

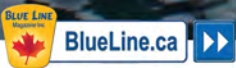
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by Morley Lymburner



In the shadow of the Creator

The recent Supreme Court ruling that Me-tis and non-status Indians are indeed “Indians” under the Canadian Constitution will mean either a serious rehabilitation or complete reconstruction of the Indian Act. Along with the government’s heavy lifting I hope the ruling will renew interest in self determination of native policing needs.

A 1994 invitation to the inaugural training seminar for the Anishinabek Police Service near Orillia, Ontario gave me a whole new understanding of police work. I was invited to join a circle of police officers and First Nations police services board members.

I initially felt the circle was simply a convenient way to converse as a group, but later learned the significance of it, and my inclusion, meant far more. I discovered a great deal about history, dignity, respect and attitudes that translate well to policing.

First Nations people seem to have walked in a shadow of gloom for centuries over what was formerly a great people with a well developed lifestyle. As if in mourning they drew inward, in many respects cutting themselves off, and being cut off, by mainstream society.

Historically it is very understandable. The arrival of Europeans was a considerable culture shock to a society that, out of necessity, existed in tune with nature. The Aboriginals understood man’s vulnerability. For thousands of years they learned to adapt to the environment and understood the simply awesome power of “the Creator.”

Man could do nothing to stop the changes of the seasons. Life was not looked upon as something that simply begins and ends. Everything was seen to go in circles. The seasons change, the sun rises and sets, the moon passes through its phases and man is born from and returns to the soil.

The traditional “Medicine Wheel” was a very powerful factor in native culture, representing nature’s wheel and how everything made by “the Creator” is in balance. If someone was sick or a relationship troubled it generally meant that something was out of balance in the “wheel” of life. The solution was to find what was out of sync and re-balance so the cycle of life can continue.

The white man brought ideas of opportunity and exploitation, motivated by profit and a “what’s in it for me” attitude. They were in denial of man’s weakness or subservience to nature and came with unimaginable ambition, tools and technology to ensure their success. By brute force or guile they would have their way.

Slowly but relentlessly the Europeans forged ahead. They didn’t understand First Nations people, who only hindered their progress, and sought ways to control them. An arrogant attitude of superiority caused many of our forefathers to hastily write treaties that were, at best, ill thought out and vague. Both sides

had their own idea of what they were signing.

First Nations today are more knowledgeable and understand the full impact of their history and strongly feel they’re reclaiming what is rightfully theirs. This is a generation which understands far more clearly what people on both sides of the table were thinking when the treaties were signed. The result can be seen in a succession of court victories in disputes which non aboriginals have neglected or delayed addressing.

First Nations people also understand that to survive they must open dialogue with governments and be respected on equal terms as nations, not just a people. They gave up land but never gave up their idea of community or nationhood.

As I entered that ‘circle of cops’ I discovered each participant’s desire to “keep the circle strong.” As officers spoke about their sense of community and duty it finally dawned on me. The strength of the group gives strength to the individual. The strength of the circle, everything in balance, the strength of the wheel and, in their terminology, the power of the Creator’s presence.

I was honoured that day to experience a police training session like no other and came away feeling these people have come of age. They deserve every bit of the autonomy they desire. Keeping the peace in their own community is vital to a new beginning for a very proud people.

Today we see tripartite agreements being squeezed and First Nations Police Services waning. We must acknowledge that this style is at variance with non-aboriginal policing styles but must be more clearly understood, supported and, yes, even emulated. These officers do make a difference and are an encouragement to a younger generation hungry for role models.

“We have watched and learned from the white man’s ways but are stuck with the cards played by our ancestors,” one native leader told me as we spoke over lunch.

“Our ancestors never understood the rules of that game completely. It is up to us, who understand that game, to pickup those cards and play by the white man’s rules. We understand that we must live, as much as possible, with the white man’s society and respect them as our neighbours — but we must have honour and respect for the ways of our ancestors and the will of the Creator. We all walk in the shadow of the Creator.”

(Sourced from October, 1994, *Blue Line Magazine*)



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by Phil Gavin

More than a million tourists and visitors regularly flood into the Niagara Region, more than doubling the area's year-round population of 427,000. Policing such a vast, varied and transient population presents some very unique challenges.

The Niagara Region lies on the edge of the Greater Toronto Area and covers approximately 1,850 square kilometers. There are 12 unique municipalities, with urban communities such as Niagara Falls and St. Catharines and rural areas such as Wainfleet and West Lincoln.

The region is bordered by Lake Ontario to the north, Lake Erie to the south and the Niagara River and New York State to the east. The region has approximately 161 kilometers of shoreline and 1,500 square kilometers of international water surrounding its borders.

The Niagara Regional Police "Force" was formed in 1971 with the amalgamation of 12 municipal services. At that time, it consisted of 398 sworn officers and 42 civilian members. It has since grown to 706 sworn officers and 310 civilian staff.

The Niagara Regional Police Service (NRPS) is currently led by its 12th chief, Jeff McGuire, who joined the service after 35 years of policing in Toronto. He was inducted as a Member of the Order of Merit of the Police Forces in 2011 in recognition of his exceptional service and contributions to policing and community



development. McGuire will complete his term as president of the OACP this month.

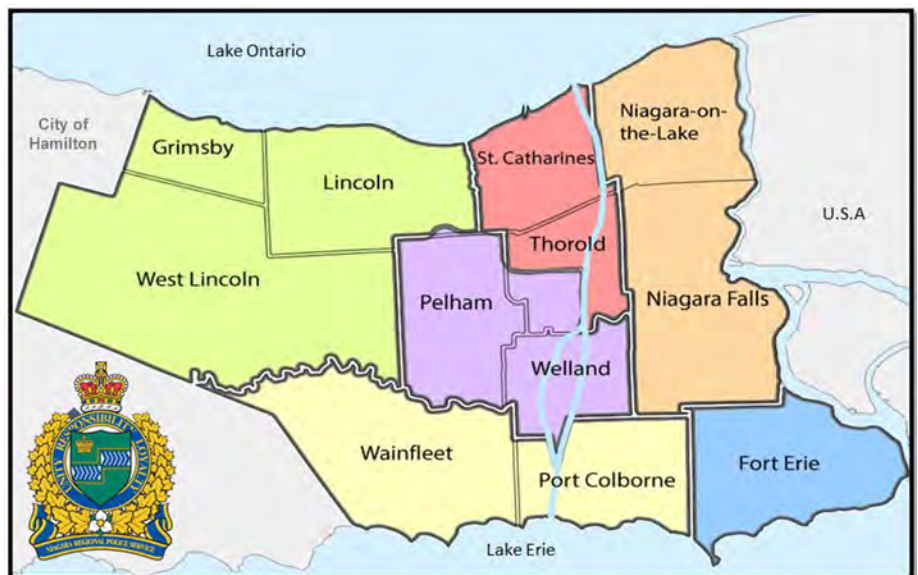
The NRPS is considered by many to be one of the top 10 police services of Ontario's 53 police services. Its size allows for career opportunities for both sworn and civilian members.

The service is led by the chief, two deputy chiefs (operational and support services), four superintendents (district operations/emergency and investigative services/operational support/executive services) and two civilian directors (business services/information and communication technology).

International reputation

The award winning NRPS Video Unit was formed in 1982 as a cost-effective means of providing in-service training. It has earned an international reputation for quality and innovation and nearly 200 awards for production excellence, including winning the prestigious Law Enforcement Video Association's Award of Distinction for best overall video on nine occasions.

The four civilian members support training, graphic/web design publications and e-learning and are often called upon to





capture important service events. Operational tasks include documenting crime scenes, interviews and statements, walk-throughs, re-enactments, warrant executions and other major events.

The unit began producing video-based training and services for six police agencies — including Hamilton-Wentworth, Waterloo and Halton Regional — in 1996 with the founding of the Ontario Police Video Training Alliance (OPVTA).

News of the initiative spread and the alliance became self sufficient in 2001. Cost recovery is on a sliding scale based on the authorized strength of each member agency. The NRPS video unit manager serves as executive director and the nine member executive includes elected and appointed members from a cross section of police organizations. Work on alliance material now takes up about half of the unit's time and resources.

The OPVTA, which recently welcomed the Justice Institute of British Columbia and Carleton University Safety as its newest members, began partnering with the Ontario Police College (OPC) in 1998.

OPC subject matter experts assist with research, accompany production teams on location and help prepare training packages. This helps ensure that all OPVTA materials are consistent with both OPC training and provincial/federal legislation and standards. OPC staff extensively use alliance resources in both basic and advanced courses.

More than 130 videos, e-learning courses and support materials have been distributed to some 25,000 officers representing more than 90 police agencies throughout Ontario and several other provinces.

Videos and courses are also available online through an online portal in conjunction with the Canadian Police Knowledge Network (CPKN).

The experience and keen understanding of police procedures and culture reinforce the “by police, for police” approach of the NRPS Video Unit has served the NRPS and all OPVTA member agencies very well.

New headquarters

The NRPS will complete one of the largest projects in its history this summer with the opening of its new \$65.9 million, 210,000-square-foot headquarters complex in the City of Niagara Falls.

The project has been years in the making and will bring about more than 600 police and civilian staff in one location, allowing the service to gain efficiencies in the closing of five redundant buildings.

Ground was broken for the new headquarters in November, 2013 and will house several centralized units, including property and evidence, forensic investigations, major investigative units, dispatch and 9-1-1,

prisoner management and administration.

The service planned to hold public tours before the facility becomes operational, including special tours for former members. “Everybody wants to see the jail cells — from the outside,” quipped Deputy Chief Joe Matthews. “We do know there is a lot of interest.”

Marine unit

The marine/underwater search and recovery unit (USRU) work both above and below the vast waterways of the Niagara Region. In addition to their regular duties, this eight member unit supports the emergency task unit (ETU) and assists with ice rescue in the winter months.

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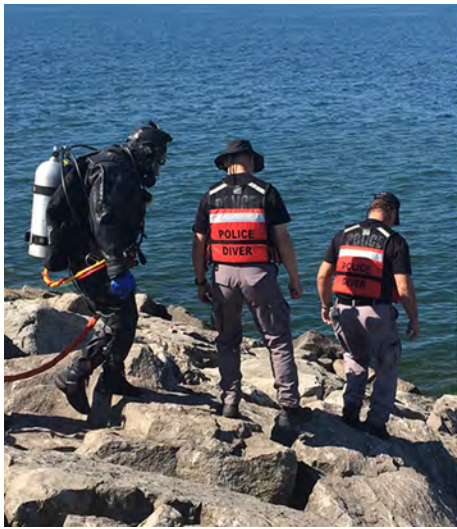
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Their training regimen is extensive and intense. The service fleet includes three patrol vessels and two personal water crafts. Unit officers are operational in SCUBA and surface supplied (helmet) diving and the unit has augmented its capability with an underwater remote operated vehicle (ROV), an underwater sled and high-tech videography. Some of the divers are also qualified explosive disposal technicians.

The USRU designed and built an indoor overturned vessel dive tank, an unusual item in Canada. Divers train in the tank to enter, search and rescue/recover trapped persons.

Operations

The district operational branch consists of approximately 450 uniform officers, detectives, auxiliary officers and chaplains assigned to six patrol districts. The backbone of the service, they respond to some 114,000 incidents annually. Officers have the opportunities to augment their patrol capabilities by taking bicycle patrol, ATV and/or motorcycle training.

The K9 unit presently has seven police service dogs and unit uses both German Shepherds and Belgian Malinois, with a number cross trained in scent detection (explosive/narcotics).

The ETU provides specialized support to safely resolve high risk situations. Members are trained to use specialized equipment, weapons and techniques when force is necessary. The NRPS ETU is a full-time hostage rescue certified team.

The explosives disposal unit (EDU) works closely with the ETU and the five part-time team members have extensive training and equipment. Members resolve high risk situation using bomb suits, disruptors and "Ted & Van," our two robots.

The crisis negotiator team is made of six part-time members who have been identified for their excellent communication skills and work closely with the ETU to de-escalate volatile situations.

The traffic enforcement unit works to



The Niagara Regional Police Service's Underwater Search and Recovery Unit has designed and built the only indoor police dive tank in Canada. The dive tank allows for the controlled training of new divers, equipment testing, hoisting and rigging, and overturned vessel entry for the rescue/recovery of trapped persons.

keep the many rural and urban roadways that run through Niagara safe, augmenting enforcement with education.

The special victims unit is made of highly trained investigators who handle cases involving child abuse, sexual assault, domestic violence/vulnerable sector, Internet child exploitation, technology crime, offender management, investigative analysis and firearms.

The collection and management of information on organized criminal activity is done by special investigative services. Their investigations include illegal narcotics, firearms and gang activity.

