

# Blue Line

August / September 1994

Volume 6 No. 7



Canada's National Law Enforcement Magazine





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Now there is some good reading!

These officers from the Philippines National Police - Highway Patrol, received a copy of *Blue Line Magazine* from "globe trotter" Ron Kurelo of Police/Success Travel of Oshawa, Ontario.

Ron advises the officers enjoyed Tony MacKinnon's cartoon and were quite curious about the content. He advises that he will be getting more of these posed shots for Blue Line as he and his entourage of globe trotting police officers go about their visits of various police agencies. Ron previously supplied us with a Communist Chinese police officer smiling over our January 1992 issue.

Just some quick details about the officers. They were both sergeants with the Highway Patrol and were visiting the General Headquarters building in Manila when Ron's group was being given a tour. The officers were armed with the government standard (and antiquated) Colt 45's. They were riding Honda Twin 750's.

*Thanks for the shot Ron!*

This month is our combined summer issue and we have enough material to keep you reading until at least our October issue.

Between the covers of this issue you will find articles of interest from across Canada. Gary Miller has written a hard hitting commentary about the truncated cone bullet which the Ontario government appears to be tenaciously hanging onto. News beat has some coverage on the same issue. We also have an excellent article about RCMP officers in Yugoslavia and are sure you will enjoy it. Neil Thompson (Vancouver) has written an excellent piece on the "gay" issue which is worthwhile reading. We also welcome Myron Love's first contribution as our Manitoba correspondent. We are still looking for correspondents from other provinces as well.



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*Blue Line Magazine* is published monthly, September to June, by Blue Line Magazine Incorporated with a mailing address of: 12A - 4981 Hwy. 7 East, Ste. 254, Markham, Ontario, L3R 1N1.

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*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, police, or law enforcement agency.

Blue Line Magazine is printed in Canada  
By Pro Art Graphics

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International Association of Law Enforcement Planners  
Canadian Advertising Rates & Data  
Periodical Publishers Exchange  
International Police Association



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ISSN #0847 8538

Canada Post Canadian Publications Mail  
Product Sales Agreement No. 176796

**Commentary: Morley Lymburner**

**Just Keep The Public Happy...  
And Only The Cops Will Know**

The amazing world of politics never ceases to amuse me. Politicians can always turn a vice into a virtue and what is more, the public, as cynical as they may seem, still swallows this stuff completely. An excellent case in point is the recent proposals for amendments to the Young Offenders Act.

The new regime in Ottawa rode into power on a platform of getting tough with our criminal young'uns. But their real agenda was to get elected. Once they are in they now have an agenda of keeping some semblance of credibility without rocking the boat too hard. The result... a half-baked legislative amendment that can be sold to both sides of the issues.

In June the Angus-Reid Group released statistics gleaned from one of their recent poles. Among one of the items they found was that 90 per cent of the people wanted to see more juvenile offenders placed in adult courts. Quite a hefty number. And one the government must be aware of.

In spite of this the government is suggesting the tabling of a bill that will indeed see more Young Offenders placed into adult courts but what numbers are we talking about when we say "More".

Recent statistics from the Canadian Centre for Judicial Statistics would indicate that in a one year period between 1992-93 a total of 290 cases would have fallen under the criteria set out in the new legislation. This is out of 41,482 cases!

Okay folks... who are we kidding here! This legislation is not going to make even a ripple in the ocean and is far from what the public really wants.

The legislation paints a rosey picture

but will only tackle the high profile cases of murder, attempted murder, manslaughter, (total of 75 cases last year) and various breeds of aggravated assaults, (216 cases last year). The funny thing is when this legislation is passed, and the media spin doctors are finished with it, the public will sleep easier at night. Yes, and only the cops will know the difference.

The only thing that will make a difference is to do away with the YOA. I have yet to see the validity to the argument that the rights of a young offender must be protected to such an extent that we must tie the hands of the judges when it comes to sentencing. We appoint judges on their ability to use appropriate wisdom in sentencing but then make up hair-brained rules that tell them their wisdom really is not as good as our elected officials. Excuse me but I would much rather be tried by a judge than Sheila Copps, John Crosbie or Jag Baduria.

Somehow the politicians got the whole picture all balled up. In a letter from the Minister of Justice to the media it states: "The proposed amendments to the Young Offenders Act will improve public protection by improving the Act's ability to deal effectively with serious youth crime."

The public's concern is not about "Serious Crimes" committed by young offenders, they are concerned about the serious issue of youth crime. This means all crimes by all young offenders. But the politician's screwed up logic is only reasonable when one is dealing with a group of people who just want to keep the heat down in the kitchen. But that's okay because only the cops will really know.

Your comments are expected!



Given the rapidity of events this past June with the slaying of Constable Todd Baylis there are several questions that will have to be answered by many government officials at many levels.

The Federal Government will have to explain how a convicted non-Canadian criminal managed to stay in this country long enough to take this officer's life.

The Ontario Government should have to answer the question as to why the suspect was able to take three bullets from a police revolver and still be alive to keep shooting

back. (See Commentary June 1994 issue and Gary Miller's article in this issue for a probable reason).

The Ontario Government for its obvious dislike for police and its utter contempt for police agencies.

The Municipality of Metropolitan Toronto for failure to adequately supply enough police officers to protect the public and other officers. Any military strategist can tell you that if you have soldiers working in a war zone you have to give them lots of manpower and support to relieve stress and spread the risk over a larger number of personnel.

Given all the levels of incompetence Todd never had a chance!

# Observing Justice Through Anarchy



These members of the Royal Canadian Mounted Police left for the former Yugoslavia in May last year to observe the police and judiciary on behalf of the United Nations. The experience was unimaginable and unforgettable. Pictured above are: (Front row, left to right) Cst. R.P. Morrow, Cst. B.M. Lucki, Cst. T.G. Seaman, Cst. C.E. Wortman, Insp. W.B. Urquhart, D/Comm'r J.M.F. Shoemaker, D/Comm'r. G.W. Allen, A/Comm'r. L.R. Proke, Insp. J.C. McLaughlan, Insp. J.J. Payne, Cst. D.L. Sheehan, Cst. T.V. Wry, Cst. T.B. Kiser, Cst. R.K. Hart, Cst. L.J. Giroux, (Back Row) Cst. D.D. Piper, Cst. J.P. Boulianne, Cst. S.L. Jenkins, Cpl. R.A. Lambert, Cst. C.W. Chrustie, Cst. J.G. Harris, Cst. T.W. French, Cst. C.B. Scharff, Cst. J.R. Sulz, Cst. S.H. Marissink, Cpl. M.D. Leaman, Cst. D.E. Smawley, Cpl. J.A. Osborne, (missing from photo - Cst. J. Schlegelmich.)

