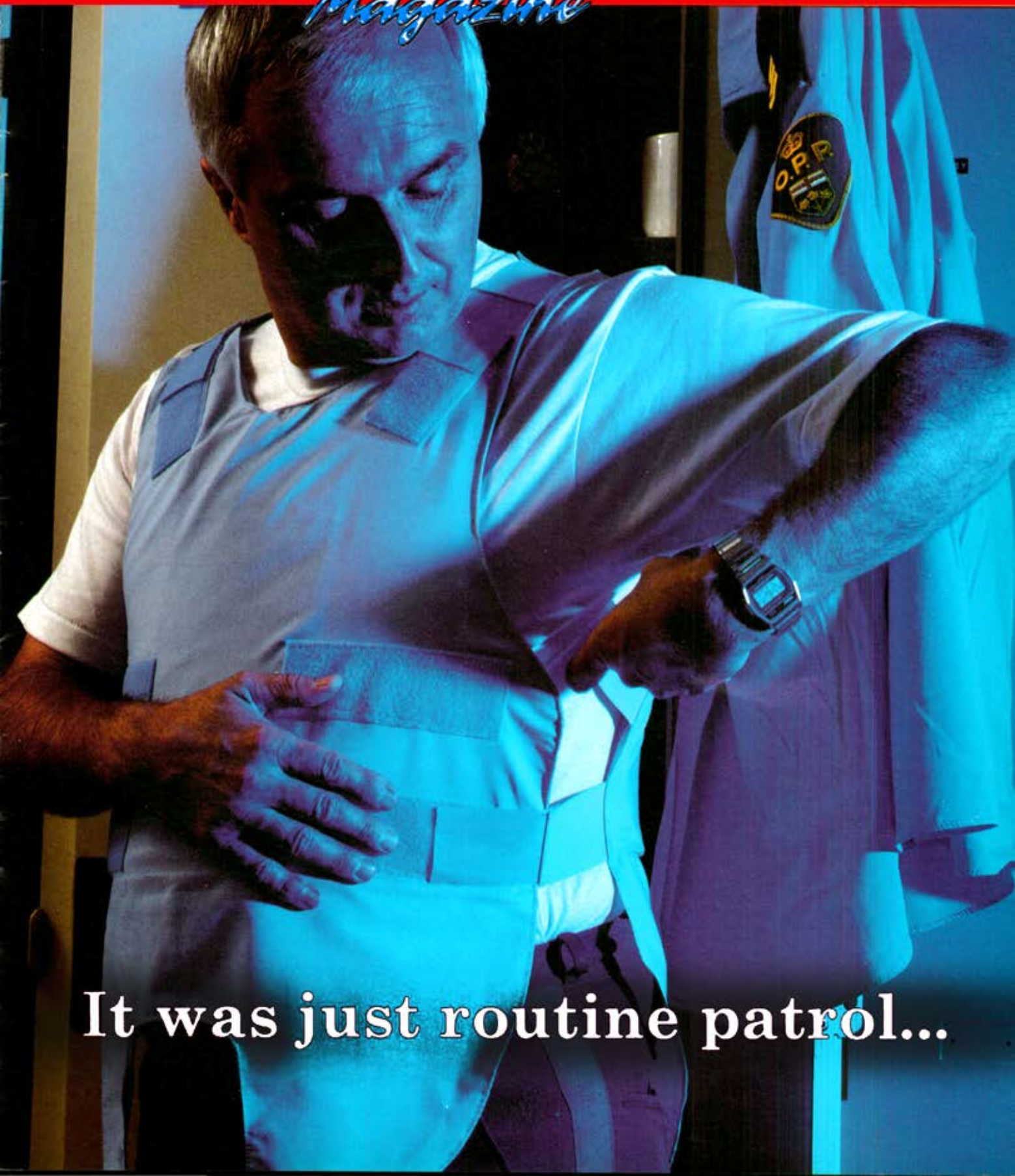


Blue Line Magazine

Canada's National Law Enforcement Magazine

October 1992



It was just routine patrol...

CRUCIAL LEGAL INFORMATION AT YOUR FINGERTIPS



These titles are available for a

30-DAY RISK-FREE EXAMINATION.

*Shipping and handling are extra.
Prices subject to change without notice
and subject to applicable taxes.*

9/92



 **CARSWELL**
Thomson Professional Publishing

A GUIDE TO POLICE PROCEDURES

Amy Ramsay

NEW

A powerful "how to" guide for police officers when investigating occurrences and laying charges for criminal offences and violations of provincial statutes.

Precedents and checklists are provided to assist the officer in processing the typical federal and provincial offences they will encounter.

This handbook also explains the steps to follow when dealing with committal warrants and bench warrants, issuing a subpoena to witnesses, preparing the prosecution court package and bail hearings and filing the reports when the use of force has occurred.

0-459-55111-6 softcover July 1992 \$39.95

UNDERSTANDING CRIMINAL OFFENCES

3rd Edition

NEW

Barry J. Saxton and
Ronald T. Stansfield

The 3rd edition systematically surveys over 200 Criminal Code offences detailing the elements of each offence which must be proven for a conviction, and the rules of law derived from case law.

This edition • incorporates the extensive changes to the weapons offences • incorporates the extensive changes to arson provisions • updates the case law. • A perfect companion work to *Understanding Criminal Defences and Procedures*.

0-459-55113-2 hardcover July 1992 \$66.00

UNDERSTANDING CRIMINAL DEFENCES AND PROCEDURES

NEW

Ronald T. Stansfield

An up-to-date reference covering the various defences available to an accused facing criminal charges, and explaining the powers of arrest and search and seizure with and without a warrant.

Discusses the defence of mental disorder which has only recently replaced the defence of insanity.

0-459-55152-3 hardcover June 1992

200pp. \$55.00

THE ANNOTATED 1993 TREMEAR'S CRIMINAL CODE

Mr. Justice David Watt
and Michelle Fuerst

NEW

This ground-breaking annotated Criminal Code for the 1990s is now fully revised and updated. Here's what you'll find in the new *Tremear's* 1993 edition:

- All legislative amendments passed by Parliament as of June 23, 1992 summer recess
- Complete commentaries to and cross-references for the new mental disorder and firearms legislation
- Updated case digests reflecting significant appellate decisions up to July 1992
- Revised and updated index

Each section of the Criminal Code is comprehensively annotated with succinct digests of leading decisions extensive textual cross-references to related provisions and Justice Watt's commentary on the section's practical operations.

0-459-55671-1 August 1992 hardcover \$60.00
Standing order terms available.

THE POCKET CRIMINAL CODE 1993

Here's the new edition of this popular reference used by police officers for many years... authoritative and without the previous case annotations that had no bearing on police work. As always, it's in Carswell's convenient pocket format so you can take it on the job.

The '93 edition incorporates provisions of the new Part XX.1 on Mental Disorders, which replaces the insanity provisions, the recently proclaimed firearms provisions, plus all standard contents.

0-459-55111 / softcover August 1992 \$17.95
Standing order terms available.

A BASIC GUIDE TO EVIDENCE IN CRIMINAL CASES

2nd Edition

Judge Roger E. Salthany

NEW

This work is a straightforward guide to the often confusing rules and exceptions of criminal evidence. The author clearly explains the fundamental principles of evidence and relates them to the criminal trial process. This book is divided into three convenient parts examining the admissibility of evidence, excluded evidence and proof at trial.

0-459-55116-7 hardcover March 1992 \$49.00



FEATURES

Cover Story	3
Supervisory Principles: Robert Hotston	5
Officer Owes Life To Wearing Vest	6
Keeping Ahead Of The Game	7
1,350... And Counting	7
An Introduction To Ballistics: D.W.D. Langstroth	8
Gun Powder Evidence May Get Cheaper	8
N.S. Can't Be Forced To Supply Legal Aid	9
Blue Line Classified	10
Ontario Regulations On Use Of Force	12
Ontario Police To Take Political Action	12
Ontario Outlaws Choke Hold But Approves Pepper Spray	13
Britain Set To Seize Proceeds Of Crime	13
Proposal On Fleeing Felons and Surveillance Released	15
Federal Government To Share Assets From Drug Cases	15
Court Briefs: Hockey Check Was Assault	18
Wife Arrested For Murdering Husband With Stripper	18
Auto Theft Seminar Successful First For Canada	19
Hijack Vs. Lo-Jack... No Contest	19
Traffic Direction: Take it seriously or get off the road	22
Inside The LAPD: Part II - Tom Rataj	24
A History Of The Criminal Code Part II - Richard DuPlain	26
Product News & Views: "Thermo Top"	28
Letters To The Editor	30

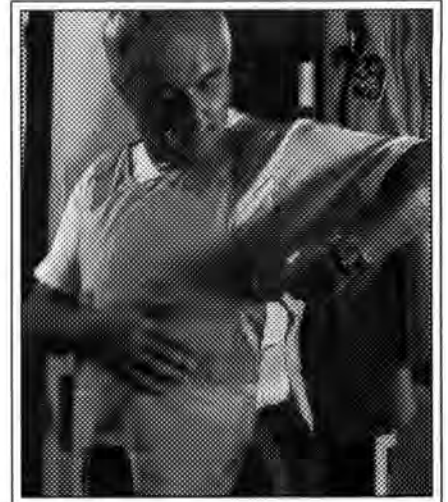
NEWS

Knock-On Procedure Violates Charter	16
False Arrest Action Dismissed	16
"Clearasil Bandit" To Sue Over Nickname	17
Punker's Artistic Expression Belongs In Toilet	17
Barbados Officers Complain Of Joint Patrols	17

CASE LAW

Prostitution Laws Valid Supreme Court Rules	20
Supreme Court Relaxes Time Requirements Of Askov	21

This Issue



Ontario Provincial Police Sergeant Jim McGuigan gets ready to go out on routine patrol. Last June Jim, and the officers he works with at the Barrie Detachment, discovered there was no such thing as "routine" patrol. Fellow officer Scott Couse was gunned down after what appeared to be a normal traffic stop on the expressway which passes through the city. Scott's life was saved by routinely wearing his body armour. Although also shot in an area outside the armour's protected region, Scott cheated death when the second bullet near his heart was stopped by the Kevlar material in his vest.

This month, in a Blue Line exclusive, you will hear Scott's story as well as the story of the vest which saved his life. Ladies and gentlemen... read and heed. Scott can now enjoy life with his wife, Linda Lee, and two daughters, Alison and Andrea because he took that little time at the beginning of each shift to put on his vest.

This month, by popular demand, we have repeated an article which ran a couple of years ago. It relates to officer safety while directing traffic. We have recently heard several stories of officers getting struck while directing traffic. The tragedy of these incidents was in the simple precautions which could have saved each officer a lot of grief and pain. When directing traffic you must take two things with you. Something to make yourself seen and common sense.

Shooten Blanks *By Bette Clark*



The lightest, most comfortable undergarment vest manufactured in the world today!

Our goal has been to develop an undergarment ballistic vest which would combine maximum performance and maximum comfort. The result is the **CENTAUR**, a vest that is not only incredibly comfortable but also provides superior stopping power and blunt trauma protection.

Manufactured by **Pacific Body Armour**



The **CENTAUR** vest contains a combination of the most advanced ballistic materials available today, **SPECTRA SHIELD®** and **SPECTRA FABRIC®**.

This hybrid provides excellent protection against high velocity rounds, multiple hits, and blunt trauma and weighs only 15 ounces per square foot, the lightest weight attainable with today's technology.

These materials are also unaffected by water, body oils and chemicals that are normally destructive to aramid fibres. With proper care and maintenance, Pacific Body Armour guarantees the ballistic integrity of our **CENTAUR** vests for ten years!

Body coverage of the **CENTAUR** vest is the highest possible without compromising comfort and mobility. The ballistic panels carry high into the shoulder areas and have a full 2" overlap on each side. A medium vest covers approximately 500 square inches but have an areal density of only .93 lbs/sq.ft in a N.I.J. standard threat level II.

The **CENTAUR** carrier is constructed of a durable poly/cotton material that is light weight and breathable. On the inside of this material against the body, is **HYDROFIL®**, an incredible new wicking material that draws moisture away from the body and into the inner fibres. This virtually eliminates that "clammy" feeling normally felt when wearing undergarment vests and helps you stay cooler and more comfortable.

**CENTAUR, THE LEADER IN
COMFORT AND PERFORMANCE**



FOR FURTHER INFORMATION CONTACT:

PACIFIC BODY ARMOUR INC.

585 Gaston Avenue,
KELOWNA, B.C., CANADA
V1Y 7E6

Telephone: (604) 763-1357 Fax: (604) 763-9730



SPECTRA SHIELD and SPECTRA FABRIC are Registered Trademarks of Allied Signal

Weapons & Tactics

James Dalweg

Survival Tactics

Craig Best

Ammunition & Firearms

Dave Langstroth

Supervisory Principles

Robert Hotston

Peer Counselling

Neil V. Thompson

- ADVERTISING -

Allan W. Stiver (Toronto)

Phone (416) 294-5502 FAX (416) 294-8952

Ron Ganton (Vancouver)

Phone (604) 274-3849 FAX (604) 274-9091

- CONTRIBUTING WRITERS -

Chris Braiden Richard DuPlain

Craig Best Andrew Smith

Neil Thompson Morley Lymburner

- ILLUSTRATION -

Tony MacKinnon Bette Clark

Dave Sills Dave Bluestein

BUSINESS ADMINISTRATION

Mary K. Lymburner, M.Ed.

Blue Line Magazine is published monthly, September to June, by Blue Line Magazine Incorporated with a mailing address of: 12A-4881 Hwy. 7 East, Ste. 254, Markham, Ontario, L3R 1N1.

Editorial and copy is considered to be completely separate from advertising sales. No commitment for editorial coverage can form any part of a sale agreement. All articles are protected by copyright. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording or by any information storage or retrieval system without permission from the publisher.

The authors, advisors and publisher accept no liability whatsoever for any injuries to persons or property resulting from the application or adoption of any of the procedures, tactics or considerations presented in this magazine. Readers are cautioned and advised that articles presented herein are edited and supplied for your personal awareness and should not be used for further action until appropriate advice and guidance is received from a supervisor or Crown Attorney.

Blue Line Magazine is an independent publication designed to entertain, educate and upgrade the skills of those involved in the law enforcement profession. It has no direct control from a law enforcement agency and its opinions and articles do not necessarily reflect the opinions of any government or police agency. Blue Line Magazine is printed in Canada by ProArt Graphics Limited.