The experienced investigators in the NRPS Major Crime section include specialized investigative units such as homicide, forensic services, central fraud, traffic reconstruction, polygraph, licensing and bylaw and Crime Stoppers.

The operational support branch is made up of units that play pivotal behind the scenes roles vital to the success of the service and include court services, quality assurance, prisoner management, property and evidence and the communications unit.

The NRPS operates a central holding system for all prisoners arrested across the region. Special constables are involved in managing prisoners. This system, adopted in the last three years, has resulted in a number of efficiencies. Prisoners were previously housed at three different locations.

The communications unit handles all 911 calls in the region and streams them down to the local emergency medical and fire services communication centres. It answered more than 450,000 in-coming calls in 2015, including 122,000 emergency calls.

The executive services branch includes professional development, professional



Chief McGuire takes the challenge of rappelling off the Skylon Tower.

standards, corporate analysis, policy and risk management, training, recruiting, career development, corporate communication and community engagement, and the video unit.

The training unit has three classrooms, a defensive tactics gym, a range a Closed Quarter Battle range and ensures officers meet provincial standards through both practical and academic lessons. All NRPS officers carry CEWs and the unit is a leader in Ontario in training officers on frontline deployment.

Corporate communications and community engagement are responsible for traditional media relations, social media, school resource officers and a pilot computer cyber crime unit. Members are active on social media, which has become an important tool to communicate unfiltered news with the community.

The NRPS has six school resource officers assigned to area high schools. Members have not only positively impacted crime stats

but, more importantly, are building relationships with youth.

The NRPS is a very busy service at the forefront of policing. Members take pride in the great work that they do and strive to continue the service's long history of commitment to their community.

NRPS Media Relations Officer Phil Gavin is in his 18th year with the service and previously worked in patrol, investigations and emergency services. Contact: philip.gavin@niagarapolice.ca or 905 688-4111 x5010.

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Novel approach to elder abuse

It was a case of art imitating life

The Ontario Police Video Training Alliance, began by the Niagara Regional Police Service, contacted *Blue Line* in June, 2000 with the concept of doing a training video to increase police awareness of seniors being abused in their homes. The unit wanted to use *Blue Line*'s national reach to get the message out to police agencies across the country through a cross platform training video.

The fictional scenario is a retired police officer writing a letter to *Blue Line* about how unscrupulous con-men are victimizing seniors.

"Dear Blue Line," the video starts.

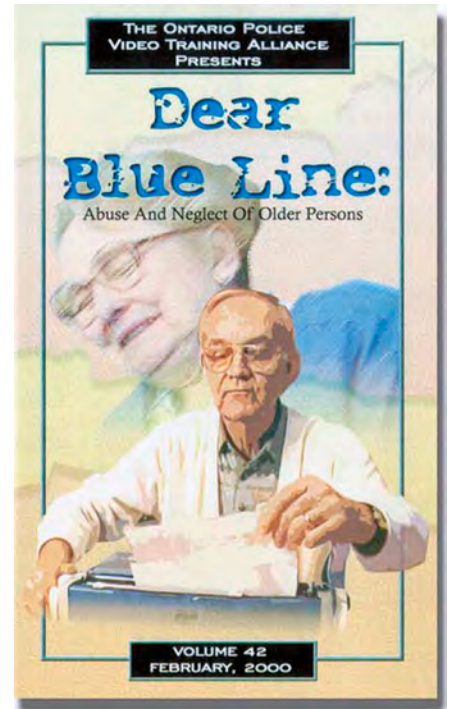
I am writing to you concerning the abuse and neglect of older persons. They say, a seasoned sled slides swifter than a green one... well, I guess I'm getting quicker at everything. I'm fast becoming an expert on how tough being a senior citizen can be. After 30 years on the job, I thought I'd seen pretty much everything, all manner of misdeed. But now I'm seeing another side of the fence.

I never would have guessed just how big a problem it is, or how only one in 25 seniors will even report it.... I am hoping that you'll give an old veteran officer a few minutes of your time to report a crime... the hidden crime, abuse and neglect of our elderly."

The video then presents a wide array of scams perpetrated on unsuspecting seniors—everything from phoney roof repairs to passive neglect by caregivers and family members. The video explains that almost all of this can involve criminal charges if officers have the foresight and interest to do something about it.

The video concludes by pointing out how to prepare seniors for court and present their evidence. It teaches police officers how to identify a crime and take the necessary initiative to assist seniors in their time of vulnerability.

A very creative piece of video training with a strong message of awareness for police. *Blue Line* was proud to be part of it.



The advertisement features a large, detailed image of a Colt C8IUR 10 rifle on the left side. The rifle is black with a tan-colored handguard and a tan-colored stock. In the background, a soldier in full combat gear is visible. On the right side, the text 'COLT TACTICAL ADVANTAGE' is written in a large, bold, black font. Below this, the rifle's specifications are listed: 'C8IUR 10', '5.56x45MM NATO', and 'CQB 10" Barrel'. A paragraph of text describes the company's custom build service. At the bottom right, the Colt logo is displayed, featuring a stylized 'COLT' with a maple leaf above the 'T'. Below the logo, the slogan 'YOUR FIRST ADVANTAGE WAS CHOOSING A COLT.' is written in a bold, black font. At the very bottom, the website 'COLTCANADA.COM' and the email 'SALES@COLTCANADA.COM' are provided. In the top left corner, there is a 'MADE IN CANADA' logo with a maple leaf.

A GIFT FOR ONE WHO HAS GIVEN



Life can always throw us one more curve — but we can respond

We are looking for a kidney. Let us tell you why.

If you had to choose one word to best describe what new officers expect when they enter policing, it may well be “unpredictability.” This is both a drawing card and source of anxiety. There are endless opportunities, both within a given day and through a career, but sometimes unpredictability is associated with danger or risk.

While policing does not actually rate among Canada’s 10 most dangerous occupations, it comes with a steady dose of uncertainty and unpredictability. An officer never knows which call or event might lead to a negative outcome.

The life career of one senior officer, retired chief Terry Coleman, shows how both the advantages and disadvantages of unpredictability play out.

Coleman was featured as the cover story for *Blue Line Magazine* in 2003. Then chief of the Moose Jaw Police Service, he led its transformation after a few years of what was described at the time as stagnation and demoralization. The article recognized his significant leadership and considerable influence in turning around a struggling organization.

Terry began his policing career in Calgary, where he served for 27 years. Achieving the rank of inspector, he served in a wide variety of roles and initiated and developed a variety of programs, including the first Canadian Crime Stoppers. He was one of the original investigators in the country’s first dedicated sex crime unit, led the internal affairs and

citizens complaint units and was the human resources director for the 1997 World Police and Fire Games.

Calgary led to Moose Jaw and, after ten years as chief, to a deputy minister position within the Saskatchewan government. Along the way, Terry acquired an academic bent, completing two masters degrees and the first ever doctoral in police studies from the University of Regina. He continues to be associated with a variety of academic facilities — Dalhousie, Athabasca and the University of Regina — and particularly enjoys working with more junior officers who aspire to leadership roles. His commitment to contemporary policing is ongoing.

Terry has also been involved in police leadership organizations, including the SACP and CACP. In conjunction with the latter he developed a still-ongoing relationship with the Mental Health Commission of Canada, where he has become a well-known consultant and advocate for improving relations between police and people with mental illnesses.

Not exactly the career you would have predicted for a kid who left school after his A levels in England and took a job as a bank teller.

There are other aspects of unpredictability — like the unpredictability of danger. By most standards, Terry has survived his 40 plus years in policing relatively unscathed — no major injuries (“the usual,” he says) and had never even been in hospital, so it seems the height of irony that Terry might end up being done in by his own kidneys.

About 18 months ago, a routine physical revealed that his kidneys were inexplicably failing. The reason? Unknown. The likely outcome? Not good. The solution? A kidney transplant.

What are your kidneys doing today? Have you ever thought of being a donor? We each have a spare — and here is someone who could surely use one. Police are noted for their concern for the welfare of others, and for looking out for their own. We here at *Blue Line* can’t help but think that somewhere in our readership, there is a person willing to step forward and consider being a donor:

- Yes, you can continue as a police officer with only one kidney.
- No, it is generally not as major a surgical process as it used to be. In fact, it is often done laparoscopically (AKA minimally invasive or keyhole surgery) these days.
- No, you don’t have to be a relative, and matching is not as complicated as it used to be, given improvements in anti-rejection drugs.
- Yes, you do have to be reasonably healthy but no, you don’t need to be perfect.

Terry has given more than his fair share to policing. How about one of us giving back? The Kidney Foundation says it is a very positive psychological experience for donors, knowing they have helped someone in need.

If you think you might like to help out Terry in particular, email kidney@blueline.ca. This is a special address we have set up just for him and we promise a very quick response. If you would like even more information visit <http://www.kidney.ca/living-donation>.



75 YEARS AND COUNTING



No.1 Provost Coy (RCMP), December 1939 (Photo: DND)

K.G.E. (Chuck) Konkel

With a strength of more than 1,200, the Canadian Forces Military Police (CFMP) is one of the largest policing agencies in Canada. Members serve more than 200,000 regular and reserve force members, civilian employees, cadets and families residing on military establishments in Canada and abroad, protecting all components of the Canadian Forces.

The historical lineage of military policing is as old as soldiering, with origins in the Roman Legions. In a more contemporary context, the articles of war of British monarchs from the Middle Ages to the Army Act of 1879 make reference to the provost marshal and his company, with duties largely committed to discipline.

Britain's first standing military police was created in 1813 when the Duke of York proposed formation of a staff corps of cavalry attached to the Adjutant-General. Commanding officers of cavalry regiments were ordered to submit names of soldiers to serve in this unit and detachments were then allotted to each division of the Peninsular army.

Until a standard uniform was approved, members were identified by a red scarf tied around the right shoulder of their garb. This might have been the origin of the famous

military police 'Red Cap' and was certainly the precursor of the 'MP' armband which identifies modern personnel.

Following Napoleon's defeat at Waterloo, the Duke of Wellington re-formed the cavalry staff corps to police the British occupation army in France. During the Crimean War, the corps was empowered to prevent supply theft and maintain discipline and were formally recognized by 1877. The military foot police was raised in 1882 for service in Egypt.

An amalgamated corps of horse and foot was employed on operational tasks during the First World War, including marshalling troops and supplies on the front lines, often under heavy and concentrated fire.

The Canadian Military Police Branch traces its origin to the formation of the Canadian Military Police Corps in 1917, when mounted personnel were tasked with enforcing discipline for the Canadian Expeditionary Force fighting on the Western Front.

Modern Canadian military policing was born during the Second World War. The Royal Canadian Navy (RCN) had used the ship's master of arms and shore patrol to ensure conduct of all ranks from its creation in 1910 onward. During the Second World War, RCN policing would expand to maintain discipline over 100,000 sailors serving on more than

400 surface ships and countless stone frigates in what, by 1945, was the world's fourth largest navy.

For its part, in 1940, the Royal Canadian Air Force (RCAF) created a provost marshal to ensure discipline. By war's end, in addition to safeguarding security for the 132,000 personnel trained in the British Commonwealth Air Training Plan, RCAF Service Police had managed a quarter million Canadians in 48 squadrons, air bases and training formations at home and overseas in the world's fourth largest air arm.

The Canadian Provost Corps was formed within the Canadian Army on June 15 1940; No. 1 Company, made up of RCMP members, became part of the 1st Canadian Division. No.2 Company, comprising municipal police officers, joined 2nd Canadian division.

Provost members were captured in the defense of Hong Kong and were casualties on Dieppe's beaches. Yet it was during the Italian campaign and later in the liberation of Northwest Europe and the Netherlands that the corps came into its own.

In these war zones, provost personnel were responsible for expeditious traffic movement of men and material to the front line. Their traffic points were often under extreme enemy fire. As evidenced in the provost corps war diary

and the number of awards members received, the recorded instances of bravery and devotion to duty were the rule rather than the exception.

As the war diary illustrates, military policing is not without a touch of human comedy.

As part of Operation Market Garden in 1944, Allied airborne troops were dropped near Arnhem. At least one glider went far off course (100 KM, to be exact!) and landed near a military provost responsible for a traffic point approaching Ghent.

Bristling with arms and ammunition, the paras spilled out and dug themselves into an impregnable defensive position. The MP remonstrated with them, but the paras had their orders and — ever certain they had landed on target — proceeded about their business in a soldierly manner.

After several hours crouched in slit trenches watching convoy after convoy with the Royal blue rectangle and gold maple leaf of Canadian Second Division emblazoned on each vehicle, the paras decided that 'possibly' the provost officer's observations had merit. They sheepishly called it a day and proceeded into Ghent to celebrate their hollow victory.