By Dale Sheehan



When I touched Canadian soil for the first time in six months last December at Mirabel International Airport in Quebec, I stopped at a newspaper stand to buy a magazine for the connecting flight to Halifax. I couldn't help but overhear a lady in front of me, who was purchasing a newspaper, complain to the sales clerk about the cost of the GST being added onto her purchase. I politely interjected and said to the lady "Ma'am, you do not know how lucky you are to be paying GST in a country like Canada."

Perhaps as little as six months ago, I would have joined that lady in complaining about the GST and perhaps at the same time, gone one step further and complained about the amount of income tax I pay, or maybe something really serious, like the weather.

That was before myself, and forty four other members of the RCMP were selected for a six month tour of duty as United Nations Civilian Police Officers (CIVPOL) in the former Yugoslavia.

The RCMP first became involved with international police peace keeping with the United Nations in Namibia in 1989. This present mission, however, was the first time that the RCMP were actually involved in an ongoing war.

To say the least, the anxiety of the unknown, the potential danger and the thought of leaving one's family and friends behind was very stressful.

The mandate seemed quite simple in theory. Within the United Nations protected areas we were to observe the conduct and performance of local police and the judicial authorities in the arrest, detention and interrogation of persons charged with, or suspected of committing crimes. Further to this, we were to accompany the police on local patrols, conduct parallel investigations where it was felt our intervention was necessary, assist in prisoner exchanges, visit prisons to ascertain the conditions of the prisoners and how they were being treated and to follow up on any investigation of a minor or major nature that was a concern to the United Nations.

Also included in our day-to-day duties was the assistance of international agencies such as UNHCR, UNICEF and the Red Cross. Although there were exceptions, for the large part the majority of our duties involved working with minorities and to ensure their human rights were not being infringed upon.

CIVPOL consisted of approximately 600 officers from nineteen countries around the world and was located at stations that consisted of a presentation of fellow police officers worldwide. The structure of the station was similar to what we had become accustomed to in Canada.

It was our responsibility to obtain food and lodging, and given such, we lived in the communities in which we served with the residents and experienced first hand some of their hardships. What was completely amazing was the desire of the community, despite repeated setbacks, to try to adapt to their misfortune and continue on.

Most stations and residents did not have the day to day luxuries that we are accustomed to in Canada. The water supply was sporadic and the electricity intermittent at best. Many members adapted to showering with bottles of water. The heat was very oppressive during the summer months and below freezing throughout the winter.

If someone had told me six months ago that I would be without my Tim Hortons coffee, or that I would feast on daily delicacies of goat, lamb, rooster and an endless abundance of pork, I would not have believed you.

My attitude quickly changed when I realized that my landlord was eating my leftovers. Absolutely nothing was wasted or thrown out. It was not very long before we realized we had nothing to complain about.

## The Lucky Ones

In a sense we were actually the lucky ones, as we knew we would be back to the comforts of Canada within a few months. The locals however, were simply committed to trying to stay alive while not concentrating so much on their own well being, ensuring that their children, the future of their country, were cared for as much as possible in the oppressive conditions.

Inflation sky rocketed as much as 300% per day and the oft printed currency reached a ten billion dollar bill. When that quickly became worthless, they simply eliminated the six zeros and started over again. Police officers earn the equivalent of six dollars a month, teachers four.

The young, elderly and sick, those who



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had no say in the war, are the ones who suffered most. The international sanctions and embargo resulted in virtually closing down every business that had existed in the protected areas. What the local people did not grow on their land, or raise on a farm they simply did without.

The work in itself was very interesting. It could be described as every police officers worst nightmare; a massive six month domestic dispute. The constant involvement in disputes and listening to all sides expand upon their versions and justifications tended to wear on one's emotions. When I refer to a domestic, it is because all sides refuse to take even the slightest responsibility for their actions. They were once neighbours and friends and now wouldn't hesitate to kill each other. They are desperate and blame the United Nations, the west and Europe for their pre-

(Continued on page 9)



*The currency in all parts of the former Yugoslavia is still the Dinara from the old Communist regime. With civil war raging one of the least of their problems is finding what type of money they should be printing. Unfortunately inflation is out of control. The currency, above, indicates the face value of one billion Dinara. As one officer stated, "It will buy you a bottle*

*of Coke... if you can find one."*

*In contrast to the safety of the public the money is quite safe from counterfeiting. Not only is it printed on special security paper it is also in full colour and contains an embedded watermark. There is no doubt it cost more to print than it is worth. With the tragedies of civil war it is rather appropriate that the girl doesn't smile.*

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*(Continued from page 7)*

dicament. There is no way any side feels they are wrong or responsible for their current state, and that in itself is a tragedy.

CIVPOL members were unarmed and worked with an interpreter. If one wasn't proficient at negotiations, the skill was quickly picked up. I was stationed in an occupied area of Croatia that is now the self proclaimed republic of Krijina. The city of Vukovar was completely annihilated, yet people still reside in high rise apartments and houses that we wouldn't consider putting our pets in. Some residents were untouched, yet around the corner, the ravages of the war were evident, with the destruction of everything in sight.

### **More Than Just Cops**

Because of the high visibility of CIVPOL, we quickly became known to the local police and community. Trust was difficult to obtain and had to be earned. Because of their ability to assist with medicine and humanitarian aid, the community would constantly turn to CIVPOL.

Even when the work became very frustrating, to the point where we would sometimes feel as effective as a small plug in a large drain, we just dug a little deeper and tried a little harder. We all knew deep down inside that we were making some progress, and that when progress is measured in terms of human lives, no effort is too small. Many of the members took extra time and effort to make arrangements with their own community to send aid, clothes and start pen pal letters with local schools.

Understanding the logic of war was beyond my comprehension. The history and politics that led to this tragedy simply cannot be explained to, or understood by, the western world. The only possible way I could make a possible comparison would be as an example, that if all the Protestants

and Catholics in Canada decided to go to war against each other. Friends, relatives and even marriages are broken apart, villages and cities get destroyed and an everlasting hatred is formed. That in a nut shell, is what happened in the former Yugoslavia.

### **One Grateful Canadian**

In a world where an AK47 is as common a piece of attire as a lady's purse is in Canada, the Canadians serving in the Balkans have done, and are still doing, their country proud. The Canadian armed forces are extremely proficient and when something is needed to be done, the Canadians do it.

The RCMP, despite being the relatively new kid on the block in regards to police peace keeping, led the way with assertive, effective and innovative approaches to the daily situations in which we were confronted. It is ironic we had to travel so far to realize how good we have it in Canada.

I have made friends worldwide, formed everlasting impressions and will forever have in my memory my six months of service with the United Nations. When I first joined the force, I never thought I would be representing the RCMP and Canada overseas. It was with great pride that I wore the blue beret of the United Nations, but it was with even greater pride that I wore the uniform of the RCMP and the Canadian flag on my sleeve.

