: Erin Oliver*

Police service dogs have been a critical part of policing all over the world for centuries. Dogs were recognized for their usefulness in detection, tracking and protection early on and their skills were soon enlisted to help police officers carry out their duties. Even with ample supporting evidence from the many services using dogs, it took almost 80 years for Toronto police to begin a canine unit.

Bill Wardle is the unit commander of the Toronto Police Service Mounted and Police Dog Services. A dedicated leader, researcher and manager, he wrote the first history of the mounted unit (*The Mounted Squad: An illustrated history of the Toronto Mounted Police*). His latest work recounts the history of the canine unit (*Celebrating the 20th anniversary of Toronto's police dogs 1989-2009*).

This book not only explores how Toronto's Police Dog Services came to be but also gives insight into how the unit functions. The reader will come away with a better



appreciation of what the dogs and their handlers do to secure the safety of their community. It also illustrates the training program that both dog and handler go through as they learn to become an invaluable community resource.

The book is informative and inspiring, but also beautifully presented through design and features a priceless collection of unique photographs. Any reader, whether law enforcement professional, curious historian or simply a dog lover, will delight in experiencing this book.

The book may be ordered by calling 416-808-7024.

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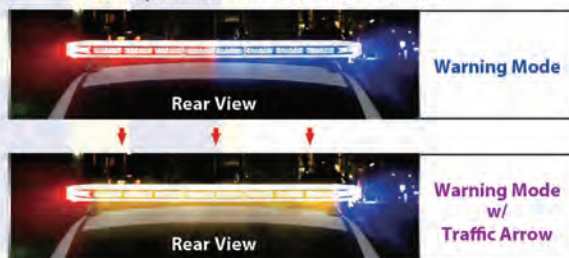
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- Asset Tracking
- Associations
- Audio/Video Aids
 - Training Courses & Services
- Automated Finger Printing
 - Forensic Services
- Awards, Badges, Pins
 - Emblems & Decals
 - Jewelry
 - Pens & Promotional Items
- Batons
 - Weapons - Non-lethal
- Batteries
- Bicycles & Supplies
- Binoculars & Telescopes
 - Night Vision Equipment
 - Surveillance
- Body Armour
- Bomb Disposal
 - Hazardous Material Handling
 - Hazmat Equipment
- Boots, Shoes & Footwear
 - Footwear
 - General Police Supply
- Breathing Apparatus
- Bullet Traps
- Cameras
 - Security - Perimeter Control
 - Video - Mobile & Surveillance
- Cases, Duty Bags, Storage
 - General Police Supply
- CCTV, Film
 - Surveillance
- Cigars & Accessories
- Citation Issuance
- Cleaning - Sanitization
- Clothing & Outerwear
 - General Police Supply
 - Uniforms & Accessories
- Collision Reporting Centres
- Communications - Base Stations
 - Computer - Dispatching
- Communications - Consultant
- Communications - Handheld
- Communications - Mobile
- Computer - Accessories
- Computer - Dispatching
 - Communications-Base Stations
- Computer - Forensics
- Computer - Hardware
- Computer - Laptops
- Computer - Records Mgmt
- Computer - Software
- Computer - Training
- Conflict Resolution
- Cooling Vests
- Counterfeit & Detections/Fraud
- Courtmounting, Minis & Ribbon Bars
- Crime Scene Reconstruction
- Data Collection
- Data Mining, Data Recovery
- Defibrillators
- Digital Imaging
 - Cameras
- Disaster Planning & Recovery
- Display Trailers
- Distance Education
- DNA Testing Services
- Dog Training & Supplies
- Door Security
- Emblems & Decals
 - Awards, Badges & Pins
 - Vehicles - Accessories
- Emergency Food Supply
- E-Ticketing
- Evidence Notebooks
 - Memo Books
- Evidence/Exhibit Storage
- Exercise Equipment & Clothing
- Eye, Ear & Skin Protection
 - Gloves
 - Hazardous Material Handling
 - Range Supplies
- Facilitators
- Firearms - Simulation Training
 - Video - Training
 - Weapons - Non-lethal
- Firearms - Training
- Firearms - Training Equipment
- Firearms - Training Facility
- Forensic Aids & Investigations
 - Investigative Support Services
- Forensic Services & Equipment
- Form Holders
- General Police Supply
- GPS & Mapping
 - Vehicle Tracking Equipment
- Gloves
 - Hazardous Material Handling
 - General Police Supply
- Hats & Head Protection
- Hazardous Material Handling
 - Bomb Disposal
 - Eye, Ear & Skin Protection
 - General Police Supply
 - Gloves
 - Safety & Rescue Equipment
- Hazmat Equipment
- Helicopters & Equipment
- Holsters & Accessories
 - Weapons - Accessories
- ID Holders
- Inert Explosive Devices
- Investigative Support Services
 - Forensic Aids & Investigations
- Jewelry
 - Awards, Badges, Pins
 - Promotional Items
- Key Control
- Legal Services
- Licence Plate Recognition
- Lights - Portable
- Memo Books
 - Evidence Notebooks
- Motorcycles & Supplies
 - Vehicles - Off Road
- Narcotics Equipment & Drug Tests
 - Forensic Services & Equipment
- Night Vision Equipment
 - Cameras
- Nutrition
- Office Equipment & Supply
- Paging
- Parking Permit System
- Peace Operations
- Pens
 - Awards, Badges, Pins
 - Promotional Items
- Photo Identification
- Photo Imaging
- Photography
 - Cameras
 - Forensic Services & Equipment
 - Video - Mobile & Surveillance
 - Surveillance
- Promotional Items
 - Awards, Badges, Pins
 - Jewelry & Pens
- Protective Services
- Publishers, Books, Printing
 - Training Courses & Services
- Radar & Speed Equipment
- Range Supplies
 - Ammunition
- Records Management
- Restraining Devices
- Riflescopes
- Safety & Rescue Equipment
 - Hazardous Material Handling
- Schools & Institutions
 - Defensive Tactics Training
- Security - Consulting & Systems
- Security - Identification
- Security - Penal Institutions
- Security - Perimeter
 - Photography
 - Surveillance
 - Video - Mobile & Surveillance
- Security - Products
- Simulation Training - Marine
- Security - Training
- Sirens & Emergency Lighting
 - General Police Supply
 - Vehicles - Accessories
- Small Craft Training
- Surveillance
 - Binoculars & Telescopes
 - Cameras
 - CCTV, Film
 - Security - Perimeter
 - Video - Mobile & Surveillance
- Switches & Control Systems
- Systems Integration & Support
- Tactical Team Equipment
 - Body Armour
 - General Police Supply
- Telemetry Equipment
- Thermal Imaging
- Ticket Holders
- Training Courses & Services
 - Audio/Video Aids
 - Publishers, Books, Printing
- Trauma Scene Cleaning
- Uniforms & Accessories
 - Clothing & Outerwear
 - Emblems
 - General Police Supply
 - Holsters & Accessories
- Vacations
- Vehicles - Accessories
 - Fleet Graphics
 - Sirens & Emergency Lighting
- Vehicles - Lightbars
- Vehicles - Off Road
 - Helicopters
 - Motorcycles & Supplies
- Vehicles - Restoration
- Vehicles - Specialty
- Vehicles - Tracking Equipment
 - GPS & Mapping
- Vessels - Accessories
- Vessels - Simulation Training
- Video - Mobile & Surveillance
 - Security - Perimeter
 - Surveillance
- Video - Training
- Voice Logging Systems
- Weapons - Accessories
 - Holsters & Accessories
- Weapons - Maintenance
 - Batons
 - Firearms - Simulation Training
- Weapons - Security
- Weapons - Training
- Weather Monitoring
- Window Films
- Wireless Communications