The red cap, MP brassard and olive green Norton motorcycle became the Provost Corps trademark. By conflict's end, the provost corps had been awarded 67 Canadian medals, 13 foreign awards and 117 mentions in dispatches (MID), each singularly well deserved.

In Korea, Canada's forgotten conflict, Canadian provosts were merged with their British and Australian counterparts to form the British Commonwealth Provost Company; the first internationally integrated formation in contemporary warfare.

Such flexibility would become a living maxim for the CFMP. From Korea onwards, through the dynamics of unification to the contemporary Canadian Forces of today, MPs have served on military missions and in theatres of serious conflict from Cyprus and Haiti to Afghanistan, Libya and East Timor, and most recently the Ukraine and Jordan. They have protected Canadian embassies and high commissions worldwide in roles as complex and diverse as intelligence gathering, base security and combat support to training of counterparts in newly emerging nations.

Although the *National Defense Act* does not bestow authority to defense ministers to appoint police officers, Section 156(1) allows them to confer peace officer status to specially appointed military police members. This classification provides for powers bestowed by selected Acts of Parliament on or in relation to DND property or assets, worldwide.

If a crime is committed thereupon, MPs have arrest and charge powers over offenders, military or civilian, via the Criminal Code. Under the act, they also have power to arrest anyone subject to the Code of Service Discipline (CSD) regardless of position or rank. It is critical to note the purpose of the CFMP is not to replace the civil policing authority, but to support the Canadian Forces through security and internal policing services, including enforcing discipline, traffic control, handling

prisoners of war, detainees and refugees and the collection, collation, analysis and dissemination of information relevant to criminal intelligence.

Members are deployed on operations both domestic and global, including humanitarian support, peacekeeping, hostile combat or stabilizing areas suffering from natural disaster.

The CFMP celebrated its 75th anniversary last year and can move forward justifiably proud of its lineage and future. The new CFMP Academy at CFB Borden heralds a significant milestone. A state of the art facility, it recognizes the critical importance which the integrated disciplines of policing and soldiering have in maintaining the

reputation of Canada's military for thorough professionalism in peacetime and war.

For what it stands for, and for the training it provides, the academy is a living testament to the importance placed in the CFMP motto 'Securitas.' Always.

K.G.E. (Chuck) Konkel has been a member of the Toronto Police Service for over 35 years and a former Inspector with the Royal Hong Kong Police Force. He is the creator of Canada's Hate Crime law and an acknowledged expert in Asian and Eastern European Organized crime. Chuck was a regular book reviewer for two major newspaper chains and lectured in corporate communications and globalization issues at a community college for over a decade. He has a masters degree in international relations and is the author of two bestselling novels and several screenplays and is currently at work on a third. He may be reached by email to konkel@sympatico.ca.



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Commemorative watch marks 75 years



by Danette Dooley

A Toronto-based watch designer has partnered with the Canadian Military Police Association (CMPA) to offer a commemorative watch marking the 75th Anniversary of the Canadian Military Police Branch (CMPB). Robin Devine owns Time is Ticking Inc. and has been designing watches for Canadian military groups for the past two decades.

The projects she's undertaken involving the military are an opportunity to not only give back (\$10 from every watch goes to the respective organization) but to educate others about those who have served.

Devine worked closely with the association to produce an historical poster that can be printed or viewed online.

"I went through a rigorous process with the association... they review everything that I've written on the poster to confirm that it's accurate," Devine said.

Her CMPA poster notes – as background information – that the CMPB traces its roots to the formation of the Canadian Military Police Corps on September 15, 1917. The mounted personnel were charged with the responsibility of traffic control while enforcing discipline for the massive Canadian military machine on the Western Front.

According to Devine's poster, by war's end, formal establishment was set at 850 (and 34 horses) within 13 detachments.

It was the Second World War which truly saw the birth of contemporary Canadian military policing. The Canadian Provost Corps (C Pro C) was created on June 15, 1940; No. 1 Company, formed at Rockcliffe, Ottawa as part of 1st Canadian Division, was made up entirely of RCMP members. No. 2 Company, formed in Halifax and joining 2nd Canadian division, was comprised largely of municipal police officers.

Members were captured in the defense of Hong Kong. Others were wounded on the Dieppe beaches.

The Corps came into its own in Italy when a special traffic control company was formed

and placed as many as 200 directional signs per mile of advance, manning well known routes like "Maple Leaf," "London," "Diamond" and "Ruby."

Members also controlled the "Gold Flake" route from Marseilles to Cambrai as Canadian troops moved to their comrades in France, Belgium and Holland.

By war's end, strength had risen to 6,120 men. Military police were clearly present when the Nazis finally surrendered on May 6, 1945 in the Dutch town of Wageningen. The red cap, military police brassard and olive green motorcycle had become the Corps trademark, reflecting the bravery and discipline of the men and women who served as Provosts.

Since the war efforts military police have served missions of conflict from Cyprus to Haiti, Cambodia to Afghanistan and most recently in the Ukraine.

Today, the CMPB has members on every base and station of the Canadian Armed Forces in Canada and abroad.

Devine has designed watches for the Royal Newfoundland Regiment, West Nova Scotia Regiment, Royal Canadian Army Cadets, Royal Canadian Navy and Afghanistan mission soldiers. A watch also celebrates VE 1945 and other police and military-based groups.

One of her most recent initiatives is the Camp X watch.

"Camp X was the top-secret training camp in Whitby, Ontario where Ian Fleming did his intelligence training. When he lived in Toronto, (Fleming) lived across the street from James Bond United Church... and that's where the name James Bond came from," Devine explained.

According to Devine's Camp X poster, British Prime Minister Sir Winston Churchill instructed his friend, the head of the British Security Co-ordination (BSC), Canadian born First World War hero Sir William Stephenson (who became known as "The Man Called Intrepid") to establish a Canadian facility to train secret operatives in the art of espionage.

Established on December 6, 1941 one day before the infamous Japanese attack on Pearl



Harbor, the camp, officially known as Special Training School #103, was established on 280 secluded acres of land along the shore of Lake Ontario, east of Toronto near the border between Oshawa and Whitby.

Over 500 agents (including those from the FBI) successfully trained at the camp before undertaking clandestine Allied missions around the world.

Agents from the FBI and Office of Strategic Services, the forerunner of the CIA, secretly attended the facility

"They've just created the TV series called 'X Company.' That's Camp X," Devine said.

It's not unusual, she said, for people to approach her at various gatherings to let her know they have bought one of her watches.

"I cannot put into words what an honour it is for me to be making these different watches for so many of the different regiments... people call me on the telephone and tell me about these amazing points in history that they've participated in or someone they know participated in. I get off the phone and I have goose bumps when I think of these brave men and women wearing my watch."

Devine's slim-line watches have a Seiko Japanese movement, raised gold plating on the face, a curved crystal, engraved case back and a designer leather strap. The association's anniversary logo is engraved on the back.

Visit www.timeisticking.ca for more information.

Danette Dooley can be reached at dooley@blueline.ca

Building resilience to extreme violence

by Clair Seyler

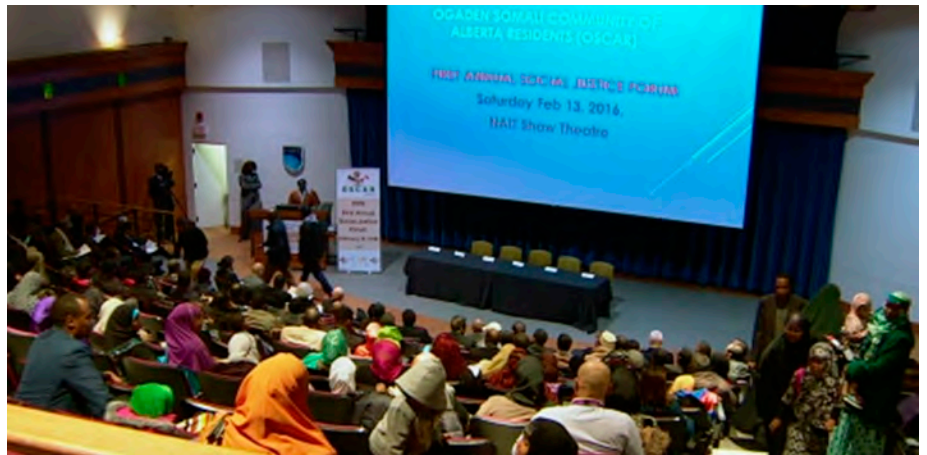
Edmonton Police Service (EPS) recently hosted 150 community members for an afternoon conference that educated and engaged attendees on violent radicalization, also known as extreme violence or violent extremism.

“The goals of the conference were to identify the potential for radicalization, to understand our community assets and discuss opportunities for collaborative responses across the city,” says Insp. Dan Jones. “It was a chance to learn about what EPS and communities are doing to build resiliency to extreme violence.”

Working with the community through education and engagement has been beneficial in identifying issues, especially among youth aged 12-24, when individuals are most influential. Jones says open dialogue and awareness helps identify the push factors and when to step in to stop the radicalization process.

“Radicalization is about violence, nothing else,” says Jones. “It is found in all sectors of society, despite race, religion or socio-economic status.”

Several speakers focused on the importance of knowing the warning signs, building



community outreach and engagement and meeting the needs of victims and families.

“Community contact and building trust with police are imperative when dealing with the potential of radicalization,” says Jones. “That’s how we change lives without trying to arrest our way out of the problem.”

Feedback on the conference has been very positive. Several attendees stated it was an excellent opportunity to share ideas and

strategy, something that is always beneficial to the clients we all serve. They were very pleased that the EPS engaged the community in this manner, and hope to see more of it in the future.

Clair J. Seyler is a communications advisor in the EPS Corporate Communications Section. Contact: clair.seyler@edmontonpolice.ca

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COPS WITH CAMERAS

Police body cameras are inevitable

by Louise Bond-Fraser and Ian Fraser

When you put a camera on a police officer, they tend to behave a little better, follow the rules a little better... and if a citizen knows the officer is wearing a camera, chances are the citizen will behave a little better

— Chief (Ret) William “Tony” Farrar, Rialto Police Department.

Recent, high-profile incidents, some resulting in the death of a suspect, have brought the question of police officers using body cameras to the fore. In most cases, there were either no cameras or only partial recordings from surveillance cameras or bystander’s cellphones. As a result of consequent, negative publicity, some police agencies have decided, or are considering, outfitting their officers with body cameras.

In Calgary, 800 to 1,100 police officers are already wearing body cams. Edmonton police conducted a three year pilot program but eventually put on hold a plan to roll out 60 cameras for traffic officers. Toronto outfitted 100 police officers with body cameras in a year-long pilot project.

The efficacy of using cameras on a regular basis is still a subject of debate.

Opponents

Roy Kablin raise a number of concerns from body cam opponents in his article, *The case against body cameras*, including that they may have a detrimental effect on the way police officers conduct their business. Officers might, for example, hesitate in a critical situation because of concerns about how their superiors and the public will perceive their actions.

Some suggest cameras will not allow officers to use due discretion since they may feel compelled, for example, to issue a ticket instead of a warning. Others believe the cameras invade their privacy since they may reduce or inhibit stress-releasing small talk between partners in the police car.

Moreover, it has also been suggested that body cameras may be a physical impediment to officers in the performance of their duty, and could possibly cause physical harm during an altercation. Opponents are also concerned about the cost of such an undertaking, both for equipment and training time.

Of course, potential problems extend to dealing with the video once collected and the question of public confidentiality. How will videos be used? How will they be stored and for how long? Storage opens video up to potential hacking, which could result in clips being released on social media.

Still others worry that the cameras may be used for more than just recording daily activity. As John Lornic points out in his article *New era of policing: Will the benefits of body-worn cameras outweigh the privacy issues?*:

Other law-enforcement experts, meanwhile, raise the prospect of mission creep. For example, Calgary will use facial-recognition software with the cameras as a means of identifying suspects. Deakin University lecturer Adam Molnar, a Canadian criminologist who specializes in law-enforcement technology, warns that a body-worn camera deployed in combination with biometric technology becomes “an intelligence-collection device instead of a built-in mechanism to introduce transparency and accountability.”

Proponents

Proponents, like Farrar, suggest that body camera use will result in a better rapport between police officers and citizens, as both parties will know they are being recorded. It has also been suggested that they will help expedite cases and may help protect officers against spurious claims of police harassment and determine whether officers acted appropriately.

Our take

There appear to be cogent arguments both for and against body cameras but we believe that, in this age of ever-increasing access to multi-media, body cameras will eventually be standard equipment. Arguments against them based on expense and risk of injury will become less valid as the cost and size of the equipment decreases.

In 2000, for example, a \$500 Kodak “millennium edition” camera was boxy, solid and heavy and boasted a whopping one megapixel resolution. If you could even find one today, it would likely be hanging on the end of a keychain in a dollar store. Cameras will continue to become cheaper, smaller and less obtrusive.