It will be a long time, if ever, before I take anything for granted in Canada again.

*Dale Sheehan, shown in photograph above third from left, is a Constable with the Royal Canadian Mounted Police and is presently and proudly stationed in New Minas, Nova Scotia.*

## **Cops On A Tightrope**

*In a strange country, embroiled in a brutal civil war and with no weapons, these officers walk the middle road between civilization and anarchy.*



Arson, robbery, murder, theft, sniper fire, suicide and assaults are crimes local communities face each day in war-torn former Yugoslavia.

The investigation of these crimes by local police is carefully monitored by the United Nations civilian police, known as CIVPOL.

CIVPOL comprises more than 600 professional police officers from almost 20 countries operating in the three UN protected areas (UNPAs), Bosnia-Herzegovina and the former Yugoslav Republic of Macedonia.

Because lawlessness is a by-product of war, which shatters the basic infrastructure of society, international civilian police are needed to assist in restoring peace to the region.

One of CIVPOL's main tasks is to monitor the activities of local police forces to ensure that all civilians are treated equally and fairly regardless of nationality or ethnic background. CIVPOL investigates any complaints that these standards have not been observed and reports any confirmed cases of discrimination or abuse.

To perform its tasks, CIVPOL accompanies the local police on their patrols and during the performance of their duties. Wherever possible CIVPOL monitors are located at the same station as the local police and they have full access to all local police premises and facilities.

During their tenure each officer tries to get to know most of the civilians living in their area of responsibility. In this way, the humanitarian aspect of CIVPOL's duties plays a major role.

CIVPOL at times conducts its own investigations independently of the local police, particularly when there is some suspicion about the results of an initial probe.

Other duties include checking incoming cargo at airports to ensure it contains only humanitarian aid and monitoring local police in border areas.

CIVPOL monitors have preparatory training before being posted, which includes learning special negotiating and communication skills. Their job exposes them to many dangers but the tireless work of these officers will eventually play an important part in the restoration of peace in the former Yugoslavia.

# Agency Profile Honour, Integrity, Community

## Bradford West Gwillimbury Police Service

by Blair McQuillan



"The most important word in the Bradford West Gwillimbury Police Service motto is 'community'," says Chief John Harrison. It is that feeling of community he works the hardest at nurturing. At a time when many small police services are being taken over by the Ontario Provincial Police this 40 member police service is one of the few in Ontario to aggressively sell itself to the community. Their efforts were so successful the police service extended its boundaries to the

surrounding Township and the local OPP Detachment was closed down. In this profile you may find Chief Harrison's recipe to good community policing. Above Chief Harrison hands over the reigns of the police service to a local young lady selected to kick off a charity drive.

*"Keep your head, keep cool, don't panic - and don't try to be a hero."*

That's the advice that Special Constable Les Bluestein gives bank employees in his seminar on surviving an armed robbery.



Les Bluestein

The seminars, which were conducted by Constable Bluestein for several weeks and presented to local businesses within the Bradford West Gwillimbury region, are just one aspect of what the Bradford West Gwillimbury Police call "pro-active policing."

With their motto of "Honour, Integrity and Community," the Bradford West Gwillimbury Police Service has met with great success during their first year as an amalgamated police force. Because of efforts taken to reach out to the community and the community's overwhelmingly positive response this force can be looked upon as a role model for other departments across Canada.

Constable Bluestein is one of Chief Harrison's not so secret weapons. He was appointed the officer in charge of Crime Prevention and Victim Assistance after Harrison recognized the talents this officer had to offer. He worked for many years as a merchant and storekeeper and was a volunteer auxiliary police officer for many more years.

*"I recognized the fact that this person had the right mix to bridge the gap between the community and the police,"* Harrison said, *"Les works well with the local community groups and merchants and understands the big picture from both sides of crime in the community."*

Harrison's selection of the right man for the right job is reflected in the only criticism he has about Les. *"The only problem with Les is there is only one of him!"*

The new office was implemented to assist victims of crime and to initiate and oversee all crime prevention strategies. The section has proven to be one of the most successful initiatives within the Service.

The Victim Assistance Program fo-

cuses on two main areas, victim counselling and crisis intervention. Victim counselling involves interaction with citizens who have become victims of property crimes and the realization that this type of crime can be traumatizing to the victim. Reviews and follow-ups on all domestic assaults and disturbances are part of the make up for the crisis intervention program. With the assistance provided through this program a 26% decrease in domestic disputes has been recorded over the past year.

Aside from seminars and counselling, interaction with merchants, service clubs and citizens has enabled the Service to provide many crime prevention and victim assistance programs. The community's response has been so overwhelming that the Service has been able to provide literature and handout material, which range from material on annoyance calls to counterfeit money detection, all at no cost to the taxpayers.

The Bradford West Gwillimbury Police have also taken an active interest in the youth who reside in the community's rural Ontario setting. Many programs have been established through schools by the Force.

The V.I.P., or (Values, Influences and Peers) program which includes topics in regards to violence, drugs and values is considered to be one of the most important. Other programs include, safety for children, bus safety and courses which deal with emergency situations and first aid.

In another innovative approach each officer on the force is assigned to a school for the school year. The officers interact with the school to increase relations with the youths in the community. The officers may visit the school for lunch, recess, special events or simply sit in on classes. In fact the police were so involved that the Service recorded 171 visits by officers to schools in the area.

Last year the police service went into the community to seek support for a bicycle squad and the response saw a four member squad completely outfitted at no expense to the department.

However, despite all the attention given to business and school, the Force still has time to recognize outstanding members of the community. Citizen Appreciation Night was established to publicly thank deserving citizens for their contributions to the police and community. The Bradford West Gwillimbury police also hold an Open

*(Continued on Page 12)*

**New, 6th edition of ...**

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By Murray D. Segal

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# Patch Profile



*The community responds! Last May the police force presented its first open house and invited the community to come in for a look around. The line-up began at 8:00 A.M., one hour before the doors opened.*

House which welcomed over 1500 people in its first year.

One of the more innovative programs is the LINC program which was organized for new immigrants to Canada. The program is directed at citizens from countries where the police are feared. A great deal of anxiety can be alleviated with police involvement in classroom settings and with tours of the station. The program allows officers the opportunity to demonstrate the relationship between the police and public here in Canada and how that may differ from the countries they came from.

Citizens cannot only be proud of the role the police have taken in the community programs, they must be equally as proud of the Service's crack down on crime.

Bradford West Gwillimbury's rural areas were always hit the hardest in regards to property crime. However, in 1993 rural crime decreased 28%. This was achieved as the result of a more aggressive directed patrol program which was aimed towards improved policing within the rural areas and smaller hamlets in the former township.

Another impressive note is the decline in criminal occurrences. At the close of 1993 the Bradford West Gwillimbury Police recorded a 29% decrease in criminal occurrence. The Service also reported a 24% decrease in break-ins as well as a 124% reduction in general thefts.