- Member -

International Association of Law Enforcement Planners
Periodical Publishers Exchange



P.P.E.

ISSN #0847 8538

Second Class Mail Registration No.8242



Supervisory Principles

by Robert Hotston

Discretion

Opinion polls show that many Canadians are frightened about what they perceived to be as an increase of crime and the apparent inability of the criminal justice system to control it.

Certain categories of crime, particularly those involving violence, seem beyond the abilities of our justice system to cope. Meanwhile economic conditions worsen and police budgets are cut or frozen. These factors, when combined, mean one thing: the police must do more with less.

Many police agencies are falling back on proven methods such as strong crime prevention and community outreach programs to increase police effectiveness through public cooperation. Additionally, police agencies are "rationalizing" their operations to put more police officers on the street by civilianizing positions traditionally held by police officers and experimenting with management techniques borrowed from the private sector.

While successes vary between agencies, the most successful innovations seem to have one thing in common - the broadening of the use of discretion by those officers involved and the encouragement of leadership and decision-making by all levels.

Although police officers have long considered themselves to be "professionals," two key elements have been lacking: adequate training and freedom of discretion. The training factor has been addressed in many jurisdictions. Yet, despite the responsibilities mandated to the police, they have been allowed very little exercise of "formal" discretion by their agencies. They are expected to do exactly as prescribed rules and regulations require. The expectation is that they are supposed to make few, if any decisions on their own, and are trained to perform in accordance with prescribed standards in order to ensure that they treat everyone alike

in a supposedly fair and objective way.

Yet despite all the supervision and rules, police officers make decisions daily; whether they ignore or pursue, arrest or caution, stay "cool" or "kick ass." These and many other decisions are made routinely by street cops, often in violation of "the rules."

Our legal system has long recognized the concept of police discretion. Over a century ago, Canadian courts proclaimed the view that police officers are independent agents of the "Crown" and as such they serve the interests of the public and exercise their powers and perform their duties for the benefit of all citizens. This view has come to reflect the idea that police officers possess special training and experience which enables them to exercise wide discretion in many activities.

Many police agencies, in searching for greater effectiveness from ever-shrinking resources, have discovered that one key to success is to allow wider discretion by individual officers where experience and training justifies it. Achieving successes from limited resources requires more effective service from each asset a police agency has. Since its greatest asset is its personnel, it is only logical for supervisors to encourage officers to exercise more freedom of discretion in achieving that increased success. Police officers should be trusted to make independent decisions on how to proceed, what to look for, and the like.

Encouraging the use of wider discretion does not mean encouraging officers to "run wild," with no accountability for their actions. It doesn't weaken proper supervision or mean there will be more complaints to investigate. The wider exercise of controlled discretion will lead to more effective policing from more motivated and satisfied officers as well as recognition from the community that the police are there to act in the interests of all.

Officer Owes Life To Wearing Vest On 'Routine' Patrol



Constable Scott Couse takes time-out with wife Linda-Lea to send an important message to all police officers. Wearing body armour should be second nature. Like tying your shoes. For Scott his daily habit of putting on a vest saved his life.

If you want to know why you should make a habit of wearing personal body armour every time, all the time, ask Constable Scott Couse of the Barrie Detachment of the Ontario Provincial Police. He owes his life to wearing his protective vest, and says that without it he wouldn't be here today to tell his tale.

"According to the surgeons who operated on me," says Couse, "there's no way I could have survived the bullet which hit me in the chest."

Couse was shot on June 29th with a .38 calibre handgun. He had just pulled over a speeding truck on Highway 400, south of Molson Park Drive. The bullets were fired at an estimated range of less than three feet.

At first, says Couse, his conversation with the apprehended driver seemed polite and normal. Seconds later, three shots had been fired from inside the vehicle. One missed, one hit him in the abdomen. The third bullet, as the surgeons told him later, hit his KEVLAR vest exactly in front of the left ventricle of his heart.

Although the attackers drove off, Couse was still conscious. He staggered across the highway and flagged down a passing vehicle to call for assistance. The ambulance came and on arrival at the hospital, he immediately underwent surgery. According to the medical reports, his life was soon out of danger.

Before the incident Couse had no reason to suspect that the occupants might be dangerous. Soon after, however, the OPP were able to link them with the murder earlier in the day of two 19-year old men about 120 kilometers further north on the same highway. The following day two suspects were arrested in the Hamilton area.

Other officers in the Barrie OPP Detachment feel they have learned a lesson from Couse's experience. "Most of the officers in the District don't need reminding of the importance of wearing their vests all the time," says Inspector Barry Browning, "but since the incident they've certainly been showing a lot more interest."

Barrie Detachment Commander Staff

Sergeant Brad Nudds says that a recent change in rules has helped increase the use of the vests. Now officers may insert their body armour into an overgarment vest holder. This makes it easy to take off the vest and their uniform outerwear at the same time. "In summer they seem to prefer this to wearing the vests under their shirts," he adds.

Scott Couse is a family man, with a wife and two small children. They still have a husband and father because he made a habit of wearing his protective vest every time he went on duty.

1,350 Saves...

The remarkable material used in the vest worn by Constable Couse is KEVLAR. Manufactured by Du Pont, KEVLAR is an aramid fibre that is five times stronger than an equal weight of steel. It resists stretching, is inherently flame resistant and will not melt.

When a KEVLAR vest is struck by a bullet, the impact energy is absorbed and dispersed from the struck fibres to the other fibres in the weave of the fabric. A large area of the garment becomes involved in preventing the bullet's penetration. This reduces the severity of the shock received by the body.

When he's fully recovered, Couse will be enrolled as a member of the KEVLAR Survivors Club. Co-sponsored by the International Association of Chiefs of Police (IACP) and the Du Pont Company, the club is made up of police officers who have survived potentially fatal or disabling injuries through the use of personal body armour.

Couse will join more than 1,350 other officers in a club which lists among its goals "reducing death and disability by encouraging increased wearing of personal body armour."

One of the often overlooked benefits of personal body armour is its ability to protect life against far more than bullets. In fact, more than half of the 'saves' in the records of the KEVLAR Survivors Club relate to

Keeping Ahead Of The Game

The Personal Protection Armour Association has set up testing and evaluation standards for Personal Body Armour. In this article they explain some of the criteria and myths surrounding the acquisition and use of body armour.

During the early '70's when soft body armour was first developed, most officer fatalities were from low energy handguns. These "Saturday night specials" today, represent only about half of those incidents where the use of concealable body armour can prevent a tragedy. Today's officer clearly needs protection

from low to medium energy handguns, .22 rifles and shotguns.

Many law enforcement practitioners believe the trend towards higher energy threats will continue. Again, to the extent that wearable protection against these increasing threats can realistically be provided, they should be considered in the selection process.

Typically, about one out of every five officers feloniously slain is killed with his own service weapon. Therefore, compatibility of the officer's weapon and ammunition with his/her body armour is fundamental.

This is not only important to recognize in the body armour selection process, but also in any weapon or ammunition selection process.

There is growing recognition that the ability of an officer to be comfortable and mobile while wearing body armour can be a highly individualistic issue. For example, some officers can wear relatively heavy, stiff, high coverage armour without discomfort. Others feel heat stress and/or claustrophobia in lightweight, soft body armour with full side-panel protection, but will willingly wear the same vest without side panels. Here again, the issue is to select as much protection as the officer will wear.

Recent statements that "most common fatalities among officers wearing armour result from bullets entering an officer's side between the front and rear armour panels" are erroneous. F.B.I. data shows that during 1980-1987, 125 law officers were killed while wearing soft body armour. Three were killed with knife thrusts outside the armour protection area, seven were killed by vehicular

attack, and the remaining 115 were shot. 107 of those (93%) were shot outside the protective area of the armour; 51% in the head, 19% in the neck/upper torso, 6% in the lower abdomen, 7% in the shoulder/arm hole and 10% in what might have been the side panel region. The other eight officers died as a result of penetration of the body armour by ballistic threats well in excess of the design capability of the armour.

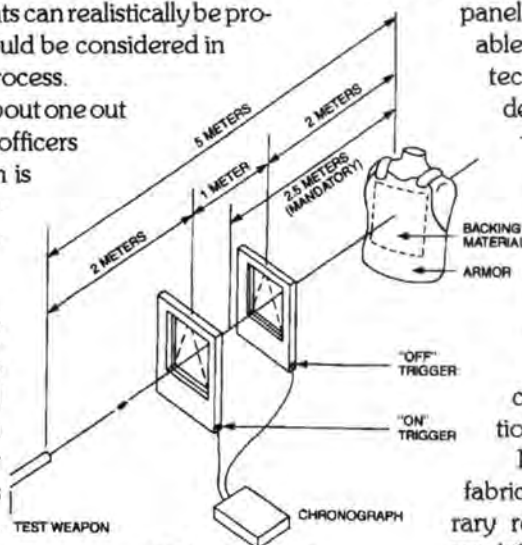
This data indicates that, while side panel protection is desirable and increases protection, this selection decision must be measured against whether or not the individual officer can and will wear the extra coverage, increased bulk and perceptively reduced ventilation and increased heat retention.

Non-water-repellent fabrics exhibit a temporary reduction in ballistic capability when soaking wet (>15% moisture pick-up). When the armour dries, full

performance is restored. For this reason, an officer who might expect to become soaked during his assignment should consider purchasing water-repellent treated body armour. However, today's water-repellent treatments tend to make ballistic fabrics noticeably stiffer, and some officers feel hotter and less comfortable wearing them.

Both the F.B.I. and DuPont have conducted scouting studies on the effect of perspiration on body armour. There is no evidence to suggest an officer might soak his vest with enough sweat, during a normal duty assignment, to affect ballistic performance.

In addition to guns, history shows that personal body armour has protected many hundreds of officers during knife, club assaults, automobile accidents, motorcycle spills, falls, fires, and explosions. Nothing protects you totally - but today's personal body armour is the best and most comfortable ever available. However, it only helps to protect you if it is worn regularly.



PPAA Approved Testing Configuration

And Counting

non-shooting incidents. Protective vests have saved lives in automobile and motorcycle crashes, lightning strikes, beatings, knife attacks, falls, explosions, thermal threats and even bull gorings.

KEVLAR 129 is the latest contribution made by Du Pont Canada to the technology of personal body armour. Being 15 percent stronger than previously available fibres Kevlar 129 has made it possible to design vests which are 20 to 25 percent thinner and lighter while enabling equally effective ballistic protection.

KEVLAR 129 is particularly popular with female police officers. Its extra flexibility enables it to mold better to the figure and reduces the 'bulky' look of older style body armour. Says Staff Sergeant Nudds, "women officers in our detachment already take wearing their vests very seriously, but anything that can be done to reach 100% usage by both men and women is more than welcome."

Meanwhile, Du Pont Canada states it is doing all it can to make the vests lighter, more flexible, and therefore easier to wear every time, all the time. However important the improvements in comfort and wearability, the fibres still have to maintain 'zero failure' standards. These remarkable standards have been achieved during the 20 years that Du Pont has been supplying KEVLAR to companies that manufacture protective vests.

An Introduction To Ballistics

The Light At The End Of The Tunnel

Part II - Intermediate Ballistics

by D.W.D. Langstroth

This article will cover intermediate ballistics: the time the projectile physically leaves the muzzle of the firearm but is still near enough to be affected by the flow of powder gasses.

I think some clarification may be needed to more thoroughly understand what a gas field (or gas flow) is. Think of a basic rocket; light the fuse, stand back and watch the "gas flow field" drive the rocket. A "gas flow field" in a firearm is basically the same except that along with the rush of hot powder gasses, a projectile precedes most of the gasses. The action of the powder "gas flow field" being behind and with the projectile as it meets the air mass is very important in the design and function of the muzzle crowns, compensators and muzzle venturis. At the time the projectile exits the barrel it is spinning at between 23,000 rpm and 250,000 rpm and is (generally speaking) a relatively stable mass.

Approximately seventy-five percent of the energy created by the burning powders goes through the muzzle. Most of it is carried by the hot expanding gasses in the form of heat, pressure and motion. As the gasses pass through the muzzle, they create a flash and blast. Simply put, the distribution of the energy at the muzzle looks like this:

- 30% -- projectile motion
- 45% -- powder gases
- 25% -- heat retained by firearm

A shock wave is nothing more than a very intense sound wave moving very fast. At the muzzle, several shock waves are present and in motion at the same time.

There is an outgoing shock wave (that moves a little faster than the speed of sound) and is heard as a sonic bang. The ingoing wave travels toward the muzzle against the gas flow and eventually achieves a balance. This balance is called bottle shock (because its shaped like a bottle with the open end towards the muzzle) As the gas flow velocity falls the bottle shock shrinks and will dissipate into the muzzle.



The "gas flow field" also has two parts. The advanced blast field moves in front of the projectile as it moves down the barrel and exits at the muzzle. The main blast field occurs as the projectile leaves the muzzle and comes into violent contact with the surrounding air.

When this violent contact happens it is virtually invisible to the shooter's eye. What the shooter can see (along with everybody else in the immediate vicinity) is a bright burst of light commonly referred to as the flash. Flash is the light created as a result of the super-heated propellant gases mixing with the surrounding air.

If you were able to stand in front and to one side of the muzzle and slow down the normal speed of the projectile you would enjoy quite a spectacular light show. Before the projectile exited the muzzle you would see a glowing pre-flash due to the hot gases and particles that have leaked past the projectile (advanced blast field). The projectile then thunders out of the muzzle followed by gases hot enough to be seen as visible radiation (main blast field). This is the primary flash. The gases expand and cool and become compressed by the

bottle shock. The compression causes friction and reheats the gases and creates an intermediate flash.

The projectile has created a small vacuum area behind itself and you could see glowing streaks of still burning powder chasing the projectile as it moves away from the muzzle.

For law enforcement purposes "flash" is undesirable as it will cause the shooter to lose his/her front sight and acquired target and let the acquired target know his/her location. There are several methods of flash suppression of which mechanical devices, propellants and propellant additives are most common. I intend to explain these areas in greater detail in a future article.

A lot has happened, but our fearless projectile is but a few inches from the muzzle. Tune into the next issue for Part III -- "External Ballistics" or "It Flies Through the Air with the Greatest of Ease."

Gun Powder Evidence May Get Cheaper To Obtain

Scientists at the U.S. based Institute of Standards and Technology say they have developed a faster, less expensive way to prove a suspect fired a weapon. The method uses unique patterns of gunpowder "fingerprints" in particles which remain on the hands of people who fired weapons.