There are other concerns such as whether cameras will affect the way police officers deal with situations but this should become less of an issue with appropriate training.

“Officers like stability, they like the same thing, but overall it’s not going to change too much in how we do things,” Cst. Neil Robinson of the Toronto Anti-Violence Intervention Strategy Unit told reporter Wendy Gillis.

“When we’re in the community and people see us talking to somebody, there’s

always another 10 people coming out with their cameras and recording us. So this is just another camera.”

The proliferation of cameras is underscored by the findings of eMarketer, which notes the increased prevalence of smartphones.

Smartphone usage reached the halfway mark for Canada's general population in 2014, and penetration will continue to expand year after year. Nearly 56 per cent of people in the country will use a smartphone regularly this year. Though growth is slowing, eMarketer forecasts that there will be more than 6 million new smartphone users in Canada between 2014 and 2018. At that point, this group will represent nearly 65 per cent of the country's overall population.

One might add that if everybody has a camera, as indeed seems to be the case, why would police not want one to show their point of view and the incident in its totality?

It is often said that the camera never lies, but this is not quite true. In a court of law, witnesses are sworn to tell “The truth, the whole truth and nothing but the truth.” A partial video may tell only a partial truth. People on the street, for example, will start to record an incident only when it becomes apparent something is happening and their attention is drawn to it.

The Toronto Police Service addressed concerns about invading privacy by instructing officers not to turn the camera on until they formally engage a member of the public – and to turn it off when the engagement ends. Failure to turn it off carried the possibility of disciplinary action.

“Every edit is a lie,” said French-Swiss film director Jean-Luc Godard. If an officer is employing a body camera properly, then the possibility for misinterpretation, for both parties, is circumvented as the “whole truth” will be available for consideration. Indeed, one stated benefit of body cameras is fewer complaints against police officers wearing them.

Studies conducted in Washington D.C., Rialto and Aberdeen, Scotland appear to support the idea that there are fewer public complaints against police officers wearing body cameras. The reason has not yet been determined. It may be due to a change in the officer's behaviour, the person who knows the officer is wearing a camera or a bit of both. It may also be that the reduction is a result of fewer false claims by the public.

The Rialto study found that the number of use of cases where use of force was necessary was almost halved among officers wearing the camera.

Of course the whole question of how long recordings are to be kept is also a concern that needs to be addressed. Toronto police indicated it would keep videos shot during its pilot project for only about a year unless it was linked to an ongoing investigation.

How the videos will be used is a key issue and to allay these concerns police agencies need to be very specific and public about their use, where they will be stored and security.

Toronto police posted a “FAQ” page on its web site for people with questions about privacy issues.

Conclusions


King Canute famously demonstrated that he had no power to hold back the tide. Police officers are in a similar position with body cameras. They are inevitable. The question, therefore, is how they will be implemented.

Certainly, we need to proceed cautiously. Their implementation should be a tool not only to ensure justice but also “to introduce transparency and accountability.” Police agencies adopting body cameras should be as open as possible about their purpose, implementation and procedures or the public will be uncertain and suspicious and very little will change.

Used properly, body cameras should be an asset in the fight against crime. With the possibilities that such modern technology affords, the historical aphorism, “Not only must justice be done, it must be seen to be done” has never had such literal backing.

Ian Fraser is a professor of psychology from St. Thomas University, Fredericton. His specialties include anxiety, perception and eye-witness testimony.

Louise Diane Bond-Fraser has a master's degree in English literature and language from the University of Aberdeen. She has edited a number of relevant articles including “Post-Traumatic Stress Disorder, Memory of Witnesses and the Justice System” and “A Car Accident and the Power of Suggestion with Witnesses.”




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POLICE JUDO

PART FOUR

Training for effect – Going to the ground

by Toby Hinton and Al Arsenault

Although we do like to ground fight in Police Judo, that kind of training is placed within the context of being taken off your feet as opposed to willfully going to the ground with your subject. The goal is not to ‘win’ on the ground, it is to stay on your feet at all costs. If taken to the ground, the goal is not to look for a submission but to fight to get up as soon as possible.

We have seldom been taken off our feet or slipped, however we concede that in this day of ‘mixed martial arts’ (MMA) popularity officers may end up on the ground during an arrest situation. There are MMA clubs which cater to anyone regardless of their personal backgrounds or intentions.

People of dubious character will use their skills for nefarious purposes because they have low moral standards. Police Judo does not accept those who are involved in or associated with crime, gangs or drugs. ‘Thug life’ can train elsewhere.

We do not teach leg and ankle locks unless they are used in the context of team arrests. They can be injurious (even in training), due to the likelihood of partners failing to realize their knee joint has been fully extended or twisted beyond its normal range of motion before pain begins.

Also, the ground is simply not a safe place for a police officer due to the possibilities of eye gouging, biting, head butting, multiple assailants, etc. Why teach someone to stay on the ground rather than to get up as soon and as safely as possible when other assailants could be looming?

If suspects ‘tap out’ when you’re not in a position to handcuff them, they don’t ‘promise’ to cooperate if you release your hold. Solo officer applying a leg lock don’t get any closer to handcuffing an individual. The benefits of practicing leg locks do not outweigh the risk of injuring students.

That’s why we refrain from teaching them other than to recognize that the technique is unfolding and showing how to escape.

Keeping it savagely simple

Police Judo is relatively easy to learn and use; it just takes practice. Under stress, fine and complex motor skills begin to decline when the heart rate exceeds 115 and 145 beats per minute respectively. In regards to the stressed brain, Bruce Siddle and David Grossman found that the 115-145 BPM range to be the optimal heart rate for survival and combat performance (code ‘red’).

To counter this negative physiological effect, environmental inoculation training (simulations and scenarios designed to stress the trainee, as utilized in Ken Murray’s *Reality Based Training*) is needed. This allows the least complex techniques to be performed under stress for lasting and meaningful training effects. Handcuffing alone while under realistic stress can pinpoint preventable control inadequacies and prevent many undesirable outcomes from occurring.

The adrenaline rush

The knowledge of how the human brain operates under adrenalin-dumping stress separates Police Judo training from that of most

martial arts, especially those steeped in rules of sport. We drill our students to respond in the safest manner possible while keeping focused, not just on the target, but on their surroundings. We place them under some stress; breath control is very important in calming the mind so that rational thought can occur and peak performances can be achieved.

Having a winning mindset is also an important aspect of our training, since it enhances environmental awareness. Proper training to handle stress prevents freezing up and reduces tunnel vision.

Which schools and martial arts styles train to preserve, or at worst, accommodate the loss of fine and complex motor skills by at least keeping their skills savagely simple? Will the drills that are practiced allow the ‘reptilian brain’ to react in a safe manner? Are the nasty things like eye gouging and biting woven into the fight training, or are these harsh lessons left aside as afterthoughts and nice-to-know information only to be sadly learned on the street?

The street can be a cruel teacher

The ‘fight or flight’ brain, which kicks in upon the onset of adrenalin rush (heart rates above 175 beats per minute), is incapable of rational thought. Officers will default to their training, regardless if it is ‘safe.’ Tales of officers stripping a gun from a suspect and subsequently handing it back or doing unneeded gun malfunction drills in a battle instead of returning fire result from unsafe training practices and/or improper mindsets.

Police Judo regularly incorporates

environmental inoculation into very basic and common scenarios, making our training more meaningful and effective. We put our students in some degree of stress in the most likely situations, such as arresting a non-compliant drunk outside of a bar while bellicose belligerents and vociferous, anti-police, cell-phone toting paparazzi are leaving. Such external stressful influences can make an officer act inappropriately.

Self-defence in context

While Judo is the foundational basis for Police Judo, many of our techniques have originated from an eclectic blend of martial art styles; all techniques, regardless of origin, have been placed within a context outside the realm of sport, or 'self-defence' for that matter.

'Defensive tactics' for policing also includes a good offence, as police do not get paid to be victimized. Police officers should not be attacking people as if it were some kind of 'contest,' nor should they do so for the sole purpose of penalizing or harming them. Offenders must be controlled and taken into custody; deadly threats must be neutralized, using lethal force if necessary.

All police officers have as their main goal going home to their loved ones after each shift. There are some anti-police dimwits who feel that officers, when they don their uniforms, somehow trade their right to defend themselves with deadly force. They are so wrong. The focus of this series has not been to

downplay the right of police to stop deadly threats, but rather to offer a multitude of great arrest and control tactic tools you can use to arrest resistive and assaultive parties as safely as possible (for both the officer and the arrestee).

If people die, it is usually the consequence of suspects' refusal to co-operate and their willingness to use lethal force; by their own violent actions those forms of resistance can quickly ramp up necessary use of force to reasonably justifiable deadly levels.

Force with ethical vigour

As modern warriors and society's guardians, learn what you can (and need) and toss the rest away. Be prepared to use force judiciously and with minimal risk to all involved – serve it up with ethical vigour. If you absolutely must, then stop the threat your opponent poses by whatever means is needed. Lend your even and compassionate hand to those who struggle through life but be ready to take on the predators who would harm the flock. Walk softly but carry a big stick; wear a velvet glove over an iron fist.

Let your sense of profound professionalism be your warrior code; let each stroke of your dispassionately forceful but judicious hand be the public's protective shield.

You carry a badge that you can choose to honour or dishonour; you can either polish or tarnish it through your actions and deeds. The force is with you. Will the public stand by and

respect your actions? What will they look like on the six o'clock news or YouTube? What will your friends and family think?

Let your sense of ethics temper your blows; do not let the fury of your temper drive your actions. It is easy to be ethical when you are in control.

Learning the essence of Police Judo is a huge step in the right direction of seizing and controlling a person rather than beating them into submission. Its philosophical and ethical underpinnings, coupled with numerous street-smart techniques and tactics, aim to put you in solid control over those who resist your policing mandate and would do us all harm.

Al Arsenaull is a former Vancouver police officer and a co-founded Odd Squad Productions. He currently specializes in teaching police combatives through his co-founding of Police Judo in 2010, is writing a book on Police Judo and teaching the essentials of this new martial art to police across North America. He can be contacted at oddsquadder@gmail.com



Toby Hinton A 23-year veteran of the Vancouver Police Department, Sergeant Toby Hinton heads up Squad 5 of the Beat Enforcement Team. Patrolling the streets of the Downtown Eastside on foot, Toby keeps close ties with a community that is not always easy to serve and protect. He can be contacted at oddsquadder@gmail.com




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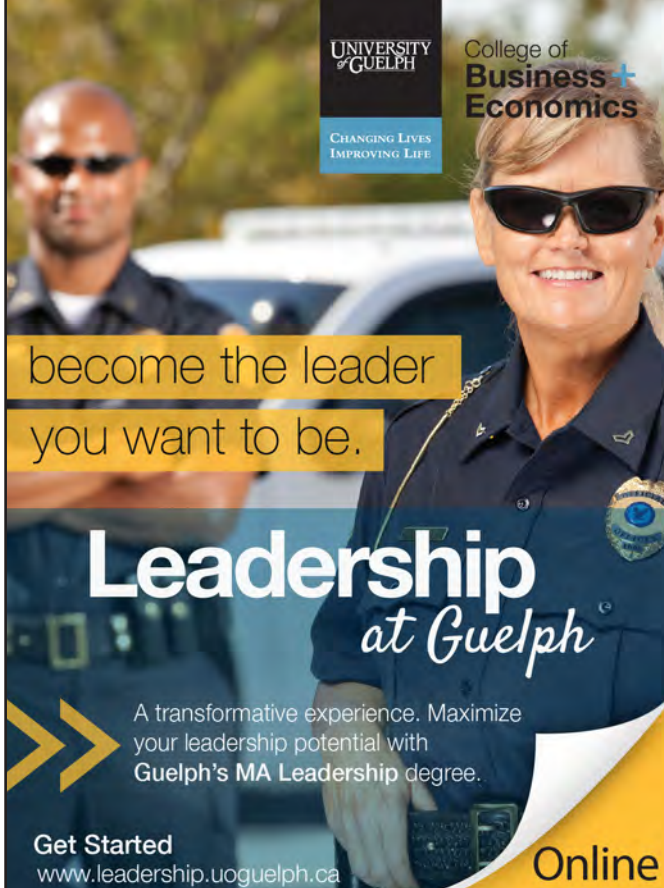
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Online



Of special significance was the celebration of the 20th Anniversary of the Blue Line Expo. To recognize this milestone *Blue Line Magazine* hosted a hospitality event which was well attended by all exhibitors and staff. A highlight of the event was a special draw for prizes in the form of complimentary advertisements in *Blue Line Magazine*. Shown above with the winners of the draws are Associate Publisher Kathryn Lymburner, Expo Co-ordinator Janice Eaton and Group Publisher Morley Lymburner. Winners of the prizes were John Martin of Artcal, Rod Willems representing the Police Chaplains Association of Canada and Mike Hackett of Hackett Security.