Throughout the year the Service recorded 176 impaired driving charges, the most charges laid under the Criminal Code in the region. The runners-up included theft or possession and assault with 170 and 85 charges laid respectively.

With their great strides in crime prevention and community involvement the force was still able to save over \$30,000 in man hours. This achievement allowed for more effective use of resources.



*The Police Service amalgamated dispatching for all local and rural fire departments as well as ambulance services links.*

However, with all the achievements of the Bradford West Gwillimbury Police one cannot forget to mention the services provided by the 12 members of the auxiliary police service. The assistance of these members, who logged over 2,500 hours, made it possible for the R.I.D.E. Program to continue year round. The auxiliary police also assisted with parades and crime prevention displays and trade shows.

Another innovative program commenced this year with an aggressive campaign to encourage children to wear bicycle helmets. After speaking to the parents and schools the one factor that prevented many children from having a helmet was money. The Police Association along with local charities have started a policy of supplying helmets free of charge to children who can not afford one.

The Bradford West Gwillimbury Police Service is a prime example of the rewards which stem from a healthy relationship between officers and their community. The results they have achieved over the course of one year are inspiring to say the least. The Bradford West Gwillimbury Police Service is an innovative agency which could be used as a gauge by which other forces could measure themselves.

For further information Chief John Harrison may be reached at (905) 775-3311.



Bradford West Gwillimbury Police Service was formed two years ago with the amalgamation of police services for the Township of West Gwillimbury and the Town of Bradford.

Situated in southern Ontario's Holland Marsh the Police must serve a mix of rural and urban population. The fast growing municipality is made up of Toronto area commuters and an active agricultural base.

The new shoulder patch (top) is worn by 22 police officers, 8 special constables and 12 Auxiliary officers in their daily duties.

During the transition from the town of Bradford Police (bottom) to Bradford West Gwillimbury the department issued its members an interim shoulder patch (middle) with the name of the new agency arced over the Town of Bradford coat of arms. When a new coat of arms was established by the new municipality the new shoulder patch was issued in a more standard "pill box" style.

All three shoulder patches make good collectors items and the interim patch is a particularly rare find.

Persons wishing to obtain any or all of these patches may contact Cst. Les Bluestein at (905) 775-3311.



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# Brandon Police Service Accredited



On July 30, 1994, at Grand Rapids Michigan, the Brandon Police Service became the fourth Canadian police agency to become accredited by the Commission on Accreditation for Law Enforcement Agencies (C.A.L.E.A.).

The Brandon Police Service now joins the police services of Edmonton, Winnipeg and Camrose in becoming one of Canada's internationally accredited police agencies.

The Brandon Police Service was required to comply with 897 commission standards covering the areas of:

- Law Enforcement Role, Responsibilities and Relationships
- Organization, Management, and Administration
- The Personnel Structure
- The Personnel Process
- Law Enforcement Operations
- Operations Support
- Traffic Operations
- Prisoner & Court Related Activities
- Auxiliary & Technical Services

The accreditation process comprises of separate phases for the candidate agency. These phases are:

1. The Application Phase (Submission of formal application & Fees),
2. Completion of Agency Profile Questionnaire (An overview of the Agency's organizational structure),
3. The Self Assessment Phase (The Candidate Agency can elect to perform a 'Mock' Inspection & Review of it's policies, Accreditation Files, Facilities etc. using qualified assessor's who work on their behalf),
4. The On-Site Assessment (The actual visit and inspection by the Commission On-Site assessor team),
5. The Commission Review & Decision (The Commission meeting where the Commission reviews the On-Site Team Leaders Report and decides on the Agency becoming accredited).

For the Brandon Police Service the process began on August 1, 1991, when a formal application was forwarded to the Commission to enter the accreditation process. A complete review of existing policy and procedures was conducted, including the developing and writing of any needed policies. As well, all necessary renovations were made to the police facility in order to meet the Commission's standards for hold-



ing/interview rooms and fire alarm and detection systems.

To evaluate its policies and procedures, facilities and equipment, the police service elected to conduct a 'mock' inspection, which took place between January 23 - 26, 1994, using two qualified assessors. This process identified weak areas where revisions were necessary to existing policy and procedures and corrected any problems which may have presented difficulty in compliance with Commission standards.

Once satisfied that the police service was ready for the actual on-site inspection, the Commission was notified that the Brandon Police Service was requesting permission to move from the self assessment phase of the accreditation process to the on-site phase.

The actual on-site inspection took place between May 15 and 19th, 1994. A three person assessor team arrived and received a tour of the City of Brandon and the police service's jurisdictional area, as well as viewing a static display of equipment and displays from each component of the police service.

Unlike other agencies, the Brandon Police Service used a different approach and invited the public to view the static display once the assessor team was finished. This was very well received by the public as well as the assessor team.

The team received a tour of the police headquarters building and had the opportunity to visit and speak with the supervisors of each component of the police service. As part of the on-site inspection, the assessor team conducted a scheduled public forum, answered the open public phone in lines, reviewed Accreditation files and reviewed the police service's policy and procedures to ensure compliance with Commission standards.



At the completion of the on-site inspection, the assessor team held the final exit interview with the chief of police followed with a meeting in which all police service employees, the mayor and city council and other municipal employees were invited to attend.

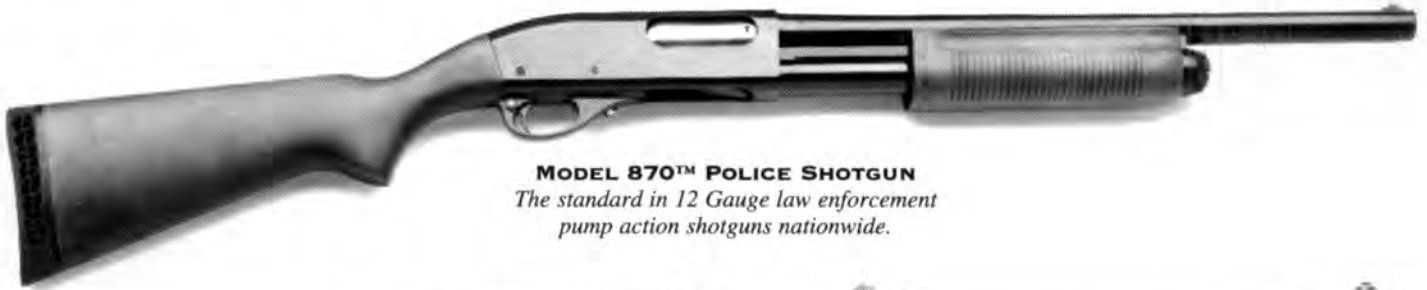
This was also a first for the assessor team and was very well received by everyone. As a result of the on-site inspection, the Brandon Police Service was recommended for review by the Commission and was accredited on July 30th, 1994.