To this point evidence of this manner has been slow and expensive to obtain. The new instrument is called a "MECE (micellar electrokinetic capillary electrophoresis).

Officers need only use masking tape to wrap around the hand and the particles from the tape are dissolved in ethanol. This mixture is then injected into the MECE for analysis. The results are obtained in less than one hour scientists say and the test equipment is only a fraction of the conventional equipment.

Scientists at the institute say the MECE technique is practical for forensic use but add, more work is required before it is ready for widespread use in police labs.

For further information call NIST at (301)975-3108

N.S. Can't Be Forced To Supply Legal Aid

A decision brought down this past July in Nova Scotia suggests the Supreme Court of Canada can not force provinces to supply a legal aid program. The decision also made the point clear that some rulings can cause a great deal of confusion for police, courts and the suspects arrested.

In this matter police in Nova Scotia were abiding by the Supreme Court of Canada ruling in the Brydges decision which stated police must not only advise the accused of his Right to Counsel but must also advise him he may call legal aid if he can not afford a lawyer. After the ruling came down Nova Scotia lawyers decided to supply police with their names and phone numbers.

This system seemed to work well until the Federal government decided to cut funding to the Provinces to help support the program. The lawyers dropped out of the program and were only available during regular business hours.

Three days after the Nova Scotia plan was cancelled police arrested a man for driving while his ability was impaired.

The officer, not knowing of the cancelled program, read the suspect his rights complete with the right to contact legal aid. Upon taking the man to the police station the accused was given a list of 12 lawyers he could contact for advice. None of the numbers, however, got through to a lawyer. Feeling his efforts to obtain legal advice useless the man decided to take the Breathalyzer test.

At trial the Provincial Court judge threw out the charges stating the accused's Rights had been infringed, not by the officers, but by the system the officers worked under.

The case was taken to the Nova Scotia Court of Appeal and a conviction was registered. The three judge panel determined the Supreme Court of Canada had no legal basis for requiring the province to provide better legal aid services.

"The result reached by (Provincial Court) Judge Sherar could only have been predicated upon the existence of a constitutional right to state funded counsel," the court ruled.

In the ruling the appeal court judges referred to three other items of case law which upheld their view. One from Alberta, Ontario and Nova Scotia. The ruling went on to clarify what the Su-

preme Court of Canada stated in Brydges. The decision only held that the accused should be given a reasonable opportunity to retain and instruct counsel and part of that would be to inform the accused of the availability, if any, of duty counsel.

The appeal court ruled the police officer afforded the accused with an opportunity "which if vigorously pursued, might have resulted in contact with the one Legal Aid lawyer who was still available or a lawyer who might give free advice." The court ruled there was no evidence indicating the accused was compelled to take a breath test against his will, and there was no evidence of any other police mistreatment.

"The police," the ruling stated, "showed exemplary concern for (the accused's) rights. There was no element of compulsion, no show of urgency." The court concluded the accused in effect abandoned his right to counsel and agreed to proceed with the breath test with out the benefit of counsel. "In effect," the court stated, "that agreement amounted to a waiver of the right to counsel."

The ruling is expected to be appealed to the Supreme Court of Canada for further clarification of the issues.



Barrday Guard[®]

Barrday Inc., Canada's premiere police body armour manufacturer, has produced over 30,000 vests for Canadian Police Officers.

Our new lightweight vest, shown here, provides level II protection against 9mm and .357 Mag. It offers greater flexibility and comfort with less bulk than other vests.

We are constantly testing new materials to find the most comfortable, flexible and protective vest for police officers.

Barrday produces a full line of concealable and tactical armour as well as shields, blankets and other specialty armour products using TWARON, KEVLAR, SPECTRA, and ceramics to meet any ballistic requirement.

*BARRDAY-GUARD
meeting your requirements
for body and tactical armour*

Barrday

For further information contact:

EAST: Barrday Inc., 75 Moorefield St. P.O. Box 790, Cambridge, ON. N1R 5W6 Tel: (519) 621-3620

WEST: Barrday Inc., 5451 Minoru Blvd., Richmond, BC V6X 2B1 Tel: (604) 273-1144



Blue Line Classified

12A-4981 Hwy.7 East, Ste.254, Markham, Ont. L3R 1N1 - FAX (416) 640-7547

Up-Coming Events

October 14 - 15

Forensic Identification Seminar Toronto - Ontario

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

October 13 - 16

Western Canada Traffic Conference Saskatoon - Saskatchewan

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

October 18- 20

Canadian Association Of Road Safety Professionals International Conference Montreal - Quebec

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

November 11-13

Street Survival '92 Seminar Toronto - Ontario

Calibre Press will be presenting their 3 day seminar at the Toronto Skyline Hotel. For further information call 800 323-0037 or Fax (708) 498-6869.

February 8 - 12

International Law Enforcement Winter Games Ottawa - Ontario

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

October 31 - November 5 1993

International Association of Women Police Conference

The Canadian Branch of the I.A.W.P. will be hosting the 31st Annual Training Conference to be held in Vancouver B.C. The theme of the session will be "Global Policing: A spirit of unity" For further details call (604) 681-5226 or Fax (604) 681-2503.

Classified

Up-Coming Events is a Free service to law enforcement agencies and related personnel support groups.

Other persons and organizations may place their notices in this section at a price of \$40.00 per insertion up to 25 words. (Paid subscribers pay \$30.00) Add \$2.00 per word over this amount. Word count does not include phone number or heading. Editor reserves the right to revise, edit or refuse any notice not deemed to be appropriate.

Payment, to accompany copy for insertion, may be by cheque, Visa or MasterCard number (include expiry date please)

Deadline is the first of the month prior to publication. (eg. November 1st for December issue)

**Mail to : Blue Line Classified
12A-4981 Hwy.7 East Ste.254
Markham, Ontario L3R 1N1
or FAX (416) 640-7547**

Travel Tours

Police Adventurers Wanted

Official visits to the police forces of: Singapore, Beijing, Moscow, Taiwan & South Africa. Visiting CIB, SWAT, Canine, Drug Squads. For info send address to Police Travel, Box 58003 - 500 Rossland Rd. W., Oshawa, Ont. L1J 3L0. Join American & Australian police for world wide tours.

4-32-7

Business Opportunity

POINTTS Franchise available

We are looking for an ambitious individual or individuals to become the Owner/Operator of an established franchise. The area to be serviced by this franchise is quite large, with an expanding population base. Cash investment is required.

Please call POINTTS Advisory Limited at (416) 234-9200

4-37-7-8

Watkins Products

My husband laughed when I told him I was going to sell Watkins Products. Now he borrows money from me. For more information call Shelly Adrian, Independent Dealer, 798 Linkleas Ave., Victoria, B.C. V8S 5C3 Phone (604) 592-0811.

4-0-7

Police Supply Sales Position

Commission sales person required for uniform, equipment and accessories sales. Must have own vehicle & be willing to travel. Police or Fire experience an asset. Bilingual an asset Reply in writing to: Box 564, Fredericton, N.B. E3B 5A6.

4-22-7

Vacation Rentals

Los Cabos Mexican Paradise

Luxury 1-Bedroom Condo, ground floor on beach, spectacular view, Sea of Cortez. 20 feet from patio to swimming pool. Minutes to town.

Call (604) 658-8611

4-25-7

GORDON CONTRACT SALES

The Most Technically Advanced Boot Ever Supplied by Gordon Contract Sales

A Boot For All Four Seasons Specifically Designed For Uniform Personnel

It is only fitting that when Gordon Sales decided to offer their customers a new boot that it would be designed, component by component, from the ground up. The factory's new **direct injected** P.U. Sole is an exclusive lug design and offers oil resistance, traction, shock absorption, and a light density midsole that is flexible. This new sole design is the perfect balance between practicality and function.

The pursuit of excellence started in the earliest phase of design and development. The outcome is in performance, protection, comfort and reliability resulting in the most technically advanced boots ever supplied by Gordon Contract Sales.



Style #4558
(available Nov. 1, 1992)

Specifications

- 8" black smooth sylflex leather - polishable - non-marking sole/self cleaning sole
- fully insulated - cambrelle lined contour arch support/inner sole
- lightweight - waterproof -

Also available in Safety

- Style 5170B = black steel toe boot "CSA"
- Style 7025 = Tan or Black "Steel Toe & Steel Plate" "CSA"

552 Queen Street West, Toronto, Ontario M5V 2B5 • Tel: (416) 368-5503 • Fax: (416) 368-6818

"Specialists in Uniform Footwear"

New Ontario Regulations Announced On Police Use Of Force And Code Of Conduct

New use of force and code of conduct regulations for police officers were announced last month by the Honourable Allan C. Pilkey, Solicitor General for Ontario

"The use of force is a safety issue for everyone in Ontario," said Mr. Pilkey. "This regulation will increase public and officer safety by enhancing use of force training for police officers, by providing clear direction to police on the appropriate use of force, and by outlining the accountability the police have to the public. This regulation will help assure the public that the use of force by police will be reasonable and justifiable."

The new regulation, which closely parallels similar Federal legislation aimed at amending the Criminal Code, emphasizes enhanced training at both the recruit and requalification levels, less-than-lethal force options, and accountability mechanisms (including a controversial use of force reporting each time a gun is unholstered).

The Ministry states it will be providing funds of \$2.1 million this fiscal year, and \$3.5 million next year to upgrade training programs at the Ontario Police College. It reports it will also be providing financial support to municipal police services for training purposes.

In announcing the Code of Conduct regulation, Mr. Pilkey said that discriminatory behaviour, including discrimination on the basis of gender, race or disability, may result in disciplinary action under the Police Services Act. "I am confident this regulation will help to safeguard the fundamental rights of all persons in Ontario and will enhance public confidence in Ontario's police services."

The Ministry has worked on developing new regulations for some time to ensure they are in keeping with key recommendations of the Clare Lewis Task Force on Race Relations and Policing (1989). As part of the development process, a five-week public consultation was undertaken. This included consultation with an 11-member committee on

public and officer safety, composed of police and community representatives, who met to review the proposed regulations and to make recommendations to the Solicitor General.

"I want to thank everyone who contributed to the shaping of these important regulations," said Mr. Pilkey. "I am confident these regulations are fair and

Ontario Police To Take Political Action

Ontario's 22,000 police officers are set to declare a political war against Bob Rae's New Democratic Party Government.

The members of the Ontario Police Association, at their Ottawa convention held in August, accused the NDP of endangering public safety and police lives with its "knee-jerk responses" to every crisis.

Art Lymer, President of the 8,000 strong Metro Toronto Police Association, stated the situation is so scary that many officers are now ignoring crimes. "They are seeing stolen cars go by and not bothering. They know if they get in a chase and somebody gets injured... the officer ends up getting charged... Some of them are beginning to say, 'What's the Point? Why should I take a chance?'"

Delegates attending the meeting were particularly upset at proposed restrictions on police use of firearms. They pointed to the Stephen Lewis 3-week study which has been viewed as completely anti-police.

The Ontario Police Association, an organization comprising some 90 police associations across the province, is planning a public media campaign aimed at convincing Ontarians their safety is at risk due to the government's desire to curb police practices.

On a side issue the Province is considering restricting the use of firearms by police officers only in the case where a life is threatened and not serious bodily

harm. The procedures being looked at would be brought into use if the police were given the use of pepper sprays as an alternative to guns. These changes are being considered even if the requirements of the Criminal Code are not changed.

Anyone wishing to obtain an outline of the legislation may contact the Ontario Ministry of the Solicitor General's office at (416) 314-3348.

As the old saying goes, "The pot is boiling." One year from now the Federal government will be facing a new election. Much of the turmoil in Canadian policing is presently coming from Ottawa and Ontario. Stay in touch... read *Blue Line Magazine*.

In response Federal Solicitor General Doug Lewis (no relation to Stephen Lewis) advised the Ontario Police Association that his opinion is "We should not change the Criminal Code in any way which would cause police officers to become apprehensive and compromise the safety of themselves or the public."

Lewis assured the members attending the conference that before any Criminal Code changes take place they will have ample opportunity to approve any proposals. "You have my undertaking," Lewis stated, "to see that your ability to protect the public and yourselves is not diminished."

Lewis added that it is easy for legislators and others to talk about restricting police use of force when they are not the ones whose lives are at risk. "The floor of the House of Commons or a boardroom is a far cry from a police officer arresting a drug dealer in a backstreet alley," he said.

It was pointed out this was somewhat re-assuring considering that Justice Minister Kim Campbell earlier in the year promised to amend the law to limit the use of deadly force by police across the country.

Ontario Outlaws Choke Hold But Pepper Spray Approved

The Ontario Ministry of the Solicitor General made two announcements of significance to Ontario police officers. First, in support of new regulations with emphasis on less-than-lethal force options, the Ministry endorsed the use of aerosol weapons by Ontario police officers. This includes the use of oleoresin capsicum (commonly known as cayenne pepper spray) as a less-than-lethal force option. All officers who will be using the spray must undergo specialized training in its use.

Once thought to be a contentious issue and needing more research, the use of pepper sprays was approved for use as a pilot project only in some selected police forces. Due to a then vacuum in the Criminal Code many police agencies across the country adopted the use of the spray before this regulation had approval. It was pointed out that many

postal carriers had been using it for years.

Public concern was raised on the issue after a Metro Toronto police officer recently shot and killed a bat wielding mental patient. Critics contend the use of the sprays could have spared the man's life had it been made available to the officer.

In addition, the Ministry announced it is issuing a prohibition on the training and use of the carotid restraint (chokehold) by police officers. The Ministry was responding to several incidents across the province and Coroner Jury recommendations. It was felt the approval and usage of aerosol pepper sprays would alleviate the necessity for such training.

Copies of the amended regulations and a background paper are available through the office of the Ontario Ministry of the Solicitor General.

Britain Set To Seize Proceeds Of Crime

The United Kingdom is set to become the first country to ratify a European convention allowing criminals to be stripped of the profits of their crimes, Home Office Minister Michael Jack announced last month.

Speaking at a conference on European co-operation in the fight against the drugs trade, Mr. Jack urged European partners to follow the UK lead and to strengthen co-operation to trace, freeze and confiscate the assets of criminals.

Unlike other co-operative arrangements, this convention provides a comprehensive framework for international co-operation in the investigation, search, seizure and confiscation of the proceeds of crimes.

In his speech Jacks stated, "Any country which flirts with the decriminalization of the law covering softer drugs risks becoming a magnet for drug traffickers."