Blue Line Magazine was proud to host its sixth annual awards gala in conjunction with the 20th anniversary of the Blue Line Expo and Conference.

A full house of dinner guests and dignitaries were on hand. Once again the master of ceremonies was none other than former OPP officer Cam Woolley, now a CP24 crime reporter and panelist on *Canada's Worst Drivers*.

Blue Line columnist Dave Brown introduced Canada's Best Dressed Police Vehicle, won this year by Amherstburg Police Service. Amherstburg gave its fleet a makeover to recognize its role in the War of 1812. The area was a British stronghold during the US invasion and the police vehicles depict a period-dressed line of red coats with muskets aimed for fire.

"This design was a hands-down favourite," said Brown, judge co-ordinator since the award began in 2005. "Not only did it bring clarity as to the vehicles primary purpose but it also incorporated a unique style completely unique to this community."

The award was presented to Amherstburg Police Chief Tim Barthaume, who stressed how much his members and the community appreciates the honour. "It is not often that a smaller agency like ours receive this kind of recognition," he said.



The Medic Alert Canada Foundation presented its annual award, *Legends of the Call*, to OPP Cst. Ken St. John for his quick action in identifying a wandering patient suffering from dementia. St. John took the elderly lady under his care and phoned the contact on her Medic Alert bracelet. The award was presented by Robert Ridge, Medic Alert Canada Executive Director.



Steve Duggan, police leadership liaison and co-ordinator of online police foundations learning at Humber College, introduced the concepts of the Police Leadership Award. Award coordinator Mike Sale, introduced this year's recipient, Sgt. Edith Turner of the Winnipeg Police Service, and presented her with a wooden plaque replica of the magazine cover and the glass etched award topper.

York Regional Police Chief Eric Jolliffe gave a moving speech as he presented Robert Lunney with an honorary police leadership award. As a rookie with the Edmonton Police



Service, he was jogging when a man called his name and asked how he was making out.

Jolliffe chatted for a moment and later spotted the man's picture. It was Chief Lunney. He was impressed that Lunney knew his name and that he was new to Edmonton.

Publisher Morley Lymburner recognized Lunney for his almost 20 years as *Blue Line's* senior management consultant and columnist. A life-long belief in continuous learning has earned Lunney recognition both nationally and internationally. Readers have benefited greatly from his on-going input and guidance.

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Thank you for a great year at Blue Line EXPO

The Blue Line Magazine Team

Back row (L to R): Art Director, Janell Bemister; Editor, Mark Reesor; Publisher, Morley Lymburner; Firearms & Vehicles Editor, Dave Brown; and Digital Media Co-ordinator, Lindsey Patten.

Front: Blue Line EXPO Co-ordinator, Janice Eaton; Associate Publisher Tom Rataj; General Manager, Mary Lymburner; Associate Publisher, Kathryn Lymburner.

Missing: IT, Kieran Huggins; Sales Executive, April Lensen; and Creative Director, Jolene Dreja.



What you had to say

This is the third Blue Line Expo I have attended and I am blown away by the wide range of products. I certainly was impressed with the shooting simulator in particular. The instructors that guided me through some of the scenarios were very knowledgeable and certainly knew how to build confidence in the shooter. I also liked seeing the Mitsubishi hybrid SUV. Certainly looks like the future in EMS transport to me. Looking forward to coming again next year.

Jean Petty, Montreal, QC

I always enjoy attending the Blue Line Expo, although my real goal is to obtain contacts and information that might be of use to our organization. As I have attended almost every year for 10 years, I feel comfortable in saying, "As always, a job well done!" This year, for the first time, I was the winner of one of the draws that was held. I received a nice package from Shark Marine. I am not giving up the bag, (which is very nice) but I do intend to pass along a few of the items that filled the inside of this carry bag to our Marine Unit, as they would fully appreciate Shark Marine products. I look forward to next year's show. Respectfully.

Scott Dexter, York Regional Police

It was my first conference so for the most part it was pretty good. The speakers I selected were great. I thought the hotels and convention centre were great and the Blue Line staff were terrific. If I can swing it next time I'll certainly attend in the future. Thank you very much!

Ross Burt, Halifax Regional Police



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"Great speakers"

"Excellent ideas for front line officers."

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FROM THE INSIDE OUT

Stretching the thin blue line even further

by Valarie Findlay

Much of the stress associated with policing, specifically for officers on patrol or in specialized units, comes from what is known as the ‘new’ policing model, which focuses on reducing risks and responding to threats in a complex and evolving society.

The steady decline in crime has been overshadowed by the most socially disparate crimes and terrorism filtering down to the community level. Although the public can take comfort in the lower crime rate, it does not mean things are ‘better’ for policing; it just means things are different.

When these new expectations to respond to crime and threats to public safety are considered, policing at all levels hears this conflicting message: meet the mandate but within prohibitive and constantly changing constraints. The current policing model has become increasingly reactionary and response-oriented due to tight resources and budgets. It is still hinged by old standards, with new ones added as demand increases.

The standard policing model is basically made up a few major components:

- The strategic layer drives the overall purpose of policing;
- The intelligence and operational layer (specialized skills) enable the strategy;
- The program layer addresses changing needs;

- The administrative (primarily people and processes) and technological (primarily tools) layers provide support in the above tactical layers.

While there are many issues, most can be traced back to two specific break-downs in the model.

1. The lack of strategically designed programs which can meet the changing threat and technology landscapes and are maintainable (have money, skills and realistic timelines). Operationally, this translates to the job getting done with whatever is at hand and human resources bearing the brunt, stretching capabilities even thinner. Having said that, the old-style of policing and “getting a little chalk on your cleats” is no longer permitted.
2. Administration: intelligence and operational layers are hobbled without targeted support and aligned functions and often have to backfill with their own resources. This can extend to operationalized work, where officers are expected to act as warriors, psychologists, counsellors and public servants, further squeezing budgets and raising policy, liability and litigation concerns.

These two layers and their imbalance are the direct cause of workplace stress and employee dissatisfaction that pull an

organization apart from the inside to its outer walls. Take into account the external pressures of media scrutiny and political pressure and it’s no wonder day-to-day stress touches nearly every officer; half report high levels of stress.

We only need to look at the frequency of morale, stress management and training issues in the media and what appears to be a rise in suicide, stress-related injury and grievances (note that Canada does not have a central database to track incidents). It doesn’t take long before internal issues begin to affect operational effectiveness and extend to personal relationships and home life.

Police officers are a psychologically ‘screened’ segment of the population. They come into the profession mentally fit but do not leave that way so it’s disturbing that there hasn’t been a more aggressive and proactive response. From a public service perspective, the vital importance of policing should make the integrity, cohesion and health of the organization paramount.

The study, *Policing in the 21st Century: New Policing for New Challenges*¹, prepared in 2014 for the Council of Canadian Academies, found:

- Two-thirds of officers said they were satisfied with their jobs.

- Half of the officers surveyed reported high and 46 per cent reported moderate stress levels.
- Forty per cent of respondents said the work overload has been aggravated by understaffing in their areas.
- Officers typically work 53.5 hours each week, deal with multiple competing priorities and work rotating shifts that may lead to exhaustion and problems at home.

From a public-facing aspect this affects the organization as a whole by making it appear overly authoritative and lacking transparency, making it more difficult to navigate. It also isolates it physically and psychologically from the communities it protects, referred to as the 'policing industrial complex.'

Regardless of the term we use — reformation, transformation, retrofit — it is clear that change is due. Policing must be realigned as an essential service to meet public needs and to make it a rewarding career for officers. Many studies over the past decade have called for this and similar improvements, such as:

- Professionalization of policing to improve work-life balance, career direction and development;
- Impartial board oversight for police, unions and the public to address concerns, represented by impartial members and professional partners rather than biased parties (police executive, politicians, etc.);
- Internal committees to examine policing practices (evidence-based policing: proactive, sentinel, hot-spot models, et al.) for effectiveness and to meet new needs on an ongoing basis;
- Leveraging of threat deterrence and response resources in departments where they are not fully utilized;
- Improving existing communication channels and developing new ones to enhance community relationships, intelligence gathering and sharing.

The next crucial step is addressing root causes and determining how much of the problem is germane to the profession and to what extent it has resulted from poor change and organizational management. With these issues increasingly making their way into the media, it is time to address the biggest threat to police officers — unilateral decision-making that is disassembling agencies from the inside out.

I. Council of Canadian Academies, 2014, Policing in the 21st Century. Visit <http://goo.gl/VZzJqK> to download the full report.

A research fellow for the Police Foundation (USA) **Valarie Findlay** has more than two decades of senior expertise in developing strategies, frameworks and risk assessment approaches for cyber-security, policing, military and government departments. She holds a Masters in Terrorism Studies degree and is preparing her doctoral thesis on terrorism as a social phenomenon. Contact: vfindlay@humanled.com

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NO “DOWN TIME” FOR POLICE IT

Remembering that police enablers can feel the stress

by *Christine Robson*

Keeping Information Technology (IT) systems running flawlessly and enabling technology and innovation is stressful. We support service level agreements (SLAs) for our agencies and commit to “five-nines” (99.999 percent) up-time, meaning systems can be down no more than five minutes per year.

There is added stress for IT personnel in policing, who are responsible for keeping so many mission-critical systems running flawlessly 24/7. This includes 911, dispatch and various records management system (RMS) applications.

Unlike banks or private companies with a wealth of funding, police services usually have extremely tight budgets and limited funding growth potential. This environment means IT directors and managers have to think smarter, using resources that they already have and looking at shared service with other police agencies and regional municipalities.

Down time is a serious problem because first responders rely on so much mission-critical technology. Fully redundant sites are an option but require major funding to build, maintain and upgrade and staff to keep them running and deal with problems that may arise.

Technology is integrated with every officer on the road – mobile computers, electronic ticketing, in-car and body worn cameras, radio systems, GPS, security tokens, smart phone applications and other specialty equipment. Just outfitting a police vehicle with all this technology can cost tens of thousands of dollars; supporting and keeping it running costs thousands more.

Going back to paper and pen is no longer an option so all systems must have as close to 100 percent up-time as possible.

The IT department manages all the standard operational systems, including 911/dispatch, electronic mug shot systems and hundreds of databases feeding numerous systems.

Newer technologies such as in-car and body worn cameras (and the video files they create), Tasers, GPS, and digital evidence are now being added to the mix. Newer technology-based investigative processes require additional resources and constant updates in skills and technologies.

This is now the standard for most police services. The constraints on funding and staff to support all of this is a problem. We have to think smarter, fight burn-out, stay innovative and ensure all systems are constantly up and running.

It’s not an easy task and requires a large team of experts and partnering with other municipalities and police services. We share information and knowledge more than ever before, no longer keeping it all to ourselves as in the past. Some of this sharing is done by using the “cloud,” although this is not without risk.

The new trend in police IT is to be open, innovative and “think outside the box” instead

of just being a traditional data centre. Hybrids are emerging with the use of secure shared services in the cloud, computer virtualization and removal of physical computer servers.

Police services can no longer survive in the traditional way, as there is so much technology being thrown their way. The old reactive nature of managing police IT is no longer possible and quick fixes and band-aid solutions are no longer an option.

Being the IT director/manager means becoming a business partner and enabler of business success with peers across every police service, not just provincially or nationally, but ideally internationally.

We now look globally to think smarter and partner with services around the world. As policing in every country has similar technology challenges, boundaries are being removed and sharing of information is now the norm rather than the exception.

The pressure to keep mission-critical technology working all the time is taking a toll on IT personnel. Various surveys across the UK and Canada have found that 49 per cent of IT workers admitted to being closer to burning out now than they were five years ago.

Stress levels for police IT personnel is even

higher because of the mission-critical nature of the systems they manage. A dispatcher cannot be confronted by a stalled computer while trying to manage a life-and-death call so there is added pressure to ensure that this never happens.

Although much of the mental health discussion in the first responders’ community has focused on front-line personnel, it is also an issue with IT personnel managing the systems that support them.

We often talk about “brothers and sisters” in policing, referring to sworn personnel, but police IT personnel share a similar affinity. We face the same challenges and stresses as our colleagues globally, especially with those in the policing sector.

So when you see an officer in a patrol car, pulling out a radio, wearing a body worn camera or using a smartphone, remember that they are supported by a large team of IT personnel. The team is there for the greater good and shares the same focus on community and officer safety as do front-line personnel.

“Keeping the lights on to potentially save-a-life” is our motto.