The Brandon Police Service is extremely proud of having attained this recognition of professional excellence. This could not have been achieved without the full cooperation and work completed by all the police service's employees, the executive of the Brandon City Police Association, and the assistance received from the Edmonton and Winnipeg Police Services.

Throughout the accreditation process, the police service received the full support of Brandon city council, city administration and other city departments, the citizens of the community as well as the Province of Manitoba Department of Justice, who provided financial assistance, allowing the police service to attain accreditation status.

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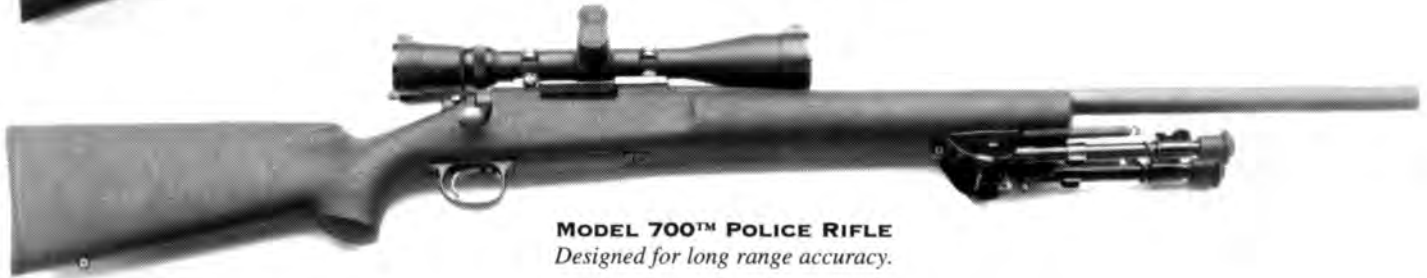
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# MENDING FENCES

By Gary Miller

## Full Metal Jacket vs. Controlled Expansion



Sudbury, Ontario, October 7, 1993. Even as the tragic event unfolded we knew instinctively what it meant. The police would get their long awaited, long sought after semiautomatic pistols. It had been a health and safety issue

all along. Almost preordained it took a fatality, the death of Sudbury Regional Police Constable Joe MacDonald to prove it to the Ontario government.

Due to the fatal but entirely predictable inadequacy of Constable Joe MacDonald's issue revolver, the exchange of deadly gunfire in the line of duty became for him a virtual execution. The silent accomplices were official intransigence and willful ignorance.

The enabling legislation to acquire the superior police uniform sidearm, which had been low bridged for months, quickly jumped to the top of the list and moved ahead at top speed. The minister responsible was suddenly seized with an urgency to act which could only have been born of damage control. At last, police would have up to date weaponry.

### Issue Ammunition

Having finally conceded that the carrying of a six shooter revolver was a health and safety concern for every officer patrolling the streets and byways of Ontario, the Government approved the purchase and issue of a much improved semiautomatic pistol. It would be easier to fire, easier to load and would hold more than twice the number of rounds as the revolver.

Then it was time to consider the load, an equally important health and safety issue. We naturally expected the best. How could we know that Queen's Park had another agenda?

Logic would have dictated that the best path in determining the proper load would be to defer to jurisdictions already using the more up to date weaponry. The R.C.M.P. and police service in other Canadian provinces, drawing upon years of experience with more relevant data, could provide this information quickly and at little or no cost to our financially troubled treasury.

### The .38 Special solid lead Semi-wadcutter

In the meantime, thousands of police personnel in Ontario still use the outdated revolver and may be required to do so for

up to five more years. They will be in continuing danger from using the type of ammunition stipulated in Ontario Regulation 926. The factory loaded .38 Special rounds are of solid lead alloy construction, semi-wadcutter type (flat nose) with a muzzle velocity not exceeding 1000 feet per second when fired from a revolver having a 4" barrel.

The solid lead bullet creates health risks from lead contamination. The Occupational Health and Safety Act (O.H.S.A.) recognizes lead as a health hazard. While the bullet may incapacitate those intentionally shot, it usually penetrates its target and continues to be a danger to any person along the trajectory. No other round may be legally used by Ontario's police in their revolvers. The type of round for use in the semiautomatic would be similarly dictated by the province.

One thought that a golden opportunity might have been seized to select a safer, more effective round for the new semiautomatic police service pistols.

### The Committee

But, no. An ad hoc committee of police types (referred to by some police personnel as "ministry stooges") was formed apparently to lend credence to a decision on ammunition for the new semiautomatics which would baffle police and armaments experts across the continent. Out of these suspect and reportedly rancorous deliberations (some committee members tried to disown the decision) arose the worst possible choice for a police service bullet: the Full Metal Jacket recreational or target practice round.

The Committee might have begun by examining:

- (a) the only legitimate purposes for police use of deadly force, (imminent death or grievous bodily harm to police and/or citizens),
- (b) the health and safety factor for the police officer, those citizens under his protection and innocent bystanders
- (c) the real dangers of over penetration and ricochets,
- (d) the swift containment and cessation of a deadly criminal incident before it escalates.

However, judging by the limitations of the bullet eventually mandated for semiautomatic use, the main priority was to discard the legitimate interests of the police and public alike and focus on the special interests of the assailant, ergo the person shot. The bullet would:

- (a) do the least amount of damage to the felon shot,
- (b) make the tidiest entry point,
- (c) be least likely to divert the felon from his murderous course of action,
- (d) be most likely to exit neatly out of the assailant and go well beyond.

The fatally flawed decision, whoever made it, WILL result in the loss of innocent life at some time in the future, just as surely as the government's foot dragging led eventually to the death of Police Constable Joe MacDonald. It's only a matter of time.

Am I overstating the case? Not in the slightest!

### The Full Metal Jacket Bullet

The only bullet which may now be used in Ontario police semiautomatic sidearms is the newly regulated truncated cone "Full Metal Jacket". The "Full Metal Jacket" (FMJ) ammunition is manufactured by the Federal Cartridge Company of the United States and has a brand name of "American Eagle". Federal Cartridge markets this stuff exclusively as a "recreational or training type" ammunition and makes no claims at all for its effectiveness for law enforcement purposes.

Having read their promotional material and what amounts to a disclaimer from its president, it is clear to the writer that Federal Cartridge never intended the use of "American Eagle" as duty ammo, by law enforcers.

As the name implies "Full Metal Jacket" bullets completely enclose the lead projectile with copper thereby preventing the soft lead core from flattening and spreading upon striking its intended target. This is an excellent choice when practicing on the range as it provides a nice "clean" shot, allows the gun to remain cleaner through many firings, and reduces lead contamination. If FMJ was used only on the range it would be an ideal choice.