Blue Line Magazine

Bulk Subscription Rates

Single Subscription 1 to 4 \$25.00 each

5 to 19 copies per month \$20.00 each

20 to 39 copies per month \$15.00 each

40 or more per month \$12.50 each

(Prices include handling, shipping and all applicable taxes.)

All magazines and invoice will be sent to one address for distribution by the receiver

12A-4981 Hwy. 7 East, Ste.254

Markham, Ontario L3R 1N1

Fax

(416) 640-7547

ARE YOU PREPARED FOR THE NEW FIREARMS REGULATIONS?

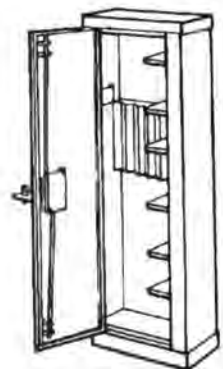
VARIOUS MODELS OF LOCKS, CASES AND VAULTS AVAILABLE, INCLUDING



TRIGGERLOCK
From Masterlock
#0660-90



MOSSBERG CABLELOCK
For rifles, shotguns,
revolvers, pistols, etc
#0511-95507



STOWLINE VAULT
6 shelves. 14 ga.
welded steel
construction.
#0591-H83-5

FOR INFORMATION ON THESE OR OTHER LOCKS PLEASE CALL:



NICHOLLS

3120 Glen Erin Drive, Unit 16
Mississauga, Ont.

L5L 1R6

TEL.: (416) 828-1942

FAX: (416) 828-7749

The tools of the trade

Law enforcement is no fool's game!

Modern law enforcement professionals need all the tools at their disposal.
The biggest and most basic tool is *Knowledge*.

Two of the most important books ever written for those involved in law enforcement



STREET SURVIVAL

Tactics for Armed Encounters

Positive tactics designed to master real-life situations. 403 pages of photos, diagrams, and the hard lessons of real experience.

\$46.95



THE TACTICAL EDGE

Surviving High Risk Patrol

Advanced material ideal for academy and departmental training programs and all law enforcement professionals. 544 pages with over 750 photos and drawings.

\$58.95

- | | | | |
|--|---------|---|----------|
| <input type="checkbox"/> Ultimate Survivors (Video) | \$75.95 | <input type="checkbox"/> Five Minute Policeman | \$13.70 |
| <input type="checkbox"/> Surviving Edged Weapons (Video) | \$65.95 | <input type="checkbox"/> Boss Talk | \$15.70 |
| <input type="checkbox"/> Tactical Edge | \$58.95 | <input type="checkbox"/> CaseManager (Computer Software) | \$310.00 |
| <input type="checkbox"/> Street Survival | \$46.95 | <input type="checkbox"/> Case Manager (Single User Version) | \$150.00 |
- One Year Subscription (10 Issues) to *Blue Line Magazine* - \$25.00 (G.S.T. Included)**
- Binder to hold one year subscription - \$12.95(G.S.T. included) Subscribers \$10.95**

Sub Total	_____
G.S.T.	_____
Ont. Sales Tax	_____
Total	_____

Name: _____ Address: _____

Municipality _____ Province _____ Postal Code: _____

Phone: () _____

7% Goods & Services Tax Extra
No Ontario Sales Tax on Books
Prices include Shipping & Handling

- Send Invoice with product (Available to Paid Subscribers, Law Enforcement Agencies, and Educational Facilities Only)
- Please charge my VISA or MasterCard account # _____ Exp. / _____
- Cheque Enclosed Signature: _____

Blue Line
Marketing

Training and upgrading material for the Law Enforcement Community

12A-4981 Hwy.7 East, Ste.254, Markham, Ontario, L3R 1N1- (416)640-3048

You may Fax your order direct to (416) 640-7547

New Proposals on "Fleeing Felons" And Electronic Surveillance Released

The Honourable Kim Campbell, Minister of Justice and Attorney General of Canada, made public in August proposals which are expected to provide police officers with clear direction on when they can use their firearms in apprehending escaping suspects. The proposals will also restore to them the use of several effective electronic surveillance tools for criminal investigations. Minister Campbell made the announcement as part of her address to the annual conference of the Canadian Association of Chiefs of Police.

The proposals to change what is commonly called the "fleeing felon" rule would establish a national standard on the use of force that may cause death or serious harm against fleeing suspects. The proposals would restrict its use to situations where a peace officer believes, on reasonable grounds, that a suspect poses a threat of serious harm or death to the public if the suspect escapes arrest, and where no other reasonable, less violent means to prevent escape exists. The proposals would also apply to anyone lawfully assisting a peace officer.

"Peace officers must continue to have the ability to protect the public and themselves from serious harm or death," said Minister Campbell. "Our ultimate goal must be to ensure that police response to the threat posed by a fleeing suspect is in proportion to the seriousness of that threat and in keeping with current public values."

Many have argued that, as it is currently written, subsection 25(4) of the Criminal Code is out of date and no longer in keeping with modern principles of proportionality and restraint that must characterize any use of force by the state.

The proposals are said to provide peace officers with clear, consistent direction on the use of deadly force in apprehending suspects.

They are also said to reflect the special circumstances facing peace officers in penitentiaries by preserving their ability to use deadly force in apprehending escaping inmates in situations where they

believe the safety of the public is threatened. This proposal reflects current policy and practice relating to the use of force in federal penitentiaries. However they feel the use of possible deadly force would be justified because of the prison's system of placing inmates in institutions according to their level of threat to society.

These proposals deal only with the use of deadly force against fleeing suspects. Other use-of-force and self defence provisions in the Code would remain unchanged.

The second group of proposals announced at the conference deal with electronic surveillance. The proposals would permit police in potentially dangerous situations to have their conversations monitored. The courts would also be able to authorize video monitoring in situations similar to those where audio interceptions are now permitted, and allow police to intercept communications with the consent of a participant in a conversation in order to gather evidence or information relevant to criminal activity.

In the past two years, the Supreme Court of Canada ruled on a number of cases which have significantly affected the law and the practice of investigations conducted by police with the aid of electronic surveillance devices. These devices include concealed radio transmitters that allow conversations to be monitored from a remote location, commonly known as body packs, video surveillance cameras and electronic tracking devices.

"These proposals deal with the delicate balance required of the law in order to respect individual privacy rights while at the same time providing law enforcement officers with modern investigative tools," the Minister said.

Discussion papers on both sets of proposals will be circulated for comment to members of the police community, legal profession, multicultural organizations, privacy organizations and other groups and individuals interested in the proposals.

"I look forward to consulting with the police community and others on these proposals," said Minister Campbell. "I am confident that, by working together, we can give law enforcement officers the powers and the clear direction they need to protect the public while ensuring that those powers are used judiciously and do not intrude unnecessarily on the basic liberties of Canadians."

Federal Government To Share Assets From Drug Cases

Federal Solicitor General Doug Lewis announced in August the federal government is planning to share assets forfeited as a result of federal prosecutions of drug traffickers.

He said that consultations have begun with provincial governments and municipal representatives on a detailed proposal for fair sharing of crime assets when local or provincial police have participated in investigations.

Mr. Lewis also said the federal government will set up a federal assets management office and assets sharing regime to complement the current proceeds of crime scheme.

"With seizures in money and real assets counting in the millions, the government needs to establish an assets management office and legal framework to manage the assets and administer the sharing of forfeited proceeds," he said.

Earlier this year, Mr. Lewis announced the renewed five-year Canada Drug Strategy would dedicate \$33 million to create three special anti-drug profiteering units.

Located in Vancouver, Toronto and Montreal, the units will have a mandate to go after drug trafficking kingpins. Each unit will bring together local and provincial police, RCMP specialists, forensic accountants and prosecutors to combat money laundering and seize criminal assets.

Mr. Lewis noted that the Canada Drug Strategy and its emphasis on education and awareness of the dangers of illegal drugs has contributed to a decline in drug abuse among Canadians.

B.C. Police 'Knock-On' Procedure Violates Charter Rights Judge says procedure "extremely flimsy"

The British Columbia Supreme Court recently threw out evidence obtained from a perimeter search commonly known as a "knock on."

The procedure involves situations where police go to a house where there is believed to be criminal activity and "knock on" the door to "interview" the person in the house. While they ask questions of the person the officers look around the room looking for evidence of the activity. The method is most commonly applied to situations where other methods of observation or evidence gathering have failed.

The B.C. Supreme Court heard a case where Surrey area police officers received information about a man growing marijuana in his house. The officers attended the house and using a "knock on" procedure were invited into the house. The officers began asking the suspect about growing marijuana and he denied the allegation. He then ordered the officers to leave his house and the officers complied.

About six months later the officers received a second anonymous tip and three officers again visited the house to "interview" the occupant. While one officer asked questions the other two made observations of some incriminating materials in the room. They left the house and using the information they had seen they obtained a search warrant.

The officers used the warrant to do a proper search and discovered over thirty marijuana plants growing in the house. The man was arrested and charged.

Upon throwing out the evidence obtained on the search warrant B.C. Supreme Court Justice David H. Vickers followed the Supreme Court of Canada ruling in *Regina Vs Kokesch* in which warrantless perimeter searches were deemed to contravene the Charter's Section 8 provision against unreasonable searches.

In the *Kokesch* matter the Supreme Court of Canada stated "where the police have nothing but suspicion and no legal way to obtain other evidence, it follows that they must leave the suspect alone, not charge ahead and obtain evidence illegally and unconstitutionally." The ruling went on to say the prime purpose of Section 8 was to ensure individual privacy and prevent illegal intrusions onto private property.

In the B.C. decision Mr. Justice Vickers stated, "In my opinion, the consequences of *Kokesch* cannot be avoided

merely by saying 'I went to knock on the door,' particularly where such activity in the past brought a clear denial and rejection of the officers." The Justice refused to admit any of the evidence obtained on the warrant stating the police, "knew or ought to have known that their presence on the property was an illegal trespass." The court ruled the excuse of going to the suspect's door to ask the suspect about his criminal activity in the hopes that he confesses is extremely flimsy.

False Arrest Action Dismissed

A woman arrested by police because she resembled a robbery suspect has had her civil action for false arrest dismissed because she could not prove it was the bank's actions which caused her to be arrested.

A Toronto Police circular sent around to banks in the region alerted them to be on the lookout for a female armed robbery suspect. The suspect was described as being a female black, 5 feet 7 inches, in her early 40's, wearing a purple coat, sunglasses and carrying a shopping bag.

On the morning of January 31, 1991, a bank employee in Brampton, Ontario, noticed a woman outside the bank waiting for it to open. This woman was wearing a purple coat, was female black, 5 foot 7 inches and carrying a shopping bag outside the bank. She was later found to be 40 years of age.

The police were called and advised of the woman's presence and her description given. A short time later police arrived and arrested the woman, took her to the police car and interviewed her briefly. Police were satisfied this was not the suspect wanted and released her after about ten minutes. The woman then entered the bank and continued her banking transactions and left.

The woman began a civil action

against the bank claiming the bank had directed police to arrest her. She claimed the bank had reported her as a potential bank robber without reasonable and probable grounds to do so.

In reaction the bank stated they had "merely informed the police that the woman matched the description of the wanted bank robber." They then asked if the suspect was still outstanding and if police were still interested.

In the final judgment Ontario Court Justice Sandra J. Chapnik wrote that "the law is well established, that persons who provide information to the police are not liable for false arrest when the arrest is the result of an independent decision by the police."

The judge added police respond to calls of this nature as direction only and not, as was claimed, a demand for arrest. When police arrive on scene of an event on information received it is up to the officer to determine if there is sufficient evidence to make an arrest. These grounds are independent of the information given them by informants.

The Justice stated the woman's lawyer, Charles Roach, failed to contradict any of the evidence stating "there was no genuine issue for trial." The court then assessed the woman \$500.00 costs.

"Clearasil Bandit" To Sue Police Over Nickname

A convicted Southern California bank robber wants to sue several police agencies and the FBI for naming him "The Clearasil Bandit" in press releases describing him to the public. The reference was made after numerous bank robberies where the tellers mentioned the most noticeable feature was the bandit's bad acne.

The 24-year-old bandit claims the nickname "Clearasil Bandit" has caused him "mental distress and mockery from guards and inmates" at the prison where he is serving his 6 year sentence.

"I committed a bank robbery, and I deserve to be punished, but I don't

deserve to be humiliated," the bank robber stated.

The robber was finally tracked down when a "dye pack" hidden in a pack of money exploded and sprayed green dye over his face that could not be removed.

The robber stated he would much prefer to be called the "Dye Pack Bandit" because that is what they caught him with. "An alternative," he stated, "would be to call me 'The Fashion Bandit' because that was the name they gave me the last time I was busted in 1990." The name was in reference to the fact he was known to spend all his ill-gained money on clothes.

Punker's Artistic Expression Belongs In Toilet

A punk rock group musician was convicted recently in a Wisconsin court for dropping his pants in front of the audience and defecating onto the stage.

The disorderly conduct conviction came after the court viewed a video tape of the "Toilet Rockers" as they played before an audience in the "Odd Rock Cafe" last year. Not only did the musician defecate on the stage but he picked up the feces and threw it into the audience.

The accused's defence lawyer, in an argument that could only be described as being similar to the charge of the Light Brigade, stated he felt his client "is a serious performer, and there's serious artistic value to what he does." He then went on to compare his client's behaviour with other "avant-garde" artists who have used excrement in their work such as Shakespeare, Aristophanes and Samuel Beckett.

The prosecutor remarked "If this is art can this man go rent a corner of the art museum and fling feces at people as they go by?"

The defence was disposed of in the same manner as most excrement... down the toilet! The court decided to be lenient upon hearing both the Punk Rock group and the Cafe were out of business. The accused was convicted and jailed for 90 days and given, in addition, a fine of \$1,000.

Blue Line Magazine

FLASHES

by Tony MacKinnon

"Not too bad... but you're gonna find the next test harder!"



Barbados Officers Complain Of Joint Patrols With Soldiers

Reporting a 100 percent increase in crimes against tourists last year the Barbados government started coupling soldiers with regular police patrols. The joint patrols commenced earlier this year and will continue unless officers wish to work seven day weeks.

The President of the Police Association, Hartley Reid, has strongly objected to the measures. He stated there was a fundamental difference between the police and military in that "the police are trained to protect life while soldiers are trained to kill."

Reid continued by saying, "If you recognize police are stressed to the limit and can no longer get the work done, increase the police force." Reid added that if the need to occupy the army is so great then they should give over the army's control to the police and permit them to retrain them to do a proper job.