Access Control

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Asset Tracking

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Associations

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Cases, Duty Bags, Storage

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Infrared Technologies Canada
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MSA - The Safety Company
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A

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www.acfcommunications.ca

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www.amu.apus.edu

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Rockland, ON
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www.awakeningwave.ca

B

Badge & Wallet
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BAE System Products Group
Nashua, NH
603-885-4321
www.baesystems.com

Bates Footwear
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BCIT Forensics
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by Tom Rataj

Tough little cameras with big capabilities



Digital cameras are all the rage these days. New features are unveiled at a dizzying rate, resolution continue, to soar and prices drop. Ten and 12 megapixel (MP) point-and-shoots sold recently for around \$100 and entry-level single-lens reflex (SLR) models hover around the \$500 mark.

The steep price declines have led to astounding market penetration. Digital pictures and videos taken by "citizen photographers" are common on TV newscasts, newspapers and magazines. Many news outlets openly solicit viewer and reader contributions.

Other electronic devices, including MP3

players and most cell phones, can also capture still images and video. Although the quality and resolution is generally poorer than standalone cameras, few people leave home without their phone, making it easy for bystanders to capture still and video of news events.


While even the cheapest cameras are marvels of engineering, the relentless push towards affordability has resulted in a market saturated with cheap, plastic-bodied cameras that are done in by even the slightest mishandling. There are rubber or silicone skins available to protect some camera models from bumps and bruises. Higher-end cameras such as digital

SLRs are often (but not always) built around sturdy magnesium alloy frames designed to support and protect the electronics and fragile mechanical components.

Rugged cameras

An entirely new market niche has emerged with the introduction of rugged point-and-shoot digital still and video cameras. These unusually sturdy products are often designed to withstand drops of several metres onto hard surfaces, sub-zero temperatures and immersion and use in several metres of water.

Most of the big name-brands already offer

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products in this niche, although most are just water and dust resistant designs that are not much more rugged than any other point-and-shoot camera. The careful engineering required to make them water resistant improves their overall durability and resistance to mishaps.

As with most current point and shoot cameras, the models reviewed below are loaded with a wide variety of sophisticated features designed to produce excellent results in a wide variety of situations.

Panasonic

Long famous for its ToughBook computers, Panasonic offers the Lumix DMC-TS1, a nice little camera featuring a tough-looking metal body and available in brushed silver, royal blue and bright orange.

A 12.1 MP image sensor is complemented by a stronger than average 4.6x optical (equivalent to 28-128mm on a 35mm film camera) zoom lens with 4x digital zoom. A 6.86mm (2.7") TFT (thin film transistor) rear display offers access to a variety of controls and playback features. The camera has a shockproof drop rating of 1.5m (5ft.) and a waterproof rating to 3m (10ft.).

Standard features include Panasonic's MEGA O.I.S. image stabilization, face detection and recognition, intelligent scene selection and exposure control and digital red-eye correction. An Advanced Video Codec High Definition (AVCHD) Lite Movie mode offers 720p video with audio.

The camera uses a lithium-ion battery and SD or SDHC memory cards.

Olympus

Olympus offers two outstanding rugged point-and-shoot models. Its Stylus Tough 8000, the Technical Press Association "Best Rugged D-camera" for 2009, is a tough little, take-anywhere camera with the best specifications in this segment.

Starting with a rugged metal body, available in chrome silver with black, navy blue or silver inserts, its internal components are cushioned with special shock-absorbing materials that help it to withstand drops of up to 2m (6.6ft).

A system of waterproof gaskets and seals allows it to function while submerged in up to 10m (33 ft) of water and temperatures down to a chilly -10C (14F).

The design of its metal body and reinforced 6.86mm (2.7") LCD screen withstand crushes of 100kgf (220lbf). Its 12 MP sensor captures images through a 3.6x optical (28-102mm equivalent) zoom lens with 5x digital zoom, typical in this segment. There are also two image stabilization technologies to keep photos sharp.

An innovative "tap" control technology makes it easy to use the camera when underwater or wearing gloves. Tapping the top, back and sides of the camera controls various functions.

The camera features 24 shooting modes, including a panorama mode that can stitch together up to three side-by-side images into one extra-wide shot. Its automatic

face-tracking technology can manage up to 16 faces simultaneously.

The video mode features AVI format with sound at up to 640x480 resolution at 30 or 15 frames-per-second.

The included lithium-ion battery is rated at a reasonable 250 shots and the camera uses xD-Picture cards. The 8000 has a suggested retail price of \$400. The \$300 6000 has many of the same features but is not as rugged.

Pentax

The tough looking Pentax Optio W80 offers 12.1 MP resolution and is available in either gunmetal grey or azure blue body panels. An impressive (for the compact camera

segment) 5x optical zoom lens (28-140mm equivalent) gives this camera a little more reach than its competitors.

It has a waterproof rating of up to 5m (16.4ft), a drop-proof rating of 1m (3.35 feet) and it is dustproof and sand-proof. It is rated to continue operating in temperatures as cold as -10C.