Christine Robson is the Durham Regional Police Service I.T. Manager

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Revisiting secondary traumatic stress

Hearing first responders speak of experiences with trauma and its aftermath at the Canadian Critical Incident Stress Foundation (CCISF) conference in Niagara Falls inspired me to revisit the topic of my introductory column – secondary traumatic stress.

Everyone is familiar with post-traumatic stress disorder (PTSD), operational stress injuries (OSI) and what is referred to as “primary” traumas, where the event involves a threat to a police officer’s safety. This distinct event is easier to identify as the source of one’s traumatic reactions and might even involve a public acknowledgement such as a debriefing or contact by a peer support team member. There is also usually a formal provision of support.

On the other hand, secondary traumatic stress is insidious. As such, there won’t likely be any formal acknowledgment or provision of support because it is a daily occurrence. In fact, the opposite may occur.

If you attended traumatic calls with colleagues, which is usually the case, others may question how you developed a stress reaction while others did not. You may even question this yourself. The person who has a reaction to the call is accused of being “weak,” “off-duty mad” or blaming personal issues on work.

There’s several problems with this rationale. The most glaring is the assumption that others are not affected because they haven’t yet said anything. They are much less likely to speak up after hearing that a colleague is being judged and blamed, inadvertently reinforcing the false assumption that only one person was affected by the calls. Even if the first person isn’t blamed, others affected may remain silent for any number of reasons – fear of losing desirable assignments, promotion, pride and so forth.

The second problem in blaming the person who reported being affected is that no two officers ever attend the exact same calls. Even if they are both at the same incident, other factors affect trauma. An accident scene may remind one officer of a previous call’s prolonged exposure to a victim, for example.

Worse yet, the victim may have resembled a significant person in the officer’s life, increasing the psychological strain of the call. Further complicating matters, problems in others areas of life – family, health, financial – would make this officer more vulnerable to being affected by a difficult call.

In short, the factors of the call (duration and intensity of contact with the victim, relatability, history of calls of this nature) interact with personal factors (personal and

professional trauma history, health, presence/absence of personal issues and support) to determine the effect. No two officers will have the same reaction to the same call.

Continuous exposure to the suffering of others, an integral part of policing, can slowly take a toll on your wellbeing. Like poison, small, constant doses of others’ suffering can make you sick. You won’t know why you’re sick and may even feel your symptoms are “normal” because they appeared so gradually. Symptoms such as difficulty sleeping or sleeping too much, changes in your belief system relating to self-concept, others and the world in general and a desire to “tune out” by drinking alcohol, shopping, staying busy or remaining glued to the television, to name a few.

You may find yourself thinking about difficult calls, crime victims and the horrors of accident scenes when you are “tuned in” to your mind. You might notice tension in your body when you tune into it. This is why many

people find ways to tune out. The problem is that you can’t run fast enough to outrun your problems. Like your shadow, they’re always right behind you.

Instead, acknowledge that you are having a normal reaction to traumatic events and that your body is telling you to deal with it. Talking with a professional helps. You can unload the burden you have been carrying and find ways to manage your reactions to previous and ongoing experiences of trauma.

Secondary traumatic stress does not have to evolve to the status of “disorder” before you get support. You wouldn’t wait until you got a cavity to brush your teeth. Your mental health warrants the same level of preventative care.

Stephanie Conn is a registered clinical counsellor and former communications dispatcher and police officer. To find out more visit www.conncounselingandconsulting.com or email her at stephanie@blueline.ca.

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Ethical standards carry little weight

One of the many things I do to stay amused in my spare time is teaching ethics to psychology graduate students at the local university, who are on the verge of being clinical psychologists.

In teaching this course, I am often struck by both the similarities and differences between the psychology and police approaches to ethics. The most obvious difference has to do with the relative weight the professions put on our obligations to an individual versus the public.

The Canadian Psychological Association (yes, yet another CPA) code of ethics guides the behaviour of most Canadian psychologists. It spells out the basic principles that one must abide by, and provides a problem-solving template for those sticky situations when you aren't quite sure what to do.

There are four principles, and notably, they are hierarchical; #1 is the most important and #4 the least important:

1. Respect for the dignity of persons (this means your first duty is always to your client);
2. Responsible caring (do what you do well, do what has been proven to work, and don't do stuff you have no idea about);
3. Integrity in relationships (don't screw around with your clients, don't hire them to wallpaper your bathroom – and don't lie or mislead);
4. Responsibility to society (keep in mind that there are other people out there who are NOT your client).

CPA would probably revoke my membership if they saw my interpretation, but I presume you get the gist. I am guessing that in your line of work, my #4 is defacto your #1. In other words, the primary obligation of police is not to an individual but to society as a whole. This does not mean that you don't have an obligation to the individual — of course you do! — but really, there is a reason they call the government departments you work for “public safety,” not “individual safety.”

Another interesting difference has to do with the pervasiveness of the obligation to behave oneself. Police are supposed to be police 24/7, and act accordingly. Psychologists are only psychologists when they are at work. I can be a complete moron on my own time

and generally it will not affect my professional standing — unless, of course, my behaviour is actually related to my professional standing.

I might use cocaine on the weekends, have an affair or get speeding tickets and unless it is relevant to my work, I might go to jail but am not likely to lose my license to practice. (Needless to say this is a fine line sometimes — and I have to confess that some governments are starting to think this is not such a good idea.)

I recently shared with my psychology ethics class an article I had ripped out of the December 2015 issue of the IACP publication *Police Chief Magazine*. They surveyed their membership and asked officers about their most influential factor in ethical decision making. Fully 50 per cent of the respondents said that “individual character” was the most important determinant, followed by agency leadership (17 per cent), expectations/perceived consequences of unethical behaviour (13 per cent) peer influence (11 per cent) “other” (four per cent), direct supervisors (three per cent) and departmental code of conduct (two per cent).

I wish I had comparable data for psychologists because I'd guess that the results would NOT be the same. I'd bet the CPA Code of Ethics would be pretty high on the list and that everyone would scratch their heads at the thought of “individual character.” What does that mean anyhow? Is it suggesting that there are simply good people and bad people and that's what determines whether you run amok in your job? If that were the case, it means all the work we do teaching about ethics is a waste of time.

My experience is that when people are forced to go through an ethical decision-making exercise, and when all the principles — and laws and standards — are taught and explained, many people do change their minds. In my class, we do a lot of scenario based learning. I give the class a situation and ask what they would do.

After they make a decision, we go back and walk through the CPA's ten step ethical decision making framework. In about half the cases, the answer the class comes up with after the exercise with is different from the original one. Actually, in about half the cases, the question we end up answering is different

from the one we started with.

Personally, I think a lot of ethical errors happen when we don't realize until too late that we are wandering into a minefield so I tend to put a lot of emphasis on actually identifying an ethical dilemma when you trip on one.

However... back to the subject of “individual character.” I have been on the complaints committee for the psychology regulator in Ontario for many years. As is the case (I am guessing) for police, many complaints come from people who are simply pissed off. The officer — or psychologist — has not done anything technically wrong but somehow they just managed to piss someone off enough that they filled a complaint.

Leaving these complaints aside, many of the others fall into two categories: (1) instances in which the officer/psychologist made an error in judgment and (2) instances where you cringe and feel embarrassed that this person was ever allowed to become a member of your profession. I guess it is the latter group that people in the IACP were talking about when they identified “individual character” as a prime determinant.

I do tend to wonder if there is any hope for the people who repeatedly break the rules, and sneer at those of us who try to enforce them. There is much that can be done for the people who makes errors in judgment (or perhaps I am just trying to justify my job teaching ethics). Teaching ethics informs the trainees that while they might have their own personal code of ethics, it may differ from those of other people.

As a professional, the challenge is to keep your personal biases out of the whole equation. You may be a right wing reactionary in your personal life, or an off the wall anything-goes ultra-liberal, but once you don the uniform (or hang out your shingle, depending on your job), you lose the right to impose your beliefs on others.

I was kind of sad to see that in police services, the departmental code of ethics was not seen as carrying much weight. Maybe we need to work on that.

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

How to stay together without killing each other

by Rod Willems

In researching this article, I wasn't encouraged when the first web site I encountered advertised, "Divorce rates \$1,100. Don't break the bank!" Not exactly what I intended.

Great marriages are hard work but marriage is the largest human relational investment. In Willard Harley's Book, *His Needs Her Needs: Building an Affair Proof Marriage*, the author compares marriage to a bank account. At the outset, spouses get to start with a high credit balance in their accounts. For every thoughtful act or gesture of love, credit is added to the account. Over time, conflicts build, life challenges hit, time together erodes, distance sets in — the balance is depleted. It's very tough to make things work when the resources are drained.

Marriages can work, even if you may sometimes feel like killing each other — metaphorically speaking, I hope. Stay at it and make it work. It's worth the effort.

Communication is key

Talk less, listen more. "Most people don't communicate, we just take turns talking," one author observed. It's tempting to concentrate on comebacks rather than hearing what your partner is saying.

I have watched in amazement as police officers listen to reports and witnesses, remember details and collect information. You are capable of it. Use your listening skills for your life partner's sake. It works on the job and it works even better for the one you love.

Be honest. In policing, there are things that need to remain unsaid, even to our spouses, but that is operational information. Holding back, keeping secrets and covering up messes, even when we think we are doing it to keep from hurting them, ultimately will come back and exact a very high cost.

Dishonesty and lack of trust is almost as devastating to a spouse as a sexual affair. Honest people don't need good memories.

Keep investing. For many years, my wife and I would spend an hour together two mornings a week over a coffee and bagel at Tim Hortons. I know, lame date, but great connection time! It was how we stayed connected. We kept our credit in our account up just by talking stuff through together. Find what works for you.

Conflict resolution is critical

Life can often look like one big mess of unresolvable conflicts. Most of us hate conflict, but you can't go around it. You have to work through it.

Clean up messes quickly: I often use the analogy of a garbage can. We all have one. We drag it around with us and when difficult issues hit, we try to stuff them into the garbage can to

be dealt with later, preferably never. Eventually the can gets full. Often, the lid blows off, and that is not pretty. When things come up, deal with them. Clear them off.

Fight fair: Yes, we all fight. You're not the only ones. The rule of thumb is one issue per fight. Sometimes, when losing an argument, it's tempting to bring in reinforcement by raising a past conflict, especially if it wasn't resolved. That's not fair, and it's not at all productive. Bring a second issue into the conflict and the complexity of resolution doubles. Deal with one issue. Clear it off. Never bring it back to a fight.

Own your responsibility: How often do we hear someone say, "I'm guilty." Shocking to hear, isn't it? It's always someone else's fault, right? Nope, especially in a marriage. If you did it, step up and own it.

Attack the issue, not the person: Do the words, "You always..." or "You never..." sound familiar? "You" language creates defensiveness. Identify the problem. "When this happens... this is how it affects me." Give yourselves a chance to at least enter the conflict with some objectivity.

Stay with it: Resolving conflicts can take a lot of hard effort and certainly commitment

to each other, but if you stay at it, you build resilience.

Seek support

One of the biggest lies we face in life is that we need to do it on our own. We were never meant to. All of us need support. We all need "corner people." They will be honest with us and stick with us, even at our worst. Admitting that we need help and support may not sound "strong" but it is both strong and smart. You are protecting your most important relational investment.

Find a small circle of trusted people who will be honest with you; even brutally honest. Go outside the circle if more resources are needed. If you have a chaplain or spiritual advisor, talk to them. If you need more help, see a professional.

Almost everything is fixable. If you stay with it, and keep investing, you'll make it work.

Rod Willems is a Police Chaplain based in Surrey BC.

This is a series of articles presented by members of the Canadian Police Chaplains Association. More information is available at www.cndpolicechaplains.org.