But in the real world where it counts, out on patrol, a law enforcement officer who must use his sidearm in defence of his own or someone else's life (virtually the only justification now allowable under Canadian law) is not on a "recreational" or practice shoot. He wants and deserves the most accurate ammunition which safely provides the greatest stopping power with the fewest number of shots. One shot is the ideal.

The advantage of FMJ on the range is no advantage on the street.

### The Worst Choice Possible For Street Patrol

The Full Metal Jacket was never designed for street use. FMJ bullets cause the greatest risk to the immediate environment because "pass-through" shots and ricochets could strike innocent bystanders or other police personnel. A FMJ bullet is least likely to stop a lethal assailant. This



would necessitate police firing additional rounds to bring down a life endangering subject or, because FMJ is known to be dangerously uncontrollable, the police may compound the danger by hesitating to fire at all. Why is it uncontrollable?

### Penetration Factor

FMJ bullets have a penetration factor averaging 44 inches when fired into ballistics gelatin in tests by the manufacturer, Federal Cartridge. This indicates tremendous over penetration. The copper clad round characteristically completely penetrates a target, as it is designed to do, and will continue with sufficient velocity to be a hazard to innocent persons along its trajectory or caught in a ricochet. Once it passes through its intended subject, it's out-of-control ricocheting hazard to those nearby cannot be overestimated. This is why the FMJ is an unsuitable, even irresponsible choice for street use.

### Controlled Expansion Bullets

More controlled, controllable and proven safer rounds have long been on the market. One police round to the torso will immobilize the intended target. They are made especially for police and known generically as hollow point controlled expansion bullets. These are presently in regular service by all R.C.M.P. and virtually every other police service in Canada and throughout the United States. HOWEVER, THEY ARE OUTLAWED FOR USE BY THE ONTARIO GOVERNMENT FOR ONTARIO'S POLICE.

These bullets are designed to deform in a controlled fashion upon contacting a target and the speed of the projectile quickly decreases on impact. Its penetration rate when test fired into ballistic gelatin is between 12" and 20", and is said to be the ideal rate according to F.B.I. findings.

Controlled Expansion bullets dramatically reduce the potential for excessive penetration, pass through and unpredictable ricochets. The bullets are also more likely to incapacitate, rather than merely annoy a dangerous felon, reducing at once the risk to innocents nearby.

### Used to Protect World Leaders but Illegal in Ontario

Controlled expansion bullets are not new. During the visit of the Pope to Toronto in 1985 and again during the G-7 Summit Meeting of world leaders in Toronto in 1988, all special police security had to turn in their regular rounds of ammunition and were issued and directed to use the more effective and ultimately safer Controlled Expansion bullets. After the leaders went home, our Special Task Force police had to return the Controlled Expansion ammo and revert back to their old rounds. Are the lives of the world leaders more important than yours or mine?

### A Menace to a Safe Street Environment

If a battery of defence lawyers (and it looks like there is such a panel) were choosing the police bullet that would cause the least harm to their clients as they committed some lethal criminal act, they would almost certainly select the Full Metal Jacket round. This bullet would be their best insurance that:

- (a) they would have a client to defend and
- (b) their handsome defence fees would be reassured and
- (c) huge lawsuits against FMJ jurisdictions could be anticipated.

If, on the other hand, the health and safety of Ontario's law abiding public and the police who protect them were paramount, Ontario's choice, for all police sidearms in current and future use, would be the same for regular duty as that of virtually every other police jurisdiction in North America, the controlled expansion bullet.

### NEXT MONTH

A representative of a bullet manufacturer gives results of their surveys, research and studies regarding police ammunition.



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# Learn Even More By Correspondence



menced in January, 1994, and has generated a great deal of interest and registrations from across Canada and abroad. Ten members of municipal police forces in the Republic of Slovakia are presently enrolled in this course as this newly independent country learns from Canadian policing practices and adopts them in their home country.

Since then, an expanded program has been developed which is entitled *Certificate in Police Leadership - Level I (CPL-I)*. It has been designed for police personnel across Canada with supervisory or middle, management responsibilities.

This program will help participants to develop the necessary knowledge, skills, and abilities required by supervisors and managers to function efficiently and effectively within the police organization and community they serve.

Level I is comprised of two courses,

Police Leadership and Management Development and Communication Skills for Police Personnel. A Level II program is presently under consideration for the Fall of 1995.

The overall objectives of the CPL-I are:

- (1) to provide police personnel and other interested individuals with a comprehensive introduction to the management of policing services,
- (2) to provide a program of professional development for officers who need to strengthen their leadership and management skills,
- (3) to improve and enhance the overall professionalism of policing services in Canada.

The CPL-I will be of interest to police officers, as well as civilian personnel employed by police departments; in instances where there is lack of training spaces in supervisory/management courses offered the police training institutions; recently promoted officers who have to wait long periods of time before receiving such required training; officers from small or rural forces which do not have the staffing levels to cover others on training leave; officers from forces that are under budget restraints; individuals who are waiting to



In the November 1993 issue of Blue Line Magazine, readers were introduced to a new distance education course, entitled *Police Leadership and Management Development* (formerly Introduction to Police Management) being offered by Dalhousie University.

The first session of *Police Leadership and Management Development* com-



## Have You Seen This Child ?

This is a monthly column supplied by the Royal Canadian Mounted Police Missing Children's Registry in cooperation with Blue Line Magazine. All material supplied is copywrite free and may be distributed to local media.

Readers who feel they know the whereabouts of this child are asked to call  
**(613) 993-1525 or Fax (613) 993-5430.**

Or

**National Center for Missing and Exploited Children**

**1-800-843-5678**

Name of Child: <b>JEREMY CHRISTIAN CHISHOLM</b>		Sex: <b>MALE</b>	
Date of Birth: <b>APRIL 3, 1978</b>	Race: <b>WHITE</b>	Details <b>ABDUCTED BY PARENT</b>	
Height <b>76CM</b>	Weight <b>16 KG.</b>	Hair <b>BROWN</b>	Eyes <b>BLUE</b>
Date Last Seen <b>AUG 21, 1980</b>	Missing From: <b>HUBBARDS, NOVA SCOTIA</b>		
Known Abductor: <b>GLORIA ANNETTE CHISHOLM</b>		Sex: <b>FEMALE</b>	
Date of Birth: <b>JAN 20, 1960</b>	Race: <b>WHITE</b>	Relation To Child <b>MOTHER</b>	
Height <b>160 CM</b>	Weight: <b>49 KG.</b>	Hair <b>BROWN</b>	Eyes <b>GREEN</b>



register in the Senior Police Administration Course (SPAC) at the Canadian Police College (CPC); and officers looking to advance to a supervisor position may want to complete these courses independently, before they are promoted. The courses are open to all applicants, regardless of previous educational experience.