The little Pentax can capture 16:9 high-definition (720p) AVI motion JPEG video at 30 frames-per-second (fps), which is enhanced by Movie SR (shake reduction) and Underwater Movie mode.

Additional image quality technologies include Pixel-Track Shake Reduction mode for still photos and High-Sensitivity Shake

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Reduction mode, which is optimized for low-light conditions.

An auto-picture mode automatically adjusts a number of camera settings to take better images without user intervention. There are also eight user-selectable optimized modes for a variety of shooting situations.

High-speed facial recognition (for up to 32 faces) with smile capture and blink detection makes it hard to take bad photos of groups of people.

Reviewing photos in the camera is easy, thanks to a 6.35mm (2.5") display with anti-reflective coating making it easier to view in bright conditions. It includes a reasonable 33.7MB of internal storage and can use SD and SDHC memory cards. The lithium-ion battery pack is rated at 170 images.

Retailing for around \$360, this camera can also be outfitted with an optional float strap and silicone rubber skin to provide extra protection against bumps and bruises.

The lower-end, family oriented Optio WS80 is less feature-packed and retails for around \$260.

Fujifilm

The Fujifilm Finepix Z33WP is more of a consumer-oriented 10 MP point-and-shoot camera with a waterproof rating of only 3m (10ft.). The 3x optical zoom lens (35-105mm) offers basic picture taking ability. The plastic bodied model is available in black, blue, green and pink.

The camera has approximately 50MB of internal storage memory and uses SD and SDHC

memory cards. It offers 22 pre-programmed shooting modes, a variety of user adjustments, scene and face detection and includes auto red-eye removal. The video feature uses AVI Motion JPEG as the file format.

The lithium-ion battery pack is rated at about 200 still images and the camera has a suggested retail price of \$200.

Canon

The Canon PowerShot D10 is also more of a consumer-oriented waterproof and drop-proof rugged camera designed to be taken everywhere. It departs from the usual rectangular-cube format with a rounded oblong shape and comes in a variety of bright, user-interchangeable faceplates.

It has a waterproof rating of 10m (33ft.), a drop-proof rating of 1.22m (4 ft.) and an operating temperature range of -10 to 40.5 degrees (14-105 F).

The full-featured 12.1 MP cameras offers a 3x optical zoom lens (35-105mm equivalent) with 4x digital zoom and image stabilization. The 6.35mm (2.5") TFT colour display offers access to a variety of camera controls, including 19 pre-programmed shooting modes and 12 user selectable photo-effects settings.

In addition to the usual features, the little Canon includes in-camera editing features and blink-detection to alert the user to closed eyes in just-taken photos. The movie mode offers standard definition 640x480 with monaural audio at 30 fps.

This camera uses SD, SDHC, MMC and

MMC HD plus memory cards. The lithium-ion battery pack is rated at 220 shots and it retails for around \$350.

Sanyo

While Sanyo does not offer a point and shoot camera it does sell waterproof video cameras with fairly high-resolution still image capability.

The pocket-sized Exacti VPC-CA9 offers a basic 1.5m (5ft.) waterproof rating and captures 720p HD video and 9 MP still images through a 5x optical and up to 60x digital zoom lens. It uses SD or SDHC memory cards and is rated at up to 1.25 hours of full motion video with full digital stereo sound.

The unique upright format is designed for comfortable one hand operation. A fold-out 64mm (2.5") video screen can rotate a full 285 degrees for a variety of shooting positions, including self-portraits. Standard features also include face detection (12 in still mode and 6 in video mode) for improved group shoots. Image stabilization and underwater video mode, which improves colour balance when shooting underwater, round out the core features.

This camera is available in a number of colour combinations and lists for \$500.

Sanyo's more traditional looking VPC-WH1YL is more of a dedicated video camera with fairly limited 2MP still image capability. It is rated for in water use up to 3m (10') deep and can record 720p HD video at 30fps. It offers 30x zoom – digital only, unfortunately – and lists for \$550.

Cameras for all!

Police officers routinely record information and their observations in a memobook or on a dedicated form at a variety of scenes, most of which do not warrant calling out a crime-scene or forensic officer – thus most of the evidence collected is based on the officers' subjective views.

Many of these situations would benefit greatly from a dozen or so quick photographs, which provide a clear, objective record of what the officer saw at the scene. Whether it's a minor simple fender-bender or minor criminal offence, these photographic records would prove invaluable in civil and criminal court cases, which are often years in the future.

Equipping all patrol and investigative personnel with one of these rugged cameras, to be used at their discretion, could potentially save substantial amounts of investigative and court time (and more importantly money), more than paying for themselves in short order.

Most of these cameras will take excellent shots on their fully automatic modes, reducing photography training – and because they have no consumables, their cost of operation is almost nothing.

While there would certainly be some infrastructure costs associated with securely storing digital images, that pales in comparison to the small fortune of investigative and court time that could be saved.

Tom Rataj is *Blue Line's* Technology columnist and can be reached at technews@blueonline.ca.

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Behind the technology curve

Part 2 of 4
by Lee Reiber

As the crime scene detectives finished up with the scene and the coroner removed the body, both Officer Kelso and the bewildered detective stared at the cell phone, which is still lying near the victim's outstretched hand.

"You think there is evidence on this thing?," the detective asks, picking up the phone, which is now in a clear evidence bag.

"From what I heard from Detective Green, there is a ton of information people store on their phones. Heck, I have over 500 contacts and 200 pictures on my iPhone, not to mention emails and text messages," Kelso explains.

He grabs the phone and heads to the electronic crime lab. Green was primarily a computer forensic examiner. He had attended a few courses specific to cellular phones, but had not processed more than ten devices and really loathed cell phones because of all the problems he had with them.

"Hey Mark, I have a crazy one here," Kelso tells Green. "It must have to do with a cell phone, since you mentioned crazy," Green replies. Kelso laughs – "It does."

Kelso explains the scene; how a cell phone was located next to the body of the victim and that he seemed to be pointing at it. He quickly ran over the part about the message arriving on the cell phone, but Green caught two words – "message arrived" and quickly interjects. "What did you say?"

"Umm, while we were talking about the cell phone next to the victim, the phone vibrated and a message arrived on the screen," Kelso quietly adds. "Arrived? How?" Green pleads. "I think by a text message," Kelso whispers.