The Justice Minister stated the problem really revolves around the officers who take days off sick when they are really moonlighting at other jobs. Mr. Reid responded if this were true the government should pay them enough so they would not have to moonlight.



Court Briefs

Hockey Game "Check" Was Aggravated Assault

A hockey players cross-check with a high stick was deemed an aggravated assault by a Manitoba Court of Queen's Bench. The vicious attack, initiated by the accused to teach his opponent "a lesson", left the man with a lacerated chin and gums requiring numerous stitches.

In his judgment Manitoba Justice Wallace M. Darichuk deemed it unnecessarily violent and not associated with any play. He then added the check fell outside the victim's implied consent to violence during a hockey game as set out in several pieces of case law.

The incident occurred in February 1991 in a Winnipeg hockey arena. The two teams of players decided to play hockey without referees and the game became rougher as the game progressed. At one point in the game the victim skated past the accused and struck him with his elbow. At this the accused "decided to teach him a lesson." He chased the victim across the rink and, holding his stick chest high, cross-checked the victim near the boards. The accused then forced the stick under the victims face shield and forced him to the ice. Police later laid a charge against the accused and the matter was brought to court.

In determining guilt in this matter the judge stated the sole issue was the degree of the victim's implied consent to violence when he stepped onto the ice at the beginning of the game. The court made reference to a 1991 Ontario Dis-

trict Court decision in Regina Vs. Leclerc where the court ruled that hockey players gave implied consent to some bodily contact but not to "overly violent attacks" or conduct intended to injure.

The court then went to a 1989 Ontario District Court decision in Regina Vs. Ciccarelli which set out a four point factor to be considered in assessing the scope of "implied consent;"

- the nature of the game played;
- the nature of the particular act and its surrounding circumstances;
- the degree of risk of injury; and
- the state of mind of the accused.

In the Manitoba case the court ruled the accused had initiated the check when the puck was not in the area and he had raised his stick with intent to cause an assault rather than to assist in the immediate play of the game.

The ruling stated the injuries sustained were caused by the use of the accused's stick but even if it had resulted from the fall to the ice the assault was no less diminished.

In conclusion the court ruled "the force employed near the boards was unnecessarily violent, entailed a high degree of risk of injury and was not associated with or related to any play on hand." It continued by saying the check "would be denounced as falling outside the parameters of any acceptable standard by which the game is played. It would be perverse to find that, under the circumstances, the complainant had implied consent to the assault."

Wife Arrested For Murdering Husband With A Stripper

A woman who is heir to her husband's \$5 million fortune has been arrested for his murder. Police in Brisbane, Australia, state the weapon she used was a stripper who was paid to strip before the man on his 70th birthday. Police state the man had a bad heart.

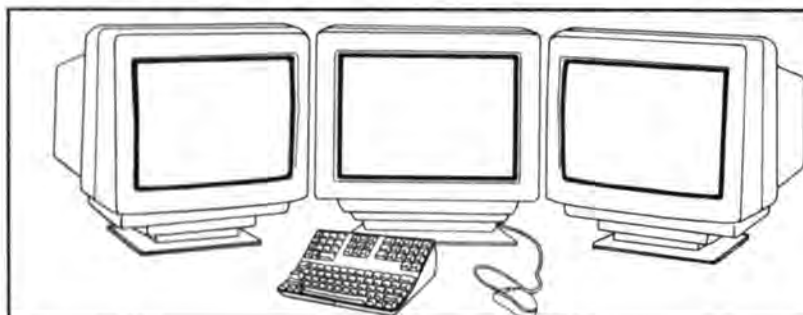
Marta Jenkins, 58, stated she had no idea her husband's heart condition was as bad as it was when she ordered the stripper to put a little zip in his life.

After interviewing her husband's doctor homicide investigators found she had been told a shock of even mild proportions would be too much for him and could even kill him.

When police interviewed the stripper they were advised Mrs. Jenkins had hired her for \$500.00 with instructions to "make her performance as erotic as possible." Police state the money paid for the stripper was an indication she was to perform more than a normal strip show. Further investigation revealed Mrs. Jenkins had taken in a 35 year-old lover.

In a public statement Mrs. Jenkins stated, "even at 70, Paul was a sexually active man. Not only was he an energetic lover, he was always hitting on young girls. The fact is, he was a dirty old man."

Blue Line Magazine
Your Mail Order Book Store
We can order books of any kind and ship them to you direct. Simply supply the title, author and any other details you know and we will try to ship it to you as fast as possible. Write, Phone or Fax with Visa/ MasterCard Number and Expiry date. Further details page 14.



IntelliMap/911

Map-based, Artificially Intelligent computer systems for Canadian Law Enforcement.

"The Only Intelligent Solution"



(416) 895-3911

Auto Theft Seminar A Successful First For Canada

By Tom Rataj

Early August saw the 40th annual International Association of Automobile Theft Investigators (I.A.T.T.I.) Training Seminar held at the Regal Constellation Hotel on Toronto's airport strip.

The one week seminar that was co-hosted by the Metro Toronto Police Force's Auto Squad and the O.P.P. Anti-Rackets Squad, had almost 500 delegates attending from as far away as Australia, South Africa, England, and Israel.

I.A.T.T.I. is an American based Association dedicated to uniting private sector and police investigators around the world to investigate and prevent auto theft through cooperation and the development of professional standards. The association meets annually to have an intensive training seminar where delegates can share their experiences and develop those indispensable contacts that make any type of investigative work easier.

In addition to a trade show featuring a wide variety of anti-theft, and vehicle location/recovery systems, the training seminars dealt with insurance fraud, chop shops, marine, heavy equipment, and stereo thefts, as well as a number of vehicle identification techniques.

As with many of these conferences and training seminars, a successful Companion Program was run for the 150 spouses and guests of the delegates, featuring a selection of tourist type outings throughout the Metro Toronto area, and as far afield as Niagara Falls.

Everyone in attendance had an interesting week, especially two investigators from different States in the U.S.A., who discovered that they were both working on what appeared to be the



same auto theft ring.

Next year's training seminar will be held from August 1-6, 1993 at the Red Lion Riverside Hotel in Boise, Idaho, with the 1994 seminar slated for Nashville, Tennessee. For details and registration information for 1993 contact:

Detective Bob Banta,

7200 Barrister Drive, Boise Idaho, 83704, (208)377-6597 or Fax (208)375-6978

For further information about I.A.T.T.I. in Canada, contact: Mr. Roger D. Overton, Chief Special Agent, Canadian Automobile Theft Bureau, 365 Evans Ave., P.O. Box 919, Stn. 'U,' Toronto, Ontario, M8Z 5P9 (416)252-5215 or; Detective Tim Flynn, Metropolitan Toronto Police Force, (Major Crime Unit -- Auto Squad) 40 College St., Toronto, Ontario, M5G-1K2 (416)324-6260.

Highjack Vs. 'LO-JACK' ... No Contest!

With hundreds of thousands of motor vehicles stolen annually in North America (108,000 in Canada alone in 1990), it is no surprise that the next logical step after theft prevention is vehicle recovery. Automobile alarm systems are now widely (and cheaply) available, but if a well-organized theft ring wants a vehicle they will take it, alarm system or not.

With this realization in mind, the LO JACK Corporation of Needham, Massachusetts set out about six years ago with the development of a unique vehicle recovery system, that will help find a stolen vehicle within about 20 minutes.

The system, involves the installation of the Lo-Jack system on the local police telecommunications network, along with the installation of the Lo-Jack tracking hardware in a number of police vehicles. This is then followed by the installation of the Lo-Jack unit in customer vehicles.

When the vehicle owner reports the vehicle stolen, Lo-Jack is notified, and the system activates the Lo-Jack unit in the vehicle. The unit immediately begins transmitting an electronic signal that

uniquely identifies it. The Lo-Jack equipped police cars then track down the stolen vehicle using the simple tracking hardware, and within a few short minutes the vehicle is located.

Lo-Jack Corporation claims that of all Lo-Jack equipped vehicles stolen, 96% are recovered, along with about 25% of the bandits, (compared to a normal 5% arrest rate).

"This is certainly an impressive system" said 26-year veteran Detective Tim Flynn of the Metro Police Auto Squad, "This seems to be the system that has it all together. It is certainly ideal for apprehending thieves."

The Lo-Jack unit costs U.S.\$595.00, plus installation with a starter-disable device called "Prevent", now also available. Although the Lo-Jack system is in place in six states in the U.S., no installations are currently planned in Canada.

Further information can be obtained from: Mr. Patrick W. Clancy, Manager, Law Enforcement Operations, Lo-Jack Corporation, 72 River Park, Needham, MA 02194 U.S.A.



Prostitution Laws Valid Supreme Court Rules

Regina Vs. Downey

The Supreme Court of Canada upheld the section of the Criminal Code that presumes a person is a pimp if he regularly keeps company with or lives with prostitutes.

The ruling, brought down last May, agrees the sections do infringe on an individual's Section 11(d) Charter Right to be presumed innocent but is an acceptable limitation under Charter Section 1.

The ruling was, however, a 4 to 3 split in the 7 judge Supreme Court. The majority stated the laws were essential to obtain convictions against pimps whom they described as the personification of "abusive and exploitive malevolence."

The case involved a Calgary man who ran an "Escort" service. At trial the accused admitted he hired out mature women for the purpose of escorting people to public events for companionship as the customer wished. He admitted to handling calls, detailing women and taking in money, doing the accounting and banking. When interviewed all the women admitted to having sexual relations with about 90 per cent of their clients but did not consider themselves prostitutes and stated they were in the

business voluntarily and no violence was used to keep them in the business.

The Supreme Court ruling stated that although this particular business was not likely the kind of business it had envisioned when drafting the legislation it was nevertheless important for the prosecution of the vast majority of cases. The ruling stated the wording of the law was such that it struck a fine balance between eliminating the law and thereby permitting pimps to brutalize and intimidate rather than require the accused to disprove the facts on a balance of probabilities.

"Prostitutes are a particularly vulnerable segment of society. The cruel abuse they suffer inflicted by their parasitic pimps has been well documented." Mr. Justice Cory wrote. "The section is aimed not only at remedying a social problem, but also at providing some measure of protection for the prostitute by eliminating the necessity of testifying.

"It would be unfortunate if the Charter were used to deprive a vulnerable segment of society of a measure of protection.

"The nature of the infringement of section 11(d) (of the Charter) by section 195(2) (of the Criminal Code) is mini-

mal. All that is required of the accused is to point to evidence capable of raising a reasonable doubt.

"That can often be achieved as a result of cross-examination of Crown witnesses. The section does not necessarily force the accused to testify."

In answering other Justice's concerns Mr. Justice Cory added there should be "no concern that the section will result in innocent persons who have non-parasitic legitimate living arrangements with prostitutes being (accused). A description sufficient to constitute evidence to the contrary will generally be included in the Crown's case. If not, such evidence can easily be led. In either event, the presumption will be displaced."

The three judges who disagreed with the majority basically said the section casts too broad a net and that spouses and roommates who legitimately live with prostitutes could be charged. The charge in itself, even if conviction did not follow, would impose hardship and cast a stigma on the person charged. This opinion appears to put little faith in the discretionary abilities of police and Crown Attorneys and did not sway the majority from their opinion that the law was a reasonable exception to the Charter.

Second Chance

SOFT BODY ARMOUR

The Industry Leader

(sold only to law enforcement officers)

For further details, please write and ask about
New Lower Prices

Distributed by:

Karon Distributors Ltd.

Box 180, Birdshill, Man R0E 0H0 • Phone (204) 661-4868

New to the job?

We would like to start you off
on the right foot.

If you have less than one year on the job send us your name, address and agency's name and we will send you the next five issues **free of charge**.

If you like what you see pay the invoice for the next ten issues when it comes in the mail.

Blue Line
Magazine

12A-4981 Hwy.7 East, Ste.254
Markham, Ontario L3R 1N1
(416) 640-3048 FAX (614) 640-7547

Just another tool of the trade!

Case Law

(1147-010A 64pages)
(1147-009A) 31pages)

Supreme Court Relaxes Time Requirements Of Askov

Regina Vs. Morin
Regina Vs. Sharma

Last March the Supreme Court of Canada relaxed the strict time limit restrictions in the Askov decision of 2 years ago. Many have described this action as the power of public opinion sending a strong message to the judiciary. If Askov did anything good it would be in teaching the judiciary what "bringing the administration of justice into disrepute" really means.

This new direction, written by Supreme Court Justice Sopinka, clarifies much of the controversy surrounding the Askov matter and in many instances reverses the court's position.

The biggest damaging factor behind Askov was caused by the enormous number of charges dropped because the judicial system in place in some areas was overloaded and unable to handle cases within a reasonable time. Askov acknowledged section 11 of the Charter of Rights guarantees every person charged to a speedy trial. In Askov the Supreme Court of Canada stated "a period of delay in a range of some six to eight months between committal and trial might be deemed to be the outside limit of what is reasonable." The judges and justices in the Provincial Courts saw this as a green light to dump over 52,000 backlogged criminal cases in Ontario alone.

The recent Sopinka ruling basically points out the "might" word may have been overlooked. However it should be pointed out that many jurisdictions just might have seen this as a prime opportunity to dump its workload and thereby take the pressure off the annual budget to improve court facilities. Certainly was convenient to have the Supreme Court take the fall.

In the new Supreme Court decision the rule is that lengthy institutional delays will be tolerated where the delay does not prejudice the accused. The ruling also reverses the onus of proof

over to the accused to convince the court the delay has or will hamper them in their defence.

In this recent decision Justice Sopinka stated the "outside limit" mentioned in Askov was simply an administrative guideline. He further clarified the ruling by adding that the eight month delay was to begin at a point when both the Crown and defence are ready for trial. The ruling stated, "on the basis that not only do these courts dispose of the vast majority of cases, but that on average it takes more time to dispose of cases by reason of demands placed on these courts."

In another portion of the judgment Justice Sopinka stressed that lower courts should not administer the rulings in a mechanical manner but must "lend itself and yield to other factors."

Among some of the points to consider was the court's ability to handle caseloads due to a sudden population spurt which would put sudden strains on the court system. Areas such as Brampton and Oshawa are prime examples of jurisdictions suffering from this problem. These were two of the regions which caused the Ontario Government to expend over \$39.2 million, hire 61 new prosecutors, 168 court administrators, and appoint 27 new judges.