### Police Leadership and Management Development

(formerly *Introduction to Police Management*)

The first course, *Police Leadership and Management Development*, provides a practical approach to leadership and management and focuses on the following topics: an overview of where police fit in the criminal justice system and serve the needs of citizens; the changes in Canadian society and implications for policing; an introduction to community-based and problem-oriented policing styles; an introduction to race and multicultural relations and the need for a greater understanding of community diversity by police personnel; leadership theories and the knowledge and skills required of police leaders; systems building and organizational learning; individual and group behavior; and alternate ways to lead and manage police services in the future.

### Communications Skills for Police Personnel

Superior communication skills, both written and verbal, are essential for all police personnel. The development of such skills will enable them to present better their ideas, to give clear instruction to staff members, to prepare and make effective presentations within their own organization and with sectors of the community, and be able to deal effectively with the media, officials from other government departments, and special interest groups.

The *Communications Skills for Police Personnel* course is designed to deal with several kinds of professional communication within the police community. It includes a review of writing skills, writing memoranda and short letters, proposal and report writing, public speaking and making presentations.

The academic year of the CPL-1 runs on a schedule of two sixteen-week study periods. Each course lasts for one study period and is conducted entirely by distance education - access to libraries or other sources of supplementary information should not be a concern to members of remote detachments.

You are normally expected to com-

plete four assignments, including a final examination for each course. You will have the flexibility of submitting your assignments at any time within the 16-week time period.

You can expect to devote between 60 and 100 hours of study to each course. At a rate of two courses per year, you can complete the Certificate in one year.

With the successful completion of the assignments and final examinations for both courses, you will receive a Certificate in Police Leadership - Level 1. With the successful completion of an individual course, you will receive a Certificate of Completion.

#### Timetable

##### Fall

**August 29 - December 17, 1994**

- Communications Skills for Police Personnel
- Police Leadership and Management Development

##### Winter

**January 9 - April 28, 1995**

- Communication Skills for Police- Personnel
- Police Leadership and Management Development

Tuition is \$445.00, all inclusive. If you are interested in enrolling in these courses, please contact Elizabeth Mercer at (902) 494-8838 or write her at

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Centre for Public Management,  
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Halifax, NS  
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Now, with the completion of the course, receipt of final assignments and compilation of course evaluations, the course is confirmed as a success.

The spaces for enrolment were filled weeks before the registration deadline and a waiting list was created in the event of someone dropping out. No one did: 137 students were accepted to the course, and approximately 200 others were placed on a waiting list for the next offering in September, 1994.

The enrolments were as varied as police work itself. The majority of them came from middle-to large-size cities, but 20% lived or worked in rural areas. Of the 137 registrants, 11 were female.

In the end, the withdrawal rate was only 4.9% - a surprising figure given the rigour of the course and the characteristics of this particular body of students.

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## Joseph Murray New RCMP Commissioner



Prime Minister Jean Chretien, on the recommendation of the Solicitor General of Canada, the Honourable Herbert Gray, has announced the appointment of Deputy Commissioner Philip Murray as Commissioner of the Royal Canadian Mounted Police effective June 26, 1994. Mr. Murray succeeds Commissioner Norman Inkster who is retiring after 37 years with the RCMP, including more than six years as Commissioner.

Commissioner Murray was born on March 6, 1943 in Ottawa, Ontario. He received his Bachelor of Administration from the University of Regina with Great Distinction in 1977, having been awarded the University General Proficiency Scholarship in both 1975 and 1976. In 1978, he received his Certificate in Business Administration from the University of Regina.

Commissioner Murray joined the Royal Canadian Mounted Police in March 1962 and, after recruit training, was posted to the Province of Saskatchewan. Following ten years of general police duties, he served a term as the Staff Relations Representative for Saskatchewan. He was posted to Headquarters, Ottawa in 1977, where he served in planning and program evaluation related functions. Following language training in 1981, he was posted to protective policing duties at "A" Division, Ottawa, following which he served as the Officer in Charge of Federal Policing for four years.

In 1986, Commissioner Murray returned to Headquarters as the Officer in Charge of VIP Security/Airport Policing. In December 1987, he was made Director, Protective Services and in June 1988, he was appointed to the post of Director, Protective Policing. In March 1991, he assumed the position of Commanding Officer of "A" Division, in Ottawa.

In December, 1991 he was appointed Deputy Commissioner (Administration), a position he occupied until November 1993, at which time he was named Deputy Commissioner, Operations; he is responsible for all the criminal operations of the RCMP.

Commissioner Murray is a member of several duty related organizations and he has been granted the Royal Canadian Mounted Police Long Service Medal and the Canada 125 Medal.

He is married and has three children.

### Apology First On The Agenda For New Commissioner

One of the first tasks performed by the newly appointed RCMP Commissioner, Joseph Murray, was to make a formal apology to Canada's black community.

The apology, released on July 2nd, was in the form of reassurance to the black community after some reports written by the then Security Section (now known as CSIS) contained several derogatory remarks about blacks.

The reports were filed in the early 60's and 70's and were submitted as part of on-

going surveillance by the branch into the civil rights movement then taking place in Halifax.

"It is clear that some files from that period contained racial stereotypes", the Commissioner's statement said, "and portrayed members of the black community in a derogatory manner.

"I do not condone such comments in any way and must state clearly that the RCMP deeply regrets and apologizes for the negative reflection that this has had on the black community.

"The RCMP strives to promote positive police/race relations at all levels of Canadian society. We remain constantly vigilant in ensuring that our policies and programs reflect the diversity of the Canadian cultural mosaic.

"The RCMP recognizes that it will face numerous challenges in the future and is committed to meeting these in a sensitive, culturally aware, and tolerant fashion which will ensure that past actions, such as these, are never repeated."

Media Director, C/Supt. Jacques Lemay, later advised that the Commissioners apology was intended to reassure Canadians that the present and future direction of the force is that of a more culturally aware agency.

Lemay also made it clear that the apology was directed at the language and stereotypes used in the report and was not an apology for performing the surveillance. "This was a very necessary duty of the RCMP at that time," he said. The agency has since been restructured and the responsibilities for such activity is now in the hands of the Canadian Intelligence Service."

*Blue Line Magazine*

### FLASHES

By Tony MacKinnon

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## RCMP National Operations Centre Opens for Business



The 1990 Oka Crisis and the Persian Gulf War exposed the need for a special facility to serve an essential focal point for information gathering, coordination and monitoring during crisis situations. The RCMP National Operations Centre, or NOC, is that facility - one of the most advanced of its kind anywhere in the world.

Through careful design and use of state-of-the-art technology, the NOC is a flexible centre, capable of adapting to meet the changing needs of the RCMP and the communities it serves well into the next century.

The approved projected costs of the NOC was \$7.2 million, approximately \$400K under budget. The establishment was constructed with funds which existed in the RCMP budgets, meaning that no additional funds were required to finance the costs. The annual costs of roughly \$900K will also be covered through existing budgets with reallocation and restructuring.