Green does not look pleased. Even with his limited training, he knows that criminals, or anyone for that matter, can remotely destroy data on a device. This can be done by sending a simple text message to it, contacting the carrier to send a kill signal or calling the phone. If this was what occurred, it would be a long haul to recover any type of evidence left on the device.

Green recalled from his training that there are really two types of cellular phones – ones with a SIM card and ones without. Phones with SIMs are typically GSM (Globe-



al System for Mobile Communications) or iDEN (Integrated Digital Enhanced Network) while the ones without them are CDMA (Code Division Multiple Access).

Because both access the cellular network differently, there are different ways to inhibit or isolate them from any signal that might zap away precious evidence.

Green refers to the manuals that he received from his training and the web site phonescoop.com to identify the device. "It looks like this is a Motorola V3, from the GSM carrier Rogers," Green states. "We may be in luck." (To be continued)

Reiber is an instructor for the course Cell Phone Forensics at the Blue Line Trade Show & Training, in April 2010. Visit www.blueline.ca for registration information.

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Protectors of the land

A look at federal game officers

by Tony Palermo

Canada is a beautiful land of vast natural resources and wildlife. A good portion of our identity features the natural environment, including the loon and polar bear on coins. “Beavertails” are a common treat along the Rideau Canal in Ottawa. Gift shops sell trinkets like moose dressed in RCMP uniforms and clothes emblazoned with Canada geese and other waterfowl. Friends and families share memories of camping, hunting and photographing wildlife in their natural habitat.

The relationship between man and nature is not always harmonious. Environment Canada’s federal game officers are tasked with

managing and protecting our natural environment, specifically the following four federal wildlife protection laws:

- Canada Wildlife Act (CWA),
- Migratory Birds Convention Act (MBCA),
- Wild Animal and Plant Protection and Regulation of International and Inter provincial Trade Act (WAPPRIITA),
- Species at Risk Act (SARA).

In general, these laws regulate the hunting, harvesting and trade of wildlife, plants and the products made from them. They are designed to help manage natural habitats, resources and wildlife populations. Protecting wildlife is a shared responsibility between the provincial, territorial and federal governments, which represent not only Canada but also its international responsibilities. Given this, federal game officers work very closely with several other agencies and are also empowered to enforce other legislation.

Like other jobs in law enforcement, the

role of the armed front-line officers is broad and their day-to-day activities vary by season. In the fall, during the waterfowl and migratory bird hunting season, they spend a lot of time ensuring compliance with the MBCA. During the other three seasons, the focus shifts to enforcing the WAPPRIITA, which is the legislation that covers the international trade of endangered species and their parts or derivatives.

Other regular activities include general patrol and inspecting commercial outfitters, pet and clothing stores and other places that sell animal and plant products. One thing is for certain. Whether it’s with an ATV, boat, helicopter, snowmobile, truck, 4X4 or on their own two feet, front-line officers spend a lot of time outdoors.

“This is the perfect job if you have a passion for both law enforcement and the outdoors,” says EC officer Rob Argue. He has worked with EC for the past year and has about 10 years of previous wildlife enforcement experience working as an officer with the Ontario Ministry of Natural Resources (MNR).

Working outdoors and the nature of the work presents its own unique challenges. While some duties, such as checking armed hunters, can be interesting, the greatest threats come from the environment itself. A few years back, Argue and a partner were working along a remote area of a river in northern Ontario. It was mid-May and the water was still very cold. They encountered a series of rapids and their canoe flipped. Unable to right it, they turned on their emergency beacons and used an air horn in an attempt to summon help.

Several hours passed and it wasn’t until shortly before dark that a group of people on ATVs recovered the very cold and weak officers. The rescuers took them back to their cabin, started a fire and assisted the officers in treating themselves for hypothermia. A MNR



rescue helicopter arrived shortly afterwards and they were taken to hospital for further treatment.

While front-line officers conduct their own general investigations, EC also has a specialized intelligence and investigations unit which handles more complex cases. At a time when numerous animals and plants across the globe face extinction, the black market trade for wildlife and wildlife products is flourishing. The illegal trade of these products is worth more than \$10 billion US annually, according to the Coalition Against Wildlife Trafficking.

Several powerful global organizations, including INTERPOL, the UN Office on Drugs and Crime, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Customs Organization and the World Bank, held their first ever joint-meeting in Vienna, Austria in mid-November. Their goal was to come up with strategies to prevent and combat the illegal trade of wildlife.

“When people think of organized crime and trafficking, they usually think about drugs, guns and people,” says Argue, “but there’s a huge black market for wildlife and wildlife products. If there’s a buck to be made, you can bet that organized crime groups are involved.”

As Environment Canada’s wildlife enforcement program expands, so too does its pool of federal game officers. While not a prerequisite, most have previous law enforcement experi-

ence with other government departments or police agencies.

Quentin Deering recently became a federal game officer after having spent nearly four years as a Mountie and two years as a federal fisheries officer. He made the switch to Environment Canada for personal and professional reasons.

“I have always been very active in outdoor pursuits and interested in environmental protection,” says Deering. “I considered how I wanted to balance family, lifestyle, career and workload. However, I felt immeasurable pride and success working as a Mountie. It was an extremely hard decision to make.”

Deering has no regrets. “The investigations I have become involved with have allowed me to utilize and expand on my previous RCMP experience and training. There are excellent training opportunities in-house as well as from external agencies.”

While EC and its global partners continue



to raise awareness and develop new strategies to manage the natural environment, EC’s federal game officers will continue to be the front-line protectors of the land, ensuring that people do not destroy a big part of what defines Canada.



Inside Operation Shell Game

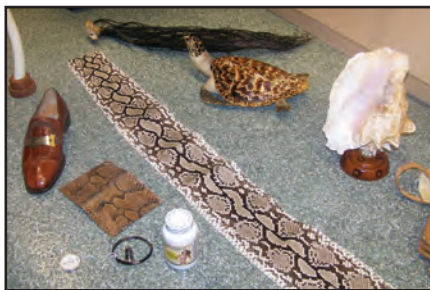
by Tony Palermo

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments focusing on managing the international trade of wild animals and plants to ensure their continued survival. It classifies approximately 30,000 protected animals and plants into three appendices based on the level of protection they require.

In Canada, CITES is implemented via the Wild Animal and Plant Protection and Regulation of International and Inter provincial Trade Act (WAPPRITA).