Justice Sopinka was particularly hard on the manner in which Askov determined the efficiency of the court system in any particular area. In Askov all nine judges agreed reasonable delays in the court system could be assessed by comparing the court with another "similar" jurisdiction. In the Askov decision it was determined that the Brampton Courts could be compared with a Montreal Court. It was this comparison which gave rise to the six to eight month delay ruling. It was later found the comparison was inapt and, Justice Sopinka added, "Comparison with other jurisdictions is therefore to be applied with caution and only as a rough guide."

In the "Sharma" case the accused

was charged with impaired driving and obstructing police on February 17, 1988 when the car was involved in a serious accident.

At the first date in court the lawyer representing Mr. Sharma was advised the next trial date would be March 8, 1989. This date was agreeable to the accused's lawyer but on the trial date the lawyer came to court citing a breach of Charter Section 11(b).

Mr. Justice Sopinka stated that the case was not overly complex and should not normally take longer than 3 months to prepare the prosecution and defence case. The Ruling continued by saying the only prejudice the accused suffered was due to a bail condition that he not drive his car until the disposition of the charges. On this point the Justice stated the accused could have argued to have the condition removed but he did not.

Mr. Justice Sopinka continued by saying, "Mr. Sharma's inaction from his set date appearance to his scheduled trial date shows a noticeable lack of concern with the pace of litigation."

The bottom line on both of these matters was that the accused will have to now come to court and explain further how they were prejudiced by the court's systemic delay.

The final result was a four part consideration for judges which included;

- the length of delay;
- waiver of time periods;
- reasons for delay, including inherent time requirements of the case; actions of the accused; actions of the Crown; limits on institutional resources; and other reasons for delay;
- prejudice to the accused.

In these two judgments Mr. Justice Sopinka explained and excused the Supreme Court's ruling in Askov by stating, "Embarking as we did on uncharted waters it is not surprising that the course we steered has required, and may require in the future, some alteration in its direction to accord with experience."

Traffic Direction

Take it seriously or get off the road!

by Morley Lymburner

My attention was drawn to an American police magazine that recently contained an article on traffic direction. The first shock to me was the introductory photograph to the article. It showed, what I assumed to be, a police officer directing traffic, at night, wearing a dark uniform and no hat. Not even a whistle!

This picture got my curiosity as I thought that the author of the story was using it to show everything an officer should not do while directing traffic. Much to my dismay and horror I found that he was using this situation to show how it should be done.

"Okay! Okay!" I says to myself, "Let's not judge the story by the poor selection of photographs." I ignored the theory that one picture is worth a thousand words and I read the article. But guess what folks? It got worse. This officer's theory, and I say theory because he could not have survived very many traffic points to develop good practices, was to stare down the vehicle coming at you. Look like the boss, give assertive directions and stare down the driver was his basic concept of what goes on between the curbs. He backed up the story with another hatless, nameless, motionless, assumed-to-be police officer, doing what he cares not to do.

I finally got to the point where I had to take a blood pressure break. I returned to the magazine and decided to find out what the officer's credentials were. A thirteen year veteran police dog handler from Washington State.

"Okay, Okay, Okay!" I says to myself, "he found my key... he's got me wound up." The magazine went into the trash and I hit the keyboard to write this little ditty. It ain't the "be all and end all" on the subject but at least it may help justify my 17 years as a Traffic specialist.

☛ Rule No. 1 - Be Seen

This is the most important criteria. Put on a fluorescent vest, wear white gloves, carry a flashlight. Park your cruiser with lights flashing near the intersection. Any one or all are better than none.



On one of the few times you are on display to the public how do you want to be remembered? Erect, sharp and in control or hatless, bored, ill-tempered and sloppy? You really don't have a chance to make a second impression. If you think TV cops look good then go to Hollywood.

☛ Rule No. 2 - Wear A Hat

I do not know where this bare-headed, bone-headed, stupid idea came from but too many officers don't wear hats. Your hat is a necessary part of your job. It is your professional identity that is the most readily seen. It sits on the highest part of your anatomy and can be seen at 360 degrees and even above the roofs of the majority of vehicles on the road. Citizens can now have their first clue that a "police officer" is doing a traffic point when looking over the roofs of the cars in front. Want to make it better? Put a white, or orange, hat cover on. It is my firm belief that any officer working permanent traffic detail should wear an issue white hat. An optional helmet would be even better.

☛ Rule No. 3 - Use A Whistle

If you think you can yell out directions to motorists today then you have not been informed about the invention of car radios, stereos, tape decks and equalizers. Remember that you are directing PEOPLE not bumpers and headlights. Use a whistle as loud as you can. One long and one short blast for "stop", two short blasts for "go" have been the most effective for me.

☛ Rule No. 4 - Clear Signals

Keep your hands high. Never give a direction with your hands below your head. The motorist is looking there anyway (he is impressed by the hat) so you might as well communicate something that you want him/her to do. Remember that this ain't no game of charades.

Don't let the hustle of traffic worry you. Go at your own pace. There is nothing less lenient on time than a traffic light. So why should YOU hurry? You are in control and no one does a thing until you want them to do it... Right?!

Show the largest mass of your body to the vehicles you want to stop. (You will have to take inventory to decide if that is front or sideways). Don't permit traffic to move in one direction without stopping up the other direction. If nothing is coming in the "stop" direction don't forget about it. I have found the best policy is to try to get a car in each lane to stop up traffic before letting alternate traffic go. When stopping a lane of traffic look back in the line and determine the car you want to stop. This may be three or four cars back but a good rule is to stop the driver you have established eye to eye contact with. (It's easier than trying to get their attention by riding on the hood or by a well placed bullet in the grill.)

☛ Rule No. 5 - C.Y.A.

Always think of your back(side). To be a true traffic controller you have to develop eyes in the back of your head. If you can't see in one direction you have to attune your ears to it. Let those ears be your second set of eyes. There are too many motorists out there that appear to own cars with prescription windshields and have just switched cars. They don't see beyond their hood ornament and you are as good a target as any.

While we are on this subject... have you ever noticed that the chances of somebody stopping to ask directions is directly proportional to the amount of traffic congestion you have at your traffic point. They still think you can take the time to give them directions to the freeway. Firmly, but politely, bring them back to reality. Advise them their wheels have stopped rolling and that is against the rules presently in effect. (You can really use your imagination here).



It is the hat which helps make you look sharp and makes you more visible. It sits up on the highest part of your anatomy and identifies you immediately as being in control.

Officer Partly To Blame At Traffic Point

In a British Columbia decision brought down last year (Harris Vs. Starr 945-017 19 pages) the officer directing traffic was found to be 25 per cent at fault for the resulting accident.

In this case the officer was directing traffic at an intersection where the traffic lights had failed. It was a rainy night with poor visibility. The officer motioned the northbound traffic to enter the intersection when he saw a westbound car coming too fast to stop. The officer tried to give a last second signal to stop the northbound car but was too late and a collision ensued.

In the civil case that followed the court determined that the officer had failed to look eastbound before he motioned the car to go ahead. The judge added that the speeding motorist was 60 per cent at fault and that his attention was "woefully inadequate." However he added that it was clear that the officer should have looked to the east before he waived the second car to enter.

The responsibility officers have while working traffic points is very real. It is at times taken for granted and at best considered routine. As you can see the courts take it far more seriously.

Officers should try to remember that they are responsible for what happens between those curbs. In effect that gives you ownership of that real estate and it is your goal to make everyone on your property know what the rules are.

1
First SECOND CHANCE 'save' March 7, 1972

25
Total SECOND CHANCE 'saves' by the end of 1974

77
Total SECOND CHANCE 'saves' by the end of 1976

130
Total SECOND CHANCE 'saves' by the end of 1978

210
Total SECOND CHANCE 'saves' by the end of 1980

288
Total SECOND CHANCE 'saves' by the end of 1982

335
Total SECOND CHANCE 'saves' by the end of 1984

372
Total SECOND CHANCE 'saves' by the end of 1986

433
Total SECOND CHANCE 'saves' by the end of 1988

500
Total SECOND CHANCE 'saves' by the end of 1990

550+
SECOND CHANCE 'saves' by the end of THIS YEAR.

The advantages of wearing Second Chance body armor can really add up!

When the United States government patented Second Chance body armor over 20 years ago ballistic nylon was the state of the art fabric that began our climb to the top as America's leading body armor manufacturer in street combat 'saves.' Since that time we have worked with the latest ballistic material technology on the daily market... *Kevlar 29* and now *Kevlar 129*. If there is something better than Kevlar to keep us the leader, **we'd be using it!**

As our competition continues to keep pace with our innovative advances we will continue to introduce the latest American-made technology to satisfy the needs of law enforcement across the country and around the world.

Second Chance street combat knowledge and high-tech man-made fiber technology, found only in America, gives Second Chance concealable soft body armor wearers **the advantage** they want and need on the street today!

SECOND CHANCE

P.O. BOX 578 • CENTRAL LAKE, MI 49622 • 800-253-7090

Second Chance holds the original U.S. Patents for concealable soft body armor:
Nos. 3783449, 3829899, 3855632 & 3894472

INSIDE THE L.A.P.D. Part I

by Tom Rataj

The LAPD consists of approximately 8,450 sworn police officers, and 2,000 civilian support personnel. It is headed by the Chief of Police, two Assistant Chiefs, five Deputy Chiefs, and 17 Commanders. Structurally it is divided into three administrative sections; Special Services, Administrative Services, and accounting for approximately 84% of the personnel, the Office of Operations, headed by an Assistant Chief who oversees the patrol officers and detectives.

The department's jurisdiction covers 465 square miles (1,204 square km.) and a population of 3.4 million people, with another 5.5 million people in adjacent jurisdictions. The City's population by ethnic breakdown consists of 37% white, 40% Latino, 13% African-American, and 10% Asian/Pacific Islanders and others. A large percentage of the recent immigrants, mostly Latino and Asian/Pacific, are not fluent in English, and generally live and work within their ethnic neighborhoods.

Policing such a culturally diverse city is obviously a difficult task at the best of times. To further complicate this situation, Los Angeles was rated in a report published by the Police Foundation in 1991, as having the lowest ratio of sworn officers per resident (2:1,000) and the second lowest ratio of officer per square mile (15:1). And as in the other 6 largest departments in the U.S., the percentage of white officers in relation to the community's ethnic make-up was out of proportion.

And if all this didn't make their task difficult, between 1960 and 1989, the City of Los Angeles suffered an increase in reported crimes that was twice the national average, making the LAPD officers the busiest in the U.S.

Although they were busy, they also had the highest average number of violent crime arrests per officer out of the six largest cities.

They also killed or wounded the greatest number of civilians (adjusted to police department size), but had only the fourth highest number of officers wounded.

Quite correctly the Commission Re-

port notes that the actual task of policing under these circumstances would be trying at the best of times, noting that officers are often required to confront armed felons one moment, while dealing with circumstances requiring kindness, caring, and understanding shortly thereafter.

Discipline & Accountability.

Numerous uniform and senior officers who were interviewed, indicated that a significant number of officers tended to use excessive force regularly.

These officers were in fact well known within their units, but the discipline system did nothing about them, and their supervisors were rarely held accountable for the use of excessive force by their officers.

Between January 1987 and March 1991, of nearly 6,000 officers involved in use of force reports, more than 4,000 had less than 5 similar reports, 63 officers had 20 or more, while the top 5% (ranked by number of reports) accounted for more than 20% of all the reports.

During this time period alone, one officer had on his file, 13 allegations of excessive force, 5 other complaints, 28 use of force reports, and 1 shooting.

Officers frequently send openly racist and prejudiced messages such as "I almost got me a Mexican last night but he dropped the gun too quick, lots of wit". This despite the fact that all transmissions can and are monitored.

Although LAPD policy quite clearly prohibits these types of messages, the Commission was shocked to find that little if anything was ever said or done about these types of messages.

The Seige Mentality

The LAPD practices a brand of policing with an emphasis on crime control, through aggressive detection and rapid response to major crimes. This practice when coupled with the work environment has resulted in a siege mentality which causes officers to treat all incidents with the same aggressive techniques without first evaluating whether those techniques are appropriate to the circumstances.

This crime control technique is reinforced within the Department through an evaluation system that rewards the top 'hard-nosed' officers who produce the most arrests, tickets, and handle the most calls. The officers are trained to command and confront, not to communicate.

Numerous witnesses at the public hearings held by the commission complained about unnecessarily aggressive confrontations with LAPD officers, often using words like 'rude' and 'disrespectful'. A recent internal survey of 650 officers supported this with 62.9% of the officers expressing the feeling that more interaction with the public would improve relations.

Recruiting Investigations

Fairly extensive background investigations and psychological testing disqualifies approximately 40% of all applicants to the LAPD Academy, but the Commission found that the testing and background checks didn't appear to be very effective in predicting tendencies towards violent behavior.

The background checks seemed to focus more on a history of moral issues such as sexual promiscuity or drug abuse which might eventually embarrass the department, while down-playing the warning signs of previous violent behavior.

The process was further complicated by a large case-load for background investigators (120-150 cases each), as well as little or any specialized training.

The Commission noted that police work modifies people and their behavior, and that although a candidate may enter the department being well suited for police work, the candidate is very susceptible to behavior modifying psychological stress.

It was suggested that as part of a "Wellness" program officers should be taught skills to cope with stress. Furthermore they should be retested every three years to uncover psychological and physical problems. Supervisory officers should also be trained to recognize the symptoms of stress and to counsel and assist officers in coping with it.

NEXT MONTH
Inside The LAPD
The Training Program

Mounties Experience Urban Mounted Patrol



Photo: Malcolm Menagh

By Jim Davis

This past summer saw a new twist in the operation of the Metropolitan Toronto Police Mounted Unit. Two Royal Canadian Mounted Police Constables were transferred to the Mounted Unit as

an on-going exchange program between the two agencies.

Constables Lance Martel and Dan Parlee had the opportunity to ride Mounted Unit horses and patrol the parks and street beats of Metro Toronto.

Lance and Dan both have had Musical Ride experience and as a matter of fact Dan was the Ride leader for the European tour a few years back. Dan has recently returned from a United Nations Police posting in the African country of Namibia.

After a number of northern Canada postings Lance spent the last few years working in Toronto with the Immigration section.

Both officers enjoyed their short posting to the Mounted Unit as patrolling the busy streets and meeting the citizens of Metro Toronto was a great learning experience to add to their already colourful careers.