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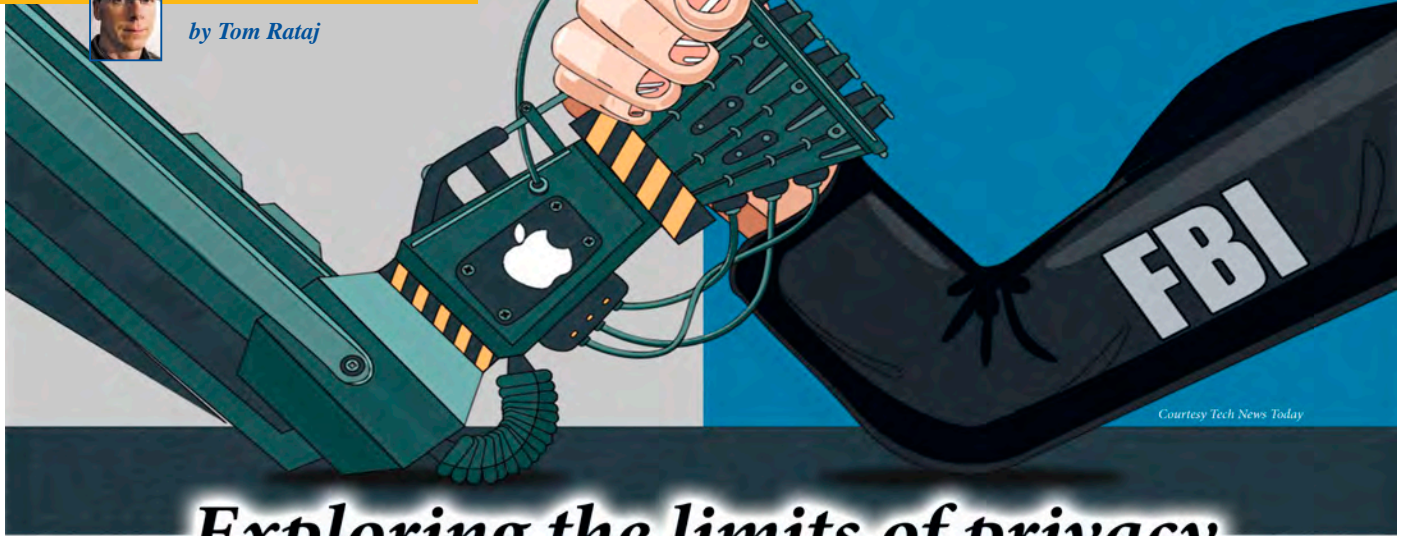
Pursue an additional pathway of study at The University of Guelph-Humber. Earn both an honours degree from the University of Guelph, and a diploma in either Police Foundations or Community and Justice Services from Humber college.

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Courtesy Tech News Today

Exploring the limits of privacy

A recent precedent setting case raised many issues about personal privacy and security in the digital age. Although it took place in the US, most of the discussions are relevant in jurisdictions around the world, including Canada.

It all began in December 2015 when Syed Farook and wife Tashfeen Malik attacked the San Bernardino County Department of Public Health office where Farook worked during a training session and Christmas party. Armed with firearms and an explosive device, they killed 12 people and seriously injured 22 others.

The couple was located several hours later in a rented SUV and were killed in a shoot-out with San Bernardino police. Subsequent investigations revealed that they had been radicalized by foreign terrorist groups and carried out a jihadist-style terrorist attack.

Although the pair destroyed their personal cellphones prior to the attack, an iPhone 5C issued to Farook by his employer was recovered in the truck. Unfortunately for investigators, the phone was locked by a passcode.

Because the case was classified as a terrorist attack, the FBI became involved and made some preliminary but unsuccessful attempts to access the phone.

The agency then asked US District Court to compel Apple to create a special software package that would allow it to access the contents. Interestingly, the FBI used the powers of the All Writs Act, which was originally written in 1789.

The writ issued by the court gave Apple ten days to comply with the order. Apple immediately announced it would oppose the order because it created security risks for its customers.

“We oppose this order, which has implications far beyond the legal case at hand, wrote Apple CEO Tim Cook. “This moment calls for public discussion, and we want our customers

and people around the country to understand what is at stake.”

The tech industry – including major players such as Microsoft, Google, Facebook, Twitter and Yahoo – and civil rights groups supported Apple’s position.

Even the United Nations High Commissioner for Human Rights, Zeid Raad al-Hussein, commented that allowing the FBI to succeed would “risk unlocking a Pandora’s Box.” It would have “extremely damaging implications” for human rights, whistle-blowers, journalists and political dissidents, he said, and would potentially be “a gift to authoritarian regimes” and criminal hackers.

The National Sheriffs’ Association and Federal Law Enforcement Officers Association, among other groups, supported the FBI, as did most families of the victims and survivors of the terrorist attack.

Microsoft founder Bill Gates initially supported the FBI but later clarified that he thought the case was provoking valuable debate about the issues. The courts would need to find the right balance and safeguards when dealing with electronic devices and digital data, Gates concluded.

BlackBerry CEO John Chen stated that the company’s guiding principle had been “to do what is right for the citizenry, within legal and ethical boundaries.”

His response was also in relation to a recent Canadian case where BlackBerry complied with a court order to provide technical assistance to the RCMP in an organized-crime murder investigation.

Apple also routinely provides technical assistance to police when accompanied by the appropriate court order. It was recently revealed that Apple provided technical assistance to investigators to extract data from the phone of co-accused Dellen Millard during the investigation of the Tim Bosma murder (near Hamilton, Ontario).

iPhone hacked

The FBI and government withdrew their writ at the end of March because a third party firm had successfully accessed the phone. Although not officially confirmed, a professional “hacker,” using a zero-day vulnerability in the iPhone operating system, unlocked the phone, which apparently did not contain much valuable data or any connections to a known terrorist organization.

Device security

The iPhone 5C at the centre of the FBI case was locked using the standard iOS four-digit passcode, which cannot be cracked by a brute force attack – entering each of 10,000 possible number combinations. If an incorrect passcode is entered more than ten times, the encryption key for the phone data is erased, making it inaccessible.

Apple claimed not to have secret “back-door” access to the operating system and indicated it was unable to comply with the writ by writing special software to bypass it. It also claimed it did not have access to any user data or data in transmission or stored on iCloud servers as it is all encrypted.

The weakest security point on smartphones and computers is usually the users’ passcode. Simple four-digit passcodes are often easy to guess, like “1234,” and easy to see when a user enters them on a portable device.

Whenever possible, users should use complex passcodes that contain both upper and lower-case letters, numbers and special characters. These are difficult to guess, visually eavesdrop or break by a brute force attack.

The case raises a lot of interesting and complex issues about electronic devices. Arguments on both sides of the issue have validity, but ultimately personal privacy rights will triumph. Law enforcement will need to develop new and creative investigative techniques to cope with the challenges this creates.

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

Automotive forensics

from a mechanic's perspective



Driver error is the most common cause of motor vehicle collisions, although many other factors can also contribute to causes and outcomes.

Environmental, mechanical, electrical and electronic issues may also play a role in the cause or outcome, as can vehicle modifications of all sorts, whether done by home-mechanics or professional, and unrepaired faults subject to manufacturer recalls.

Police mechanics and other specialists thoroughly examine vehicles involved in serious injury collisions and fatalities. The vehicles of drivers who allege brake or other mechanical failure are also closely examined, of course.

The relentless push towards increased sophistication in all vehicles, much of it driven by complex computer controlled electronics, makes these expert examinations far more complex than ever.

Challenges continue to grow because of a strong market for vehicle modifications ranging from mechanical and electrical/electronic components and performance enhancing equipment such as chipped or reprogrammed electronic control modules (AKA car computers).

Virtually every new car is equipped with an event data recorder (EDR), which records a wide variety of data from all major systems. The EDR typically records speed, steering angle, brake application, seatbelt use and all sorts of other parameters. This data has been used to successfully prosecute drivers in many jurisdictions.

This evidentiary value means a proper expert examination of crashed vehicles, especially when serious injuries or fatalities resulted, should also include the retrieval and analysis of EDR data. This is especially crucial when a police vehicle is involved in a crash because of potential, perceived or suspected conflicts of interest in these days of hyper vigilant reviews of police actions.

Commercial services specializing in complete mechanical, electronic and data examinations are beginning to open. They provide complete investigative solutions from start to finish, including expert testimony in court to back up their findings.

The chief investigator of one recently

launched Toronto company, Automotive Forensic Investigative Services (AFIS), is Nick Delov, a mechanic with 40 years of automotive industry experience. Delov began his career as a mechanic with the Toronto Police Service and left 28 years later as manager of shop operations.

He personally undertook and oversaw numerous expert examinations of crashed

vehicles while with the TPS and is a recognized expert court witness.

Delov does complete expert examinations at his east end Toronto garage, including extracting and interpreting data and its relationship to his physical vehicle examinations.

Visit www.afis.ca to learn more.



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Penile swabs okay as incident to arrest

Manitoba’s highest Court has upheld the taking of penile swabs as an incident to arrest when police are looking for a sexual assault victim’s DNA.

In *R. v. Laporte*, 2016 MBCA 36 the accused approached a 38-year-old woman waiting for a taxi in December 2007. He said he had a knife, told her to follow him into a building and hit and punched her, fracturing her nose and other facial bones. He then forced the woman to have sex with him.

Peter Lloyd Roger Laporte was arrested shortly after this crime and police took penile swabs without his consent at the station without any physical objection. He was allowed to call his lawyer prior to the swabs being taken and was subsequently released from custody some 11 months later in November 2008.

About two weeks after his release, Laporte was involved in three more separate assaults of a sexual nature, all committed during the same day. The first involved an eight year old boy. This attack was interrupted by a neighbour; Laporte fled the scene.

Laporte attacked a woman with her two-year-old child in an elevator two hours later, dragging the woman towards a stairwell and threatening her with a knife. Another tenant intervened and the woman and child got away.

Two hours later, Laporte attacked another woman. This assault was interrupted when the building caretaker heard a woman scream, threw Laporte to the ground and held him until police arrived.

Officers took Laporte to the station and again took penile swabs without his consent. This time, however, Laporte struggled vehemently and was not allowed to speak to his lawyer. He was subsequently charged on a nine count indictment, including sexual assault causing bodily harm, unlawful confinement and assault with a weapon involving the four victims. A charge of assaulting a police officer was also laid as a result of Laporte kicking an officer during the arrest.

In the Manitoba Court of Queen’s Bench Laporte brought a motion to exclude the DNA evidence obtained from the penile swabs under s. 24(2) of the Charter. He argued that the swabs, taken in search for DNA evidence from the sex assault complainants, breached his rights under s. 8 of the Charter to be secure against unreasonable search and seizure since they were warrantless and nonconsensual.

As a result, he asserted that admitting this evidence would bring the administration of justice into disrepute. The Crown countered that the DNA samples were taken as an incident to arrest and so did not require a warrant.

The judge found that taking the swabs without warrants did not fall within the common law power of search incident to arrest, and that the Crown had not demonstrated emergency or exigent circumstances for their taking. Nor did police consider the availability of a telewarrant under s 487.1(1) of the Code. Therefore, obtaining them breached Laporte’s s. 8 rights on both occasions.

The judge allowed the evidence of the 2007 DNA swabs under s. 24(2) but excluded the 2008 DNA evidence. During the 2008 swab, police denied Laporte’s right to counsel and their conduct was unreasonable, considering the number of officers present, use of a spit sock and the amount of force.

Nevertheless, Laporte was convicted of sexual assault causing bodily harm x 3, unlawful confinement x 2, assault with a weapon, forcible seizure and assaulting a police officer. Laporte was designated a dangerous offender and sentenced to a period of indeterminate incarceration.

Laporte appealed his convictions before the Manitoba Court of Appeal submitting, among other things, that the trial judge erred in not excluding the 2007 DNA evidence. The Crown argued there was no s. 8 breach and, even if there was, the trial judge properly admitted the evidence under s. 24(2).

Penile swabs

The appeal court found that a penile swab can be taken as a lawful search incident to arrest. Noting that “the jurisprudence concerning the taking of penile swabs is developing,” Justices Hamilton and Pfuetzner used other Supreme Court of Canada decisions as an analytical framework to address whether the 2007 swabs breached Laporte’s s. 8 rights.

“Searches incident to arrest are an established exception to the general rule that warrantless searches are prima facie unreasonable,” the justices said. “They have an important law enforcement function that includes the collection and preservation of evidence.”

The court continued:

The taking of penile swabs in a sexual

assault investigation can capture important evidence arising from bodily samples from a complainant found on the accused person. This is to be distinguished from collecting bodily samples containing personal information relating to an accused person, which requires a warrant... Given that distinction, we conclude that the taking of penile swabs falls within the existing general framework of the common law power of a search incident to arrest [para. 44].

The court then modified the general framework for searches incident to arrest. A penile swab may be taken provided the appropriate balance is struck between the significant interests in pursuing legitimate police investigations of sexual assaults and an accused person’s significant right to privacy. For a search to be reasonable as an incident to arrest:

- 1) *The police have reasonable and probable grounds justifying the arrest;*
- 2) *The police have reasonable and probable grounds justifying the penile swab search incident to arrest. In other words, the police have reasonable and probable grounds to believe that the penile swab will provide relevant evidence related to the arrest; and*
- 3) *The police have conducted the penile swab in a manner that complies with s 8 of the Charter. In this regard, the following questions provide a framework not only for the police, but also a court called upon to address the Charter compliance of the search.*
 1. *Was the penile swab conducted at the police station and if not, why not?*
 2. *Was the penile swab conducted in a manner that ensured the health and safety of all involved?*
 3. *Was the penile swab authorized by a police officer acting in a supervisory capacity?*
 4. *Were the police officers carrying out the penile swab of the same gender as the person being searched, and if not, why not?*
 5. *Was the number of police officers involved no more than necessary in the circumstances?*
 6. *Was the minimum force that was necessary used to conduct the search?*
 7. *Was the penile swab carried out in a private area such that no one other than the individuals engaged in the search can observe the search?*
 8. *Was the penile swab conducted as quickly as possible and in a way that ensures that*

- clothing removal or exposure is restricted to that necessary to complete the swab?
9. Was the accused person given the opportunity to swab himself and if not, why not?
 10. Was the procedure recorded in a respectful manner? For example, was the camera turned away during the swab procedure or directed at the accused person's back to avoid genital exposure?
 11. Was a proper record kept of the reasons for and the manner in which the penile swab was conducted?