With the help of informants and other investigative tools, Environment Canada's (EC) intelligence unit began to investigate unusually large shipments of queen conch which were coming into Canada from Haiti. Queen conch is a CITES appendix II species, meaning that its trade must be controlled in order to avoid over-harvesting and possible extinction.

Around the same time (February 2006), officers from the U.S. Food and Drug Administration (FDA) stopped a vehicle bound for Hialeah, Florida at the Peace Bridge and discovered more than a ton of frozen shellfish labelled as whelk. Alert FDA officers became suspicious when they noticed some of the packages showed pictures of what appeared to be queen conch.



The US Fish and Wildlife Service (FWS) were notified and began an investigation, which included DNA analysis of the frozen shellfish. Results indicated that the product was queen conch.

The FWS contacted EC for additional intelligence information and, shortly afterwards, both organizations entered a joint-forces agreement, along with the U.S. National Oceanic and Atmospheric Administration, to investigate the overall queen conch scenario. The investigation became known as Operation Shell Game. It was believed that the queen conch was being shipped by air out of Port-au-Prince, Haiti to Toronto.

The packages were then taken to a nearby location to be relabelled as whelk, loaded on a truck and driven to Florida after crossing the

border at Buffalo, New York. It was believed that this route was chosen because it was seen as less likely to be detected by law enforcement.

Several parties of interest surfaced and concurrent search warrants were obtained and executed at three locations – Toronto, Vancouver and Hialeah. More than 10,000 pages of documents were obtained at the Hialeah location alone. Although wading through them was tedious, agents discovered a contract in which the two signatories acknowledged the illegality of the scheme and laid out in fine detail the manner in which it would be carried out. In essence, agents had discovered the smoking gun.

Multiple charges and convictions were obtained. While Canadian prosecutors had confessions and overwhelming evidence in their favour, they also employed an interesting tactic in order to educate the courts and highlight the seriousness of the offences.

In co-operation with EC, they developed a victim-impact statement which, rather than addressing a person, addressed the queen conch species. This novel approach resulted in heavy sentences, a \$25,000 fine against one individual and a \$78,000 fine against a Canadian exporter.

Tony Palermo is a freelance writer in the Ottawa area. He may be reached by phone at 613-206-0695



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Training On A Tight Budget

Cheaper training with better results

Part 1 of 3
by Tom Wetzel

As police budgets grow tighter, training is often the first thing that's cut. Many agencies stop sending officers to outside classes, limiting them to free training. Others may do more in-house instruction or simply limit training to mandated courses such as the annual firearms qualifications course. Regardless of its financial situation, every agency should find ways to provide more inexpensive training for its personnel.

Cheaper training doesn't have to mean lower quality. Forced to innovate, police trainers can improve the value of what they teach, resulting in better returns than more expensive college or company based programs. Part of this may result from the trainers applying cultural aspects specific to their department or municipality. Depending on staffing strength or strategic adjustments in scheduling, overtime can be limited or even eliminated. As a result, an agency can offer employees better quality, cost efficient training – and maybe even more of it.

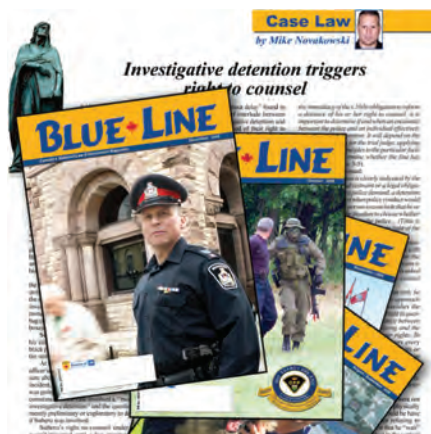
Three of the most important training areas are officers' applications for arrest, use of force and emergency operations of a police cruiser. This three part series provides suggested training that can address these topics in a manner that won't break your budget, and may not even require a penny more than what you're already spending.

Legal training

Agencies have an obligation to train their officers to understand the rights afforded by the Constitution and the specific laws that they are to enforce. Their understanding of when and why they can lawfully detain or arrest is vital to an agency's success. Claims of false arrest can be costly, not only financially in defending the cases but more importantly in community perception. If cases are settled in court, it will be the officer who is the face of the agency as they testify about their actions. Agency training should include showing officers how to respectfully and professionally present the facts.

Once an officer completes training, they have a base of legal knowledge. It is up to them and their agency to continue building on that foundation and ensure they are current with new statutes and case law. Instead of sending officers to school for legal updates and court testimony, or bringing in Crowns or consultants to speak to them, an agency should look to use its resources to reach a broader audience without incurring much cost.

One such method is to subscribe to trade publications like *Blue Line Magazine* which includes pertinent case law each month. Officers who would otherwise be reluctant to read case law are encouraged by the simpler writing style provided by one of their own rather than a lawyer's complicated prose.



Another good example was when our agency made a CD of an officer's testimony during a suppression hearing for an impaired driving case. By listening to him provide direct, cross-examination, re-direct and re-cross testimony, other officers learned about the types of questions they may have to answer on the stand.

As is probably typical with many agencies, many officers have not had to give involved testimony where special attention is given, to the point of splitting hairs, over the use

of certain words. Hearing an actual case can help them better understand what to expect while on the stand, and listening to the tone and inflections shows the value of polite and respectful testimony.

One other good example is having officers submit questions to a Crown prosecutor. Police can encounter many gray areas where a Crown's input can be useful, if only to satisfy their curiosity. This also allows a department head or trainer a chance to send questions that can have a significant impact on an agency. The Crown can answer these with respect to not only their legality but also address the common sense applications of a certain law.

This question/answer format, along with information on current case law, can be a valuable legal update which can be passed on to officers via e-mail or as a handout which they can read at their convenience. In addition publications such as *Blue Line Magazine* also encourage members to read a multitude of related issues and concepts which broaden the officers knowledge and enhance their career.

Tom Wetzel is a northeast Ohio suburban police lieutenant, SWAT officer, trainer and certified law enforcement executive. Contact him at wetzelfamily05@sbcglobal.net for more information.



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Offence must be apparent



The offence of a person arrested for ‘found committing a crime’ must be ‘apparent’ to a reasonable person placed in the circumstances of the arresting officer at the time, Nova Scotia’s highest court has held.

In *R. v. S.T.P.*, 2009 NSCA 86, two officers were patrolling an area in response to violent incidents, including fire bombings. They were told to show a police presence in the community and generally get to know residents.