'PEACEMAKER'

*It's your occupation...
Now let it be your publication!*



P.O. Box 520 Stn. "A"
Scarborough,
Ontario,
M1K 5C3



**CONIUM
COMPUTER
SERVICES**

WHITBY - BRAMPTON - MILTON

386DX-40 CHRISTMAS PACK

40Mhz. mother board **\$1599.00**
with 64k Cache memory
105 Meg. Hard Drive
2 Meg. Ram expandable to 32 Meg.
Super VGA colour monitor

Christmas Special

*Special must be ordered before December 15th
for Christmas Delivery*

486DX-33 POWER PACK PLUS

33 Mhz. mother board **\$1999.00**
with 64k Cache memory
Math Co-processor
120 Meg. Hard Drive
2 Meg. Ram expandable to 32 Meg.
Super VGA colour monitor

LEN CONIUM
5 Gainsbrook Court
Whitby, Ontario
L1R 1W9

Telephone (416) 543-1127
Fax (416) 875-0693



Hardware
Software
Accessories and Training



Add GST to all orders.
Ontario residents add PST

October 1992

**TWO YEAR PARTS AND LABOUR
GUARANTEE**

WE SHIP ANYWHERE IN CANADA!

EACH SYSTEM INCLUDES

200 Watt Power Supply
Desktop Case or Mini Tower
Turbo/Reset Switches
w/ keyboard security lock
1.2 Mb disk drive (5.25)
1.4 Mb disk drive (3.50)
2 Serial, 1 Parallel & 1 Game Port
Enhanced 101 keyboard
512 kb SVGA graphic card
Microsoft / PC compatible
Mouse platform
MS Dos 5.0
Power bar with surge suppressor
Disk storage case

HARDWARE/ SOFTWARE

9 Pin Dot Matrix Printer - \$200.00
24 Pin Dot Matrix Printer - \$350.00
Math Co-Processor - \$Call
120 Meg Tape Backup - \$299.00
Additional RAM /Meg. - \$ 60.00
WINDOWS 3.1 - \$119.00

UPGRADES

120 Meg. to 200 Meg. HD - \$260.00
VGA to Super VGA Monitor - \$100.00



A History Of The Criminal Code

By Richard Duplain - Part 2

1892 - 1992

The Criminal Code of 1892 may not appear to be very different from the Criminal Code of 1992 but in at least one important aspect, the historical code could be considered ahead of its time.

The 1892 Criminal Code also provided for a "speedy trial", something 100 years later, that has all but gone the way of the dinosaur.

A century ago, courts of General Sessions of the Peace, as they were then known, were empowered by the Code to try all indictable criminal offences except for a small number of the most serious offences. Those serious crimes were to be heard by a Superior Court of Criminal jurisdiction or a provincial High Court, Supreme Court or Court of Queens Bench sitting with a jury.

"Part LIV of the 1892 Code provided for a scheme whereby, if an accused was charged with any indictable offence which was within the trial jurisdiction of a Court of General Sessions of the Peace, he could elect to be tried by a county or district court judge sitting alone, in the County Court Judge's Criminal Court, instead of being tried by the Court of General Sessions of the Peace sitting with a jury. Section 767 of the Code provided that on being brought before a judge of such a court, the accused was to be given the choice of either being tried 'forthwith' before such judge, without a jury, or to remain in custody, or under bail, as the court decides, to be tried in the ordinary way by the court having criminal jurisdiction," according to Philip C. Stenning in "Appearing for the Crown."

The text indicates that should an accused person want a speedy trial, a private prosecutor be engaged.

"In addition to trials of indictable offences by jury and by way of the speedy trial procedure, the 1892 Code provided that under certain circumstances some indictable offences could

be tried summarily by magistrates sitting without a jury. Magistrates had an absolute jurisdiction to try a small number of specified indictable offences. For a larger number of less serious indictable offences, an accused person was to be given the option of being tried summarily by that magistrate rather than by a judge and jury following a preliminary hearing or under the speedy trial procedure.

In contrast, the Criminal Code of 1992 makes little if any reference to a speedy trial.

The Canadian Charter of Rights, Section 11, declares only that "any person charged with an offence has the right to be tried within a reasonable time."

In his annotations to Section 11,

noted criminal lawyer Edward L. Greenspan explains that a person is only charged with an offence within the meaning of the Charter when an information is sworn against him alleging an offence or where a direct indictment is laid against him when no information is sworn. The primary aim of Charter Section 11 is, among other things, to see that the accused is accorded fundamental justice.

"It is well established," Greenspan continued, "that any waiver of a Charter right must be clear and unequivocal. The accused is not required to assert explicitly his right to trial within a reasonable time and his failure to assert the right does not give the Crown license to proceed with an unfair trial.

"Nonetheless, there is a societal interest in preventing an accused from using the guarantee as a means of escaping trial," Greenspan added. "Silence or lack of objection cannot constitute a lawful waiver. On the other hand, it may well be that the setting of trial dates and the agreement to those dates by counsel of the accused may be sufficient to constitute waiver," he added.

Flip Flop Landmark Decisions

A New Brunswick decision, which was brought down in February was considered a landmark at the time, but was reversed again in June. This June decision also reversed the opinions of the Supreme Court of Canada on its own decision of two years ago. Such is the fickle nature of Criminal Law.

A Richibucto, New Brunswick, man facing a Drive Ability Impaired Charge found his case thrown out of court last February because the judge felt the seven month delay in bringing his case to trial was excessive and infringed the accused's right to a speedy trial.

The court ruling was based on the famous "Askov" decision which saw almost 100,000 charges stayed across the country due to the courts inability to bring the charges speedily to trial. A much relieved man left the court room smiling about his good fortune. The court claimed the Crown made no submissions to the court explaining the delay or, more importantly, how the delay did not compromise the ac-

used's defence. This is two of the hoops "Askov" required the Crown Attorney's to jump through for the past two years.

The New Brunswick Crown Attorney last February felt the Supreme Court ruling stated a delay of eight months was excessive and they did not have to worry about an "Askov" argument about seven months delay.

This decision was bound for future appeals when a new ruling came down from the Supreme Court of Canada which essentially, but not completely, reversed the "Askov" decision. The new ruling stated, among other things, that the accused was required to explain how the delay has prejudiced his defence. It also clarified the issue of eight months by saying it was only a guide line and never meant to be a strict requirement.

The "Askov" decision is proof that Criminal Law is not really created but rather evolved. A necessary requirement for a free society.

No Need For Search Warrants As Italian Police Crack Down On Mafia

Italian police have been given the power to investigate and execute searches without warrants following the second assassination of a top judge assigned to investigate Mafia activity.

Senior judge Paolo Borsellino was killed when a bomb blew up the car in which he was a passenger. His assassination followed the death of Giovanni Falcone last May. Both judges have been responsible for the jailing of hundreds of top Mafioso gangsters and their Cappos.

The tough new powers will strengthen the initiative taking capacity of the police. Under the policy police will be allowed to carry out some searches, including those of entire neighbourhoods, without a judge's warrant.

Previously Mafia members were given incentives to inform which ranged from serving sentences under house arrest,

early release and provisional liberty.

The new provisions will permit police to carry investigations further and longer before they are placed in the hands of the judiciary. In addition the Italian government has sent 1,100 Carabinieri (Federal Paramilitary police) to Sicily, while thousands of Italian troops are deployed around Palermo's main jail.

Blue Line Magazine

Blue Line Magazine Your mail order book store

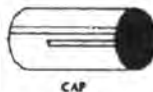
Simply write or Fax the title and publisher to us and we will ship the book to you.
Please send payment by cheque, Visa or MasterCard (with expiry date) to:

12A-4981 Hwy. 7 East, Ste.254
Markham, Ontario
FAX (416) 640-7547
(Please add \$1.00 postage and 7% GST)

ALERT!

Lipstick Knife

The lipstick knife contains a knife blade which extends to approximately 4cm (1.5"). The knife can be moved in or out of the tube. Imbedded in a tube of lipstick, the blade would be very difficult to detect.



CAP



KNIFE EXTENDED



CAP CLOSED

Upgrade your skills at the three-day

CANADIAN POLICE CONFERENCE

Wednesday October 28 - 30, 1992

Introduction by the Ministry of the Solicitor Generals' Office and the Ontario Police College (Defensive Tactics Coordinator) Theme will be "Police Use of Force Training".

• Choose from the following course schedule • Changing tracks after each session can be arranged.

Training Track 'A'

Training Track 'B'

Training Track 'C'

DAY	Training Track 'A'	Training Track 'B'	Training Track 'C'
1 8am to 5pm	Police Chemical & Impact Weapons Cst. Doug Ashton Peel Regional Police Force	Police Supervision Dr. Gary Sykes (Director Of) S/W Law Enforcement Inst. USA	Police Training Equipment Product Firearms Training Systems (F.A.T.S.) Learn about and test your shooting
1	Supervision & "Police 2,000" Hiliary Robinet The Quantico Group, VA, USA	How to make presentations with confidence & power Fred Pryor Seminars, USA	Skills, accuracy & speed under stress (using lasers) to fire onto a moving screen in programmed scenarios.
2 9am to 4pm	Criminal Profiling Behavioural Sciences, Quantico, VA, USA Federal Bureau of Investigations	Martial Arts Kickboxing Seminar Kathy Long World Champion & Movie Star	Psychological Basis of Eyewitness Identification Dr. John Turtle, Psychology, York University
2	Crowd Management & Public Order Asst. Chief Const. David Cansdale Hertfordshire Police, England	Spontaneous Knife Defense Don Garon (Co-developer) P.P.C.T. Knife Defense System	Physical Fitness Programming Dr. Tom Collingwood Inst. Aerobic Research, TX, USA
3 9am to 4pm	Interview & Interrogation Techniques Joseph P. Buckley President of John E. Reid Assoc's	Developing a use of Force Policy Det. Randy Murphy Kansas City Police Department	Crime Forensic Analysis Royal Canadian Mounted Police Ottawa, Canada
3	At the conclusion of the Conference attendees will meet together and enjoy the talents of hypnotist Mike Mandell		



Conference fee is \$225
Send cheque or money order to:
The Police Charter
P.O. Box 44
Streetsville, Ontario L5M 2B7

Limited Seating...Reserve Now!

Call (416) 824-7870 or fax your reservations to (416) 824-4532
Location: Ramada Hotel (Airport West)
5444 Dixie Road,
Mississauga, Ontario L4W 2L2

Product News & Views

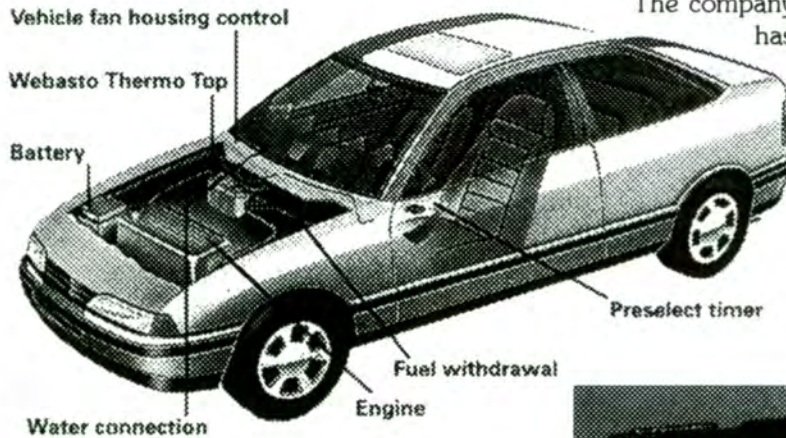
'Thermo Top' More Than Just A Block Heater

by Morley Lymbumer

Now here is something every Canadian police car should not be without. (or maybe every Canadian car for that matter). Webasto Thermosystems (Canada) Ltd. of Mississauga recently introduced the "Thermo Top" auxiliary heating system. This unique system will not only keep the interior of the car warm when you leave it for a time, but will keep the whole engine coolant system warm as well. It does this quite efficiently with a gas powered heat pump system which uses the existing gas in the car's tank.

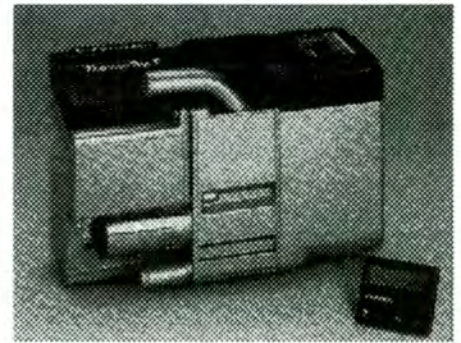
Webasto reports the unit can be quickly installed and when the car is traded it can be removed for installation in the replacement vehicle.

In this high-tech age of computerized radios and video cameras this just might

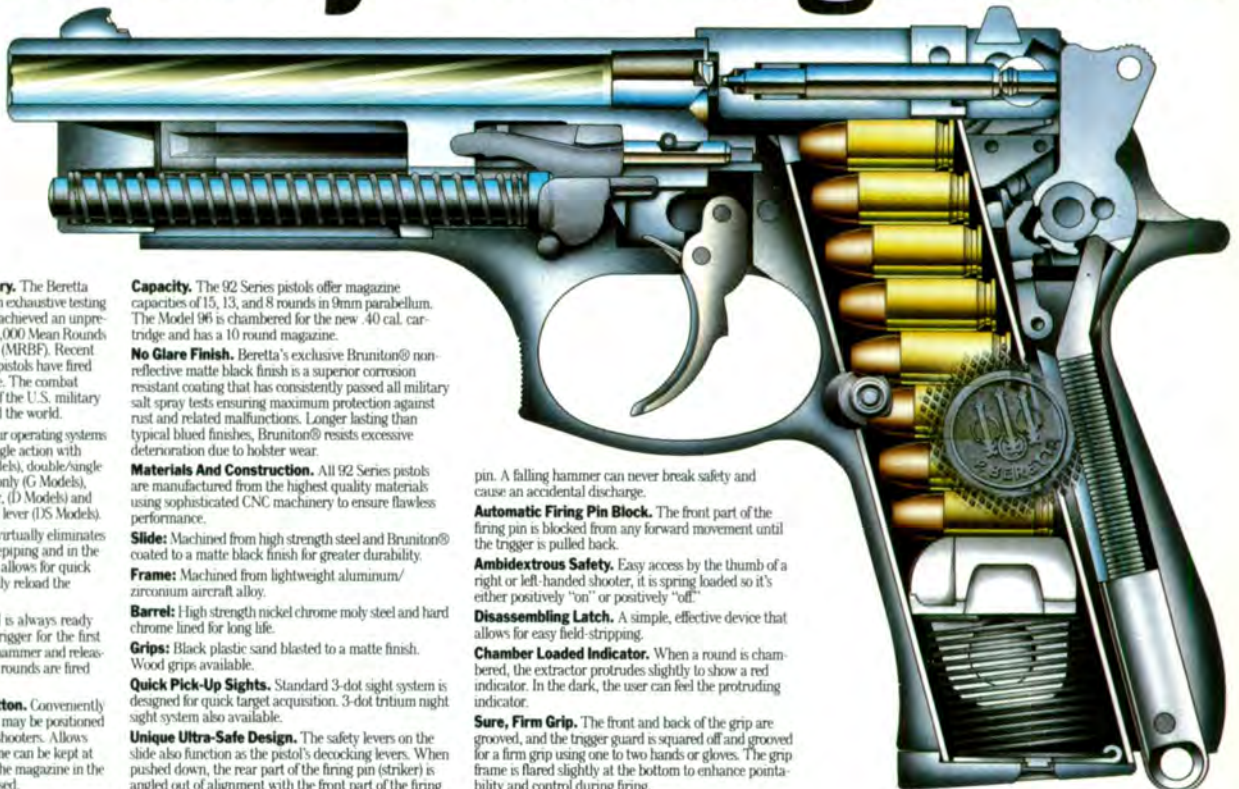


The company reports the system has performed well and will warm up both an engine and passenger compartment from 0 to 20 degrees in 30 minutes. For further details call John Vaughan at 1-800 667-8900.

be an excellent fleet enhancement item. Webasto reports it can reduce emissions by as much as 67 percent and extend the engine's life. It also comes with an automatic timer to engage the system whenever the vehicle needs warming up.