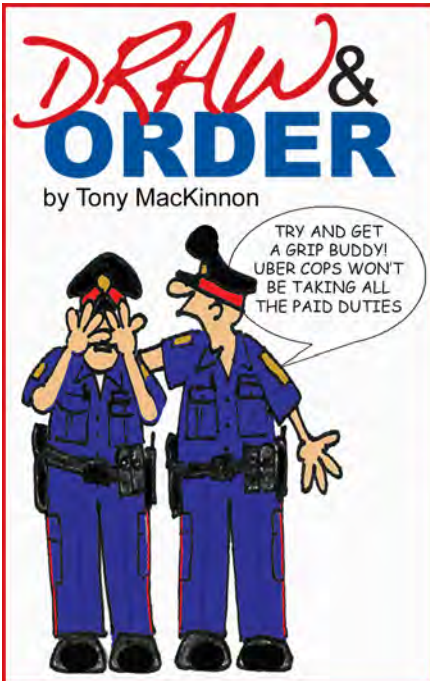
Strip searches generally should be conducted at a police station unless there are exigent circumstances... Given that, and the nature of a penile swab search, we expect that it will be the rare circumstance that a penile swab will not take place in a police station [paras. 63-64].

The 2007 swab complied with this framework and thus s. 8. Police had subjective and objective reasonable and probable grounds to arrest Laporte and subjective and objective reasonable grounds to believe that evidence from the victim could be found on his penis.

Police provided Laporte with two opportunities to speak to a lawyer and the swabs were taken in an interview room at the police station within 12 hours of the attack. The search was videotaped, but the swabs were taken off camera. The high degree of justification required for the penile swab search existed in the circumstances and the evidence was admissible.

Laporte's conviction appeal was dismissed.

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Compensating for weak informants



The degree of detail and independent corroboration of a tip by police can compensate for the weak credibility of informers.

In *R. v. Dhillon, 2016 ONCA 308* police received information from three confidential informants that the accused was trafficking heroin and crystal methamphetamine. They investigated this information, including using surveillance and searching various databases.

Several months later the investigator and several other police officers set up surveillance outside

Dhillon's residence. The investigator saw three encounters that day that he believed were drug transactions. In all three, Dhillon left his home and got into the front passenger seat of a vehicle that pulled up in front of his house or turned into his driveway.

The first car, a Nissan SUV, arrived at 1:02 pm. Police stopped it shortly after it left Dhillon's residence. The driver fled on foot but was arrested. He was carrying approximately \$3,000 cash.

A black Ford truck arrived at about 1:06 pm and police saw Dhillon approach it with something cupped in his hand, get in and then leave empty handed two minutes later.

A silver Ford entered Dhillon's driveway at about 1:40 pm and police arrested Dhillon after he got in. They found 9.3 grams of heroin near his feet in the car and entered his home, believing exigent circumstances required them to secure the residence to preserve evidence and ensure officer safety. A search warrant was issued and executed later that day and officers found 46.8 grams of heroin and about 300 grams of methamphetamine in a bedroom.

An Ontario Superior Court Justice found the investigator had the necessary subjective grounds for arrest but they were not objectively reasonable. In the judge's view, the tipster information was not credible nor compelling, and there was little material corroboration of the trafficking allegations.

Since the arrest was not lawful, Dhillon's right not to be arbitrarily detained under *s. 9* of the Charter was breached and the evidence found in the silver Ford and Dhillon's home was excluded under *s. 24(2)* of the Charter. Dhillon was acquitted of three counts of possessing heroin and methamphetamine for the purpose of trafficking.

The Crown appealed the acquittals to Ontario's top court, arguing the trial judge erred

in his Charter ruling and that the investigator had the necessary grounds to make the arrest. The Ontario Court of Appeal agreed, finding that, even without the information related to the Nissan driver's arrest, police still had reasonable grounds to arrest Dhillon.

The arrest

Section 495(1)(a) of the Criminal Code allows a peace officer to make an arrest without a warrant when he or she believes, on reasonable grounds, that a person has committed or is about to commit an indictable offence. The arresting officer must subjectively have reasonable and probable grounds on which to base the arrest and they must be objectively justifiable to a reasonable person placed in the officer's position.

In this case, the trial judge failed to look at the totality of the circumstances. By considering the informant tip and the police observations in isolation, the judge improperly discounted the informant information due to their weak credibility. Justice Tulloch, speaking for the court, stated:

In circumstances where confidential informant information is at issue... [o]ne must weigh whether the informant was credible, whether the information predicting the commission of a criminal offence was compelling, and whether the information was corroborated by police investigation. The totality of the circumstances must meet the standard of reasonableness [para. 30].

The credibility of the three informants was weak. They were all untested. The information was, however, compelling and corroborated.

"The information was fairly detailed and specific, said Tulloch.

It described various personal characteristics of the [accused], the types of drugs being trafficked, where the transactions occurred and how they were carried out. All the informants identified the [accused's] Alfonso Crescent residence as the hub. Two of the confidential

informants identified the precise address.

As for corroboration, *the consistency of the information from the three informants should be given some weight. There was significant overlap in their description of the respondent's nickname and name, approximate age, ethnicity, residence, vehicle, types of drugs in which he trafficked, location at which the transactions occurred, and... certain similarities in the manner in which the transactions would occur.*

These consistencies increase the significance and reliability of the informant information and distinguish this case from circumstances in which there is only one anonymous or untried informant.

Furthermore, police confirmed the accuracy of specific information during their investigation, including: Dhillon's name; the colour, make, and age of his vehicle; his ethnicity, address, approximate age and that he had been arrested but not convicted in relation to the possession of stolen property. Police confirmation of these details tended to substantiate the reliability of the informants' information.

Observations also corroborated some indication that the criminal activity alleged was indeed occurring. There were three brief meetings within one hour, all occurring outside Dhillon's residence in various cars. This behaviour, in light of the investigator's knowledge and experience, also helped inform the inferences that could be drawn when assessing the objective reasonableness of the grounds to arrest. This sequence of events also conformed to the pattern predicted by the informant information so as to remove the possibility of innocent coincidences.

Since police had subjectively and objectively justifiable reasonable grounds to arrest Dhillon, his *s. 9* Charter rights were not breached.

The Crown's appeal was allowed and Dhillon's acquittals were set aside.

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LETTERS

PUBLISHER'S COMMENTARY

by Marley Lymburner

Engaging a Charter Right

The Canadian aversion to arming parallel law enforcement personnel ensues me. Responding to alarm calls in my early years, I recall the "key holder" security car drivers always having a gun in their bag. I always felt just a little safer knowing this.

The guns gradually disappeared. When I asked why, an unexcused to have an answer, I was told that rather tangibly named South Coast British Columbia Transportation Authority Police Services, (or the "SCATAPS" for short). These agencies, like Parliament Hill security, arm their officers after several busy phone calls which report the same

Mr. Lymburner,... I read your "Engaging a Charter Right" commentary (February, 2016) with some interest, as the thesis of the article has been a question of mine for many years. I agree that the peace officers and "parallel law enforcement" officers (great phrase) should be armed when appropriate for the job and the risks that they face.

I feel that it was important that you know your opinion is one that I have come to respect over the years of reading *Blue Line Magazine*. I wanted to thank you for the excellent publication, I tear through it cover-to-cover the day that it arrives in the mail. There have been more than a few articles that are passed around at our leadership meetings or training sessions.

I encourage you to keep beating the drum of preparedness and vigilance, it pushes the rest of the industry forward and that can only be good for everyone. I hope it helps you to know that someone is already dancing to that beat, and has been for a while.

Chris Eddy
Edmonton, AB

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DISPATCHES



Robert F. Lunney, *Blue Line Magazine's*



long-time Senior Management Consultant received a surprise special Lifetime Leadership Achievement award at Blue Line Magazine's Gala Awards ceremony held on April 26, 2016. The Award, presented by Chief Eric Jolliffe, was in

recognition of his 44 years in policing, including 23 years as police chief and a further 18 years as an international policing consultant. He started his policing career with the RCMP, and went on to become Chief of Police in Edmonton, Winnipeg and Peel Regional Police, before retiring from public service and moving on to his police consultant work.

...

Peter Sloly, former deputy chief of the Toronto



Police Service has been hired by Deloitte as an executive director in their Risk and Forensic practices. He joined the then Metropolitan Toronto Police Force in 1988 and quickly rose through the ranks to become deputy chief in

2009. After 27 years of service he left the TPS in February this year after a storm of controversy over critical comments he made about the police budget and operational reforms.

...

Troy Hagen, chief of the Regina Police Service



has announced that he is stepping down effective August 12, 2016. The 58 year old Regina native has held the position since 2008, and has been with the RPS for more than 37 years. Wanting to become a police officer from

an early age, his dream was realized when he was initially hired as a special constable. He went on to work in uniform patrol, criminal, drug and auto theft investigations, and was eventually promoted to deputy chief and finally chief. During an emotional news conference he indicated that he was proud of initiatives to address at-risk community members, marginalized children and families.

...

Eric Girt has been selected as the new Chief



of the Hamilton Police Service. Girt, in his mid-50s, has been a deputy chief for nearly ten years. Girt is now responsible for the management of 850 sworn officers, 300 civilian staff members and an annual budget of \$149.1 million. He

is a 30-year veteran with Hamilton, Girt is a lifetime Hamiltonian who has worked just about everywhere within the service. He has a combined B.A. Honours in English and anthropology from McMaster University. He graduated from the FBI Academy in Quantico, Va., the University of Toronto's Rotman School of Management Police Leadership Program, and is a recipient of the Police Exemplary Service medal and the Order of Merit of Police Forces.



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Ford now offers a factory-installed super-low-profile LED visor light-bar that is mounted inside the Police Interceptor Utility vehicle. Fully integrated where the headliner and windshield meet, it provides maximum driver visibility and a clean outward stealth appearance. The programmable red and blue light-bar also feature white take-down lights and scene feature.

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MEDIC ALERT CONNECT PROTECT

MedicAlert Connect Protect is a new partnership service wherein local police have quick 24/7 access to a loved one's identity & vital medical information. The 24/7 hotline is answered in an average of 5 seconds, ensuring police have immediate access to the information they need and can notify family & caregivers, reducing anxiety for everyone. Currently partnered with Hamilton Police Service and Durham Regional Police.



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Associate Publisher Appointed

Blue Line Magazine is pleased to announce Tom Rataj as our new associate publisher.

Tom brings more than 35 years of policing experience with the Toronto Police Service (TPS) and almost 25 years experience as Blue Line's technology editor.

Bringing Tom on-board was something Blue Line Publisher Morley Lymburner had been thinking about for some time. "When I first heard he was retiring from Toronto police I thought I had better make a move."

Lymburner said. "Tom has been a columnist and editor with us since 1991. He is just a natural fit."

He was a district and divisional representative on numerous technology committees including radio, mobile data, an alternate response system, telephones, computers and printers and was involved in developing the initial TPS presence on the Internet.

He did some media relations work, including news releases and television interviews, and was part of the social media team for several years.

Tom has excellent analytical and writing skills and extensive experience and understanding of law enforcement, from the front-lines through administration and management.



"In many respects coming to work for Blue Line is not really new," Tom said. "The idea of doing something I enjoyed for almost 25 years on a part-time basis and making it full-time does present a learning curve. I am just beginning to see the internal workings of the operation and I'm amazed at the bigger picture Blue Line receives from its nation-wide audience. It should prove to be very interesting for me around here."

Tom has written for Blue Line since the beginning,

doing 237 articles on a wide array of topics. Although mostly technology as it affects policing, Tom was the natural choice when Blue Line was invited to send a reporter to Afghanistan. He wrote a three-part series on the international policing function in that country.

"In spite of the potential dangers such an assignment might incur he took it on with enthusiasm," Lymburner stated.

Tom will be taking on the challenges of an associate publisher and as such will become the spark plug that helps determine the editorial direction and content of the magazine, in company with Lymburner and Blue Line editor Mark Reesor.

To contact Tom email: tom@blueline.ca or 905-640-3048

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