They spotted three young males in a vehicle. A back seat passenger, S.T.P., appeared to notice the officers and then quickly turn around. The car turned off the street and, at the first opportunity, into a fast food outlet.

The officers ran the licence plate and determined that the vehicle had been associated with two bail violations – one two days earlier which included a reference to “trafficking cannabis,” and another about two and a half months previous. The check simply meant that the vehicle was connected in some way to the violations and did not state whether any of the individuals or the car’s owners were associated in any way.

The officers followed the car into the parking lot and pulled up behind it. They smelled burning marijuana as they approached, arrested the youths

and searched them incidental to their arrest. They didn’t find any marijuana in the car and the youths denied smoking any that evening, but they did find cocaine in S.T.P.’s pockets. He was charged with possessing cocaine for the purpose of trafficking.

S.T.P. made a Charter application to exclude the cocaine at trial in Nova Scotia Provincial Court but the judge found the arrest lawful. The circumstances of the encounter, including the smell of marijuana, justified the arrest. As a result, the search that followed was incidental to a lawful arrest and there was no Charter violation. S.T.P. was convicted.

He appealed to the Nova Scotia Court of Appeal, arguing police had insufficient grounds to arrest him because the smell of burnt marijuana was indicative of no more than possession at some time in the past. Thus, the arrest was unlawful, as was the search that flowed from it.

Chief Justice MacDonald, authoring the court’s opinion, first considered a peace officer’s power of arrest under s.495(1) of the Criminal Code. Although possessing marijuana is a dual offence, it is strictly summary if the amount involved is less than 30 grams.

In deciding whether the arrest was lawful, the court assumed, without deciding, that police would need to find S.T.P. committing the offence (possession of marijuana) for the arrest to be law-

ful. Section 495(1)(b) reads; “a peace officer may arrest without warrant . . . a person whom he finds committing a criminal offence.”

In discussing how this arrest provision applied to the case at hand, MacDonald stated:

At first blush, this may appear to be a challenge considering the fact that no marijuana was ever found. However that does not end the matter. It was still open to the judge to conclude that s. 495(1)(b) had been complied with in these circumstances. I say this because courts in this country have consistently interpreted the reference to “finds committing” in s. 495(1)(b) to mean apparently finds committing” (para. 18).

After reviewing several case authorities, the court concluded:

(I)n my view an arresting officer must establish three things in order to meet the finds committing standard. Firstly, the police officer’s knowledge must be contemporaneous to the event. Thus he or she must be present while the apparent offence is taking place. In other words, unlike the reasonable and probable grounds standard, it is not enough to believe that an offence has taken place in the past or is about to take place.

Secondly, the officer must actually observe or detect the commission of the offence. Most often this is achieved by actually seeing and/or hearing the offence being committed. However, I would not limit it to those two senses. In fact, as in this case, the sense of smell may suffice. . . .

Thirdly, there must be an objective basis for the officer’s conclusion that an offence is being committed. In other words... “it must be ‘apparent’ to a reasonable person placed in the circumstances of the arresting officer at the time” (references omitted, paras. 20-22).

Although the court agreed that the smell of burnt marijuana alone may not justify an arrest, the trial judge relied on more than that fact in finding the arrest lawful – “many more factors coalesced to justify the arrest.”

In looking at the whole picture as it presented itself to police, the court concluded:

(C)onsider this context. The officers see three young men in a vehicle and one of them appears nervous upon seeing the police vehicle. Their car then immediately turns off the road into the McDonald’s parking lot. Then a computer check of the vehicle reveals “bail violations” including references to “cannabis.” This would have given the officers strong reason to believe that something illicit was occurring.

Then upon smelling burnt marijuana, it became apparent that the illicit activity involved the possession of marijuana. At that point, the test for a summary conviction arrest was met. Specifically, applying the three criteria noted above: (a) the officer was present when the apparent offence was taking place, (b) he detected the smell of burnt marijuana and (c) the commission of this offence would have been “‘apparent’ to a reasonable person placed in the circumstances of the arresting officer at the time.”

The arrest was lawful and S.T.P.’s appeal was dismissed.

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DISPATCHES

Her Excellency the Right Honourable Michaëlle Jean, Governor General of Canada, announced in late November the awarding of one Star of Courage and four Medals of Bravery to Canadian police officers. The Star of Courage (S.C.) recognizes acts of conspicuous courage in circumstances of great peril; and the Medal of Bravery (M.B.) recognizes acts of bravery in hazardous circumstances.

On December 8, 2005, Ottawa Police constables Sean Ralph and Alain Rochette risked their lives in an effort to rescue a woman who was being stabbed by a man armed with a hunting knife, in Ottawa, Ontario. When the officers arrived, the attacker grabbed the victim, dragged her inside her apartment and locked the door. After numerous attempts to break down the heavy door, the constables succeeded in kicking out a small opening at the bottom of it. Uncertain of what they would encounter, they crawled into the dark apartment spotted the aggressor, who finally responded to the officers' commands and surrendered his weapon. Sadly, the victim did not survive. Both officers have received the Medal of Bravery.



On September 8, 2006, Sergeant Bryant Wood, of the Port Hope Police Service, rescued an eight-year-old boy from a burning house, in Port Hope, Ontario. Arriving at the scene, Wood saw heavy smoke billowing from the home and spotted an unconscious man lying inside the doorway. Wood helped bring the man outside, where others were able to revive him. Suddenly, the family dog ran into the house, with a young boy chasing after it. Without concern for his own safety, Sergeant Wood ran into the smoke-filled house, located the boy and his dog in the living room, and carried them outside to safety. In recognition of his actions Wood has received the Medal of Bravery.



On September 9, 2007, Sergeant Bryant Wood, of the Port Hope Police Service, rescued a woman from a burning house, in Port Hope, Ontario. Dispatched to the scene, Wood and a colleague found the main entrance engulfed. They opened a window, and through the thick, black smoke, they pulled a man and two women to safety. Another woman remained inside, unwilling to exit until she found her cat. As the fire quickly worsened, Wood climbed inside to search for her. He searched through the apartment and finally located the victim in a bedroom. He grabbed the resisting woman and brought her to a window, where his colleague helped pull them both out. In recognition of his actions Wood has received the Star of Courage.