Anatomy of a Legend...



Official Choice Of The U.S. Military. The Beretta 92F has twice beaten all competition in exhaustive testing by the military. In fact, the M9 (92F) achieved an unprecedented reliability performance of 35,000 Mean Rounds Between Operational Mission Failure (MRBF). Recent military test reports indicate Beretta pistols have fired over 168,000 rounds without a failure. The combat proven 92F is the standard sidearm of the U.S. military and law enforcement agencies around the world.

Operating Systems. Beretta offers four operating systems for the 92/96 series pistols: double/single action with external safety/decocking lever (F Models), double/single action, with external decocking lever only (G Models), double action only without safety lever, (D Models) and double action only with external safety lever (J/S Models).

Open Slide Design. Open top slide virtually eliminates malfunctions due to jamming or stovepiping and in the rare event that one occurs, the design allows for quick clearing. It also allows the user to easily reload the chamber one round at a time.

Double Action Trigger. This pistol is always ready for immediate firing by pulling the trigger for the first round in double action—cocking the hammer and releasing it. The second and all subsequent rounds are fired single action.

Reversible Magazine Release Button. Conveniently located alongside the trigger guard, it may be positioned for use by either right or left-handed shooters. Allows fast reloading because a fresh magazine can be kept at the ready in the shooter's free hand. The magazine in the gun drops completely free when released.

Capacity. The 92 Series pistols offer magazine capacities of 15, 13, and 8 rounds in 9mm parabolium. The Model 96 is chambered for the new .40 cal. cartridge and has a 10 round magazine.

No Glare Finish. Beretta's exclusive Bruniton® non-reflective matte black finish is a superior corrosion resistant coating that has consistently passed all military salt spray tests ensuring maximum protection against rust and related malfunctions. Longer lasting than typical blued finishes, Bruniton® resists excessive deterioration due to holster wear.

Materials And Construction. All 92 Series pistols are manufactured from the highest quality materials using sophisticated CNC machinery to ensure flawless performance.

Slide: Machined from high strength steel and Bruniton® coated to a matte black finish for greater durability.

Frame: Machined from lightweight aluminum/zirconium aircraft alloy.

Barrel: High strength nickel chrome moly steel and hard chrome lined for long life.

Grips: Black plastic sand blasted to a matte finish. Wood grips available.

Quick Pick-Up Sights. Standard 3-dot sight system is designed for quick target acquisition. 3-dot tritium night sight system also available.

Unique Ultra-Safe Design. The safety levers on the slide also function as the pistol's decocking levers. When pushed down, the rear part of the firing pin (striker) is angled out of alignment with the front part of the firing

pin. A falling hammer can never break safety and cause an accidental discharge.

Automatic Firing Pin Block. The front part of the firing pin is blocked from any forward movement until the trigger is pulled back.

Ambidextrous Safety. Easy access by the thumb of a right or left-handed shooter, it is spring loaded so it's either positively "on" or positively "off."

Disassembling Latch. A simple, effective device that allows for easy field-stripping.

Chamber Loaded Indicator. When a round is chambered, the extractor protrudes slightly to show a red indicator. In the dark, the user can feel the protruding indicator.

Sure, Firm Grip. The front and back of the grip are grooved, and the trigger guard is squared off and grooved for a firm grip using one to two hands or gloves. The grip frame is flared slightly at the bottom to enhance pointability and control during firing.

For a copy of Beretta's complete catalog, send \$3.00 for shipping and handling to Beretta U.S.A., 317 S. Washington St., Alexandria, VA 22314.

South African Police Get 5,000 More Officers

South Africa is recruiting 5,000 new police officers in an attempt to combat an 11 percent increase in crime last year and in particular a 20 percent increase in violent crime.

Hernus Kriel, the Law and Order Minister, said recruitment and training of the 5,000 had begun last March. In addition, 11,000 "Police Assistants" were being hired.

The 4,000-strong riot squad, which has often been criticized by blacks for heavy-handed tactics, was being replaced by an "Internal Stability Division" (ISD) of up to 17,500 members, who would be specially screened and trained.

"We have had a problem with the public perception of riot control. I can assure you I will come down like a ton of bricks on anyone who steps out of line in this unit," said ISD commander Johan Swart.

Mr. Kriel said the police had placed orders for 10,000 bicycles, 2,000 motor-

cycles, 1,000 vehicles and 28,000 firearms and would spend \$24 million on new police stations and offices.

Parents Must Pay Fine For Children

Three sets of Japanese parents have been held partly to blame for the death of a man attacked by their teenage sons.

In the first civil verdict of its kind, the Tokyo District Court ruled parents shared responsibility for the actions of their children.

The court ordered the three 17-year-old boys and their parents to pay over \$700,000 in compensation to the relatives of the dead man.

The youths attacked the 34-year-old man in Tokyo in June 1990 when he criticized them for riding around wildly on motorcycles. He died after one month of the injuries he sustained.

In his ruling the judge said the parents failed to properly supervise their children and therefore must share in the responsibility.

Improve Low Light & Night Shooting Accuracy!
Line up Self-Illuminating Marks in Front & Rear Gunsights

self-luminous
T-SIGHTS™
improve your scores.



NSS
NIGHT SIGHT SYSTEMS

45 Cynthia Crescent
Box 2968, Station B
Richmond Hill, Ontario L4E 1A8
Telephone: (416) 773-0856
Fax: (416) 764-9981

any way you want it.

Model 92F. Legendary reliability and 9mm firepower. Selected by the U.S. Military. 15-round magazine capacity. Double/single action, with external safety/decocking lever.

Model 92F Stainless. All the features, reliability and firepower of the Standard 92F pistol. New matte stainless finish. Solid stainless slide and barrel. Black plastic grips.

Model 96. Chambered for the new .40 cartridge, otherwise, it's pure 92F. Same ergonomic design. Same safety features. Same absolute reliability. Available in three action types. 10-round magazine.

Model 92F Compact. All the features of the 92F in a compact size. 13-round magazine. 9mm parabolium. Double/single action, with external safety/decocking lever.

Model 92F Centurion. New compact, high capacity 9mm version of the 92F. 15 + 1 firepower with a compact sized slide and frame.

Model 92EL. The legendary reliability and features of the 92F...with bright blued finish, distinctive gold inlays and richly grained walnut grips.

Model 92F-M. The smallest and lightest pistol in the 92 Series. Features flat frame and grip profile. 8-round magazine. 9mm parabolium. Double/single action, with external safety/decocking lever.

Model 92D/Model 92DS. Two "double action only" pistols. The 92D features "slick slide" with no external safety lever and a bobbed hammer. The 92DS has external safety levers mounted on the slide.



Beretta U.S.A.

Beretta U.S.A. Corp., Law Enforcement Division, 17601 Beretta Drive, Accokeek, Maryland 20607, (301) 283-2191.

Letters To The Editor

Blue Line Magazine
12A-4981 Hwy. 7 East
Ste. 254
Markham, Ont.
L3R 1N1

"...he beareth not the sword in vain:"

I have enjoyed my first year of subscribing to your informative magazine and thank you for the appropriate articles.

For some time I served as an auxiliary police officer in Sussex, New Brunswick and since my move to Owen Sound, Ontario, have missed the action and activity I so much enjoyed there. Your magazine has helped to keep me knowledgeable of things that are happening on the Canadian scene in our police forces.

As an ordained minister with over 20 years in the ministry I have been, and continue to be supportive of our police forces - they are "... the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil." (Romans 13:4).

Again, thank you for publishing an excellent magazine.

Rev. David Robins
Owen Sound, Ontario

Editor's Note

I was pleased with reading this letter. The passage quoted is one which has had particular meaning for me ever since I read it in a version of the Bible called "THE WAY." In this version the word "Authorities" was replaced with the word "Police Officer." If you ever had thoughts or doubts about the meaning of your job Romans 13 would be worthy of your attention.

First Nations Policing

I am a First Nations Constable, with the Saugeen First Nation. For those who are not aware of it, a First Nation Constable is not viewed as a police officer by the Province of Ontario but has all the powers and authority of a police officer in carrying out our duties for our respective First Nations. There are four officers in our office. We cover the Lake Huron shore line from the town of Southamp-

ton to Sauble Beach, one of the busiest areas in western Ontario throughout the summer, especially on holidays.

As a Peace Officer, I look forward to every issue of your fine magazine, especially the recent court decision bulletins that relate to Breathalyzer Technicians as I am also a "Tech."

Keep up the good work. A subscription to your magazine is the best way I've spent 25 dollars in a long time.

Michael E. Hill
Saugeen First Nations Police Service

Dangers of Running Trains The Same For Police

In the attempt to help others many police officers forget some basic precautions. As this article from Staff Inspector W.G. Moody, of the Canadian Pacific Police, points out it can end in tragedy

The call came in over the police radio shortly after 11:00 P.M. Saturday February 1st, 1992: An off-duty Michigan State Trooper was involved in a fight and needed some help.

Troopers James DeLoach and Steven Niewiek - young aggressive and energetic - knew of only one way to respond... All out!

DeLoach, 26, and Niewiek, 24, apparently gambled that they could beat a train hurtling down the Grand Truck tracks in a suburb just outside of Detroit.

They lost the gamble!

Witnesses told police that warning signals were flashing and crossing gates were down as the patrol car passed a line of cars waiting behind the gates and slowed as if it was about to stop. Instead, it went around the gates.

The train hit the car broadside and the car erupted in flames. It then carried the cruiser about 1 kilometre down the tracks where onlookers pulled Niewiek from the crumpled passenger side but were unable to read DeLoach on the driver's side. He died on impact police said. Niewiek died in hospital the next day.

Sgt. Val Gardner of the Pontiac Detachment where the two were stationed, said the two officers were hard working, dedicated officers. "That's the type of guys they were. Someone called for help and they were on the way."

Speed Kills Article Interesting

I would like to comment on how much I enjoy Blue Line Magazine. The "Speed Kills" article (May 1992 Issue) interested me. I am a traffic officer and recently was at the scene of a double fatality. 200 km/h into a hydro pole. Two dead young men. We really have to "drive it home" to the new drivers out there that indeed, "speed kills." Keep up the good work.

Nick McConnell
Richmond Hill, Ontario

Gardner said the call they responded to turned into a minor incident that was resolved by the off-duty trooper by himself. Both officers killed had been given instructions regarding the hazards of going around rail road gates at crossings.

Staff Inspector W.G. Moody, of the Canadian Pacific Police, brought this story to the attention of Blue Line Magazine. "Railway police in Canada work with 'Operation Lifesaver'", the Inspector said, "and the provincial Safety Councils educating the general public about crossing safety.

"Last year in this country, of the 388 crossing accidents, 52 people died. Near misses at crossings, reported by the train engineer, are investigated and dealt with accordingly.

"There are 19 railway companies, operating 51,000 miles of track in Canada with 23,516 public crossings, 30 per cent of which have automated warning devices. There are 28,500 private and farm crossings. It is interesting to note that a 150 car freight train going 50 km per hour needs 1.1 kilometres to stop. At 80 km per hour it needs about 2.5 kilometres to stop. On the other hand, a car travelling at 90 km per hour can stop in about 70 meters."

This article from S/Inspector Moody clearly indicates not only does the public need educating, but in too many cases police officers as well.

Pro Carry Systems

Presents:

THE DUTY BELT

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



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

THE DUTY BAG

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

Pro Carry Systems has the solution.

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

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

WHAT WE MAKE:

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



SO WHAT HAVE YOU GOT TO LOSE?

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

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



All Pro Carry Systems products come with:

- 30 day money back guarantee
- Lifetime warranty against defects in workmanship and materials
- On-going customer support

541 CHAPMAN AVE., COQUITLAM, B.C. V3J-4A2 TEL: 1-800-665-7757 FAX 1-604-931-1884

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

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

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

HOW IT WORKS

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



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

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

WE HAVE WHAT YOU NEED TO GET HOME SAFELY

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



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

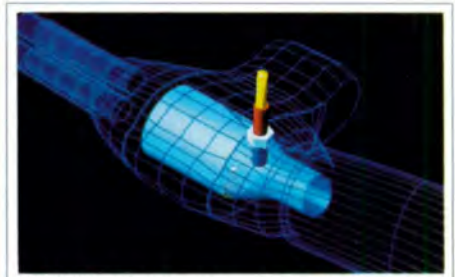


The outrigger-equipped motorcycle, without ABS, has locked up the wheels and lost stability during hard braking on wet pavement (right). The ABS-equipped bike remains upright and controllable under the same conditions (left).

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

HELPING THE URBAN ENVIRONMENT

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



BMW'S Catalytic Converter Technology for Motorcycles.

Contact Tony Fletcher at BMW Canada Inc., 920 Champlain Court, Whitby, Ontario L1N 6K9 or call (416) 683-1200. Fax (416) 666-3672



**RESPONSIBILITY
MEANS NO
COMPROMISE**