On March 29, 2008, off-duty Constable Patrick Benoit, of the Kingston Police Force, rescued an injured man following an accident on highway 401, in Kingston, Ontario. A tractor-trailer had hit a communications tower, crashed into a rock wall and burst into flames. Alerted by the loud noise as he drove nearby, Benoit stopped to assist. The injured driver was on the rock wall above his burning rig. In complete darkness, Benoit managed to climb up halfway, but fell as stones on the wall came loose. Persevering, he reached the victim and pulled him a safe distance away until help arrived. In recognition of his actions Benoit has received the Medal of Bravery.



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by Mike Novakowski

Cold calls amounted to entrapment



Calling a phone number to make a drug deal on nothing more than a mere suspicion amounts to entrapment, British Columbia's highest court has held.

In *R. v. Swan, 2009 BCCA 142*, the accused was arrested following an undercover dial-a-dope operation. A police officer compiled a list of phone numbers suspected of being associated to persons involved in dial-a-dope transactions. He e-mailed the entire department, asking them to get names or phone numbers or the best tip they could on a dial-a-doper and received 150-250 telephone numbers (tips) which came in various ways; e-mail, matchbooks, napkins, torn off pieces of paper, Crimestoppers tips or just a phone number on a slip of paper.

The numbers were given to other officers working on the project, who would try and make a drug deal by calling the telephone

number and speaking with whomever answered the call. Telephone calls based on these tips were 95 per cent cold calls – made to an unknown person, unknown name, everything unknown from start to finish.

The methodology followed is that the undercover officers call the numbers until they reach someone who agrees to sell them drugs. They then arrange for a meet, exchange cash for drugs and arrest the seller. There was no set script for the initiating call. Swan answered one of the calls, said he was working and the officer said he needed “40 up” – slang for \$40 worth of cocaine. Swan agreed to meet and provided the officer with powdered cocaine in exchange for \$40. He was arrested and charged.

At trial in BC Provincial Court Swan plead guilty to trafficking in cocaine and possessing cocaine for the purpose of trafficking. However, he sought a judicial stay of proceedings on the basis that he was entrapped. The judge heard expert evidence that the dial-a-dope trade in illicit drugs is more anonymous, mobile and difficult to investigate than “buy and bust” street level trafficking, which lends itself more readily to alternative police investigative

techniques, including surveillance.

The judge found the police conduct was reasonable and lawful and that they were involved in a bona fide investigation. It did not amount to random virtue testing and therefore wasn't entrapment.

Swan appealed to the BC Court of Appeal, arguing police entrapped him and that a judicial stay of proceedings should have been entered. In his view, police did not have a reasonable suspicion that he was engaged in drug trafficking when they offered him an opportunity to commit the offences and, instead, were engaged in random virtue testing.

Police were making cold-calls on nothing more than mere suspicion, he submitted, did not attempt to verify their sources before making them, even where it was possible to do so, and regarded verification of tips as virtually irrelevant in such an investigation. Because they did not limit the scope or target area of the investigation to something narrower than everywhere within the cell phone's reach or every number which happened to appear on the unsubstantiated police list of phone numbers, they were not engaged in a bona fide investigation.

The Crown, on the other hand, contended that the police conduct did not amount to random virtue testing and that the investigation was bona fide.

Entrapment

Justice Prowse, writing the opinion of the court, first reviewed the law of entrapment. The defence “is based on the notion that limits should be imposed on the ability of the police to participate in the commission of an offence... (a) as a general rule, it is expected in our society that the police will direct their

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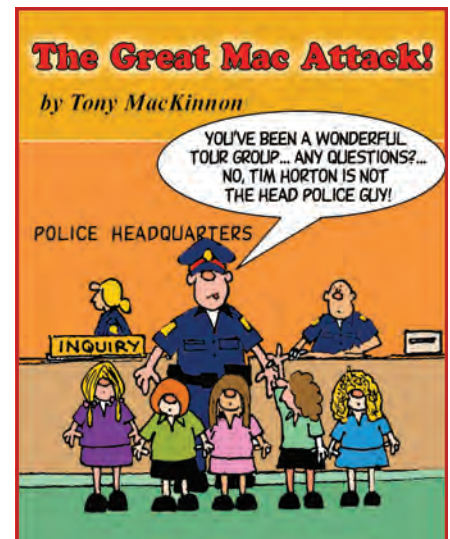
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attention towards uncovering criminal activity that occurs without their involvement.”

The defence of entrapment is available in two ways:

(1) The authorities provide a person with an opportunity to commit an offence without acting on a reasonable suspicion that this person is already engaged in criminal activity or pursuant to a bona fide inquiry. A reasonable suspicion is something more than a mere suspicion but something less than a belief based upon reasonable grounds. The “reasonable suspicion” must exist either with respect to the person being targeted, or with respect to the area being targeted.”

A bona fide inquiry involves police presenting the opportunity to commit a particular crime to persons who are associated with a location where it is reasonably suspected that criminal activity is taking place. In these cases, they may not know the identity of specific individuals, but they may know a particular location or area where it is reasonably suspected that certain criminal activity is occurring. That makes it permissible to provide opportunities to people associated with the location under suspicion, even if they are not themselves under suspicion. This type of randomness is permissible within the scope of a bona fide inquiry. The defence bears the onus of establishing entrapment by proving, on a balance of probabilities, that there was no reasonable suspicion nor a bona fide inquiry.

(2) Although having such a reasonable suspicion or acting in the course of a bona fide inquiry, police go beyond providing an opportunity and induce the commission of the offence.

Random virtue-testing, on the other hand, arises when a police officer presents a person with the opportunity to commit an offence without a reasonable suspicion that:

- The person is already engaged in the particular criminal activity, or
- The physical location with which the person is associated is a place where the particular criminal activity is likely occurring.

Here, just because the investigating officer received a telephone number from the list did not give rise to a reasonable suspicion

that the person who answered was engaged in drug-related activity. Rather, this piece of information, at best, amounted to “mere suspicion.” It was only after Swan’s response to the officer’s request for “40 up” – a solicitation for cocaine – that police were acting on something more than a mere suspicion – but reasonable suspicion must be present before, not after, an officer offers the accused the opportunity to commit the offence. Nor were police acting on a bona fide investigation:

It is not for the judiciary to direct the police how to conduct their operations. The judiciary is required, however, to determine whether the police conduct in a given case has overstepped the balance... between the state’s right to investigate and enforce the law and the public’s right to be left alone.

In considering that balance, what degree of comfort should the public take from the fact that the calls made are only to those numbers which make their way on to a police list? It is tempting to think that the numbers would not be on the list unless there was a reasonable suspicion that the numbers could be matched with an individual linked to the drug trade, but we know that is not so.

The best that can be said is that the numbers are linked to individuals about whom there may be only a mere suspicion that they may be involved in the drug trade. As far as the undercover operator making the call is concerned, that suspicion arises solely from the fact that the telephone number is on the list. Thus, a form of circular reasoning, or bootstrapping, governs the investigation whereby the results obtained are taken as justification for the means employed (references omitted, paras. 38-39).

And further:

I accept that dial-a-dope investigations present different problems in terms of detection and enforcement than the buy and bust investigations... I also agree with the trial judge that the police in this investigation were operating bona fides to the extent they were conducting their operations with the genuine goal of pursuing serious crime, namely the trafficking in hard drugs, without ulterior motives.

I conclude, however, that in pursuing

their goal, they overstepped the bounds of a bona fide police investigation... by proceeding armed only with mere suspicion and the hope that their unknown targets will provide the “something more” which was a necessary precursor to the invitation to traffic in drugs. They pursued their investigative goals in circumstances where more information was, or could have been, available to them, but which they chose to disregard for reasons of expediency (references omitted, para. 43).

Since police did not have a reasonable suspicion Swan was engaged in trafficking drugs and were not acting pursuant to a bona fide inquiry, he was entrapped and was entitled to a stay of proceedings. Swan’s appeal was allowed, the convictions set aside and a judicial stay of proceedings was entered.

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How Québec is winning the war on bikers

by Nancy Colagiaco

August 9, 1995 began as any other in mid-summer Montréal. Local merchants in the east-end Hochelaga district mind their stores, school children enjoy the last week of summer vacation – everything seems normal. Daniel Desrochers, 11, plays on Adam Street in the Mercier-Hochelaga-Maisonneuve district. What happened next completely revolutionized policing in Québec.

Shrapnel from a remotely detonated bomb ripped through Daniel's small body at 12:45 PM, brutally injuring him. He went into a coma and never came out, dying four days later – the first innocent victim in the violent drug war well under way between the Hell's Angels and the Rock Machines.

2010 will mark the 15th anniversary of the youngest victim of the gang war. The bomb which killed him had been set in the Jeep of a rival gang member. His death sparked public demands for police to protect residents from the havoc. Weeks later public security minister Serge Ménard announced the creation of "CARCAJOU," a special task force made up of almost 100 officers from Sureté du Québec, Montréal city police and the RCMP. Officers hit the ground running, making more than 40 arrests related to the gang war by November 1995.

The government passed legislation hindering



the ability of groups to associate freely, a potential violation of the Canadian Charter of Rights and Freedoms. Bill C-95 amended the Criminal Code to provide police with effective measures to prevent and deter the commission of criminal activity by criminal organizations and their members.

Gangs members could now be prosecuted simply for belonging to a criminal association. By the time CARCAJOU was disbanded in 1999, nearly 500 arrests had been made.

The need to combat organized crime continues. CARCAJOU was replaced by new "mixed regional squads" known as ERM (Escouade Régionale Mixte), which were established in every

part of the province that had significant biker presence, including Montréal, Québec, Saguenay, Sherbrooke, l'Outaouais and Northern Québec.

The 10 to 40 members of each squad are drawn from the RCMP and forces across the province. Their mission is primarily to eradicate gangsterism. An investigation may last anywhere between six months to two years.

Part of Québec's success against bikers is due to dedicated prosecutors. In 2000 more than 25 provincial Crowns were freed from their normal duties to become part of the new team and work exclusively on organized crime cases, a Canadian first.

Instead of cases being assigned to whatever prosecutor was available, regardless of previous experience in related crimes, the new teams had the advantage of developing expertise about organized crime, since these cases are more complex than routine criminal cases.

ERMs first big crackdown took place at dawn on March 28, 2001; Opération Printemps (springtime or spring cleaning) was the largest biker gang raid in Canadian history. Some 2,000 police officers from across the province simultaneously executed more than 280 search warrants and seizures and arrested 138 biker gang members and their associates, including the entire membership of the notorious Hell's Angels Nomads chapter.

Officers seized \$7.5 million in cash, seven homes and 50 vehicles.

Other significant raids were conducted in 2005. Many sites, including a Hell's Angels bunker in Trois-Rivières, were shut down. The raids were followed by the convictions of some of the most powerful figures in the Angels.

The fight is still going strong. The federal government invested 92 million dollars in 2007 on the ERM-Gang de Rue (ERMGDR), a five year project with the Québec government and police to pursue the mission on a more local scale.

Presently an ERMGDR can be found in the five major regions of the province – Laval, Montérégie, l'Outaouais, Sherbrooke/Estrie and the Québec south shore area. An ERMGDR investigation can last up to three months and mainly involve level one and two infractions.

Close to 40 arrests were made last year, says Inspector René Beauchemin, who commands ERMGDR Montérégie. A member of the original CARCAJOU in 1999, his enthusiasm and commitment to the mission is undiminished.

"Hopefully more personnel will be available in the next year," he says. "My outlook for 2012 is the possibility that our investigations will expand to include other areas."

The expansion has already begun. An ERM narcotics division was begun last year in Trois-Rivières and the Québec capital area.

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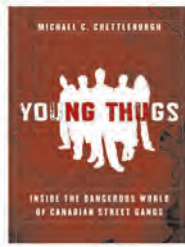
Nancy Colagiaco is *Blue Line Magazine's* new Québec correspondent. Anyone with information of interest about Québec policing are invited to contact her, Nancy@BlueLine.ca.

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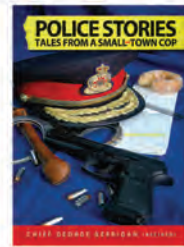
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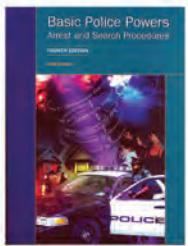
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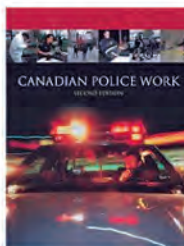
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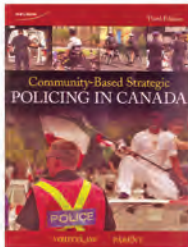
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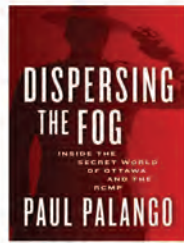
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