The NOC's design integrates designs and concepts which have been used by operation centres in Canada, the United States and Britain. Some designs have come from establishments such as Canada Post, the F.B.I. and Scotland Yard.

Three members of the RCMP will operate within the Centre 24-hours-a-day, 7-days-a-week. During any crisis situations up to 22 people will be able to operate within the NOC, each with his own work station.

The NOC is the main contact point for all RCMP members throughout Canada and around the world. RCMP peacekeepers or security personnel traveling with the Prime Minister, can call one number, any time of the day or night, from anywhere in the world, if they have a need to contact the RCMP's Senior Executive.

Briefings for the RCMP's Senior Executive Committee (Commissioner and Deputy Commissioners) will be held at the NOC every morning. The briefings will deal with important issues and incidents which have occurred over the previous 24 hours. Fast-moving crisis matters will be updated by the minute.

A state-of-the-art video conferencing

capability means the senior Executive Committee can communicate face-to-face with other senior officers in any of the 13 RCMP Divisions across Canada.

Aside from the conferencing equipment the NOC is equipped with 22 separate consoles, including specific locations in the event of a crisis for liaison officers from other government departments or agencies, four large video display screens, the capability to monitor up to 14 TV signals, 6 radio signals, print wire services, four satellite dishes, secure and non-secure telephone and fax communications, a video conferencing system, access to all available police and national security databases and a self-contained power, heat and air conditioning system with backup.

## Search Warrants Quashed By Supreme Court Judge

Evidence relating to the post Stanley Cup riots in Vancouver may never be discovered because a B.C. Supreme Court judge refuses to release search warrants. The Vancouver Province, Sun newspapers and the CBC collectively received seizure warrants. The newspapers handed over negatives of pictures taken during the June 14 riot to police in a sealed envelope with the understanding that the legal issues would be resolved before the contents of the envelope were revealed. The CBC simply refused to give raw videotape to police. Roger McConchie, lawyer for the Province felt the warrants were too inclusive and unclear.

## Beretta .40 Caliber Pistols Selected by York Regional Police and 10 Other Canadian Agencies



The York Regional Police Service (YRPS) and 10 other Canadian law enforcement agencies have recently selected Beretta Model 96D .40 caliber pistols as their official sidearm.

Over 2,500 of the 96D "double action only" pistols will be ordered by these agencies, with the York Police accounting for 700 units. (York is a major suburb outside Toronto.) The YRPS selected the Centurion version of the 96D which features a compact barrel and slide mounted on a full-size frame.

A spokesman for the pistol selection committee for YRPS said that Beretta beat

out four other gun makers for the contract based on feature-by-feature comparisons. "In terms of safety and reliable performance, Beretta was on top," he said. "After four months of testing, the Berettas demonstrated a level of consistency that met and exceeded our testing criteria."

The ten other agencies who selected 96Ds are as follows: Belleville, Carleton, Cornwall, Dresden, Pembroke, Sarnia, Smith Falls, Sudbury, Trenton and Thunder Bay.

These announcements mark the beginning of a major trend in Canada away from revolvers for law enforcement. They are also significant because they mirror a similar trend that began in the U.S. in 1983. In that year, the Connecticut State Police became one of the first police agencies in the country to adopt semiautomatic pistols as their official sidearm. Their selection of Beretta Model 92 9mm pistols sparked a nationwide move in law enforcement away from revolvers to semiautomatics.

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Chambered for the new .40 calibre cartridge, this new large frame packs eleven-round firepower. In all other respects, it's pure 92F. Same ergonomic design. Same safety features. Same easy maintenance.

Type: Double action semi-automatic, locked breech, delayed blowback. Ambidextrous external safety.

Calibre: .40 cal.  
Barrel length: 4.92"  
Overall length: 8.5"  
Overall height: 5.4"  
Weight: 34 oz.  
Mag. capacity: 10 rounds.

### Also available in:

- Double/single action, with external safety decocking lever
- Double/single action, with external decocking lever only
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Double-action/single action or double-action only. Mechanically-locked, recoil-operated autoloader with patented automatic firing-pin lock safety.

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Muzzle energy: 368 ft/lbs. (depending on ammunition used.)  
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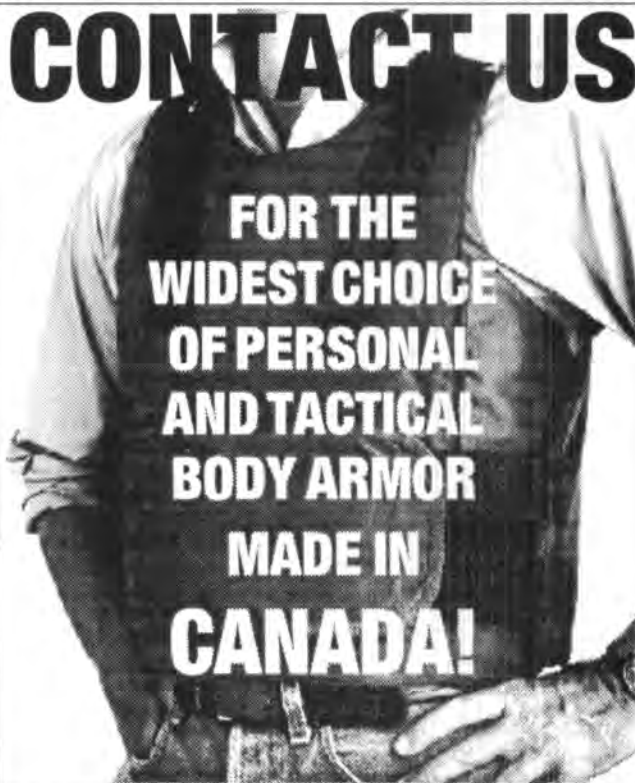
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# Three Police Organizations Join In Battle To Dump The Bullet



Photo: Morley Lymburner

*In a rare show of solidarity, the Police Association of Ontario and the Senior Officers' Association joined with the Ontario Association of Chiefs of Police to denounce the use of truncated cone bullets. Seen above are Chief Bob Middaugh, Harry DeJong, Insp. Bill Watts and Jim Garchinski at a joint panel press conference held last June.*

On June 27 at a press conference held in Oshawa, Ontario, the Police Association of Ontario, the Ontario Association of Chiefs of Police and the Ontario Senior Officers' Association announced that they would join together in an effort to seek an

amendment to the Police Services Act. The amendment of this act would allow officers to use hollow-point ammunition.

"The safety of the officers is threatened because they're given inadequate equipment to protect themselves and the public.

The RCMP have studied the issue of ammunition and given their officers hollow-point bullets, as do many other forces across Canada and the United States," said Jim Garchinski, President of the PAO. "Why should our police officers' lives be put at risk."

Chief Bob Middaugh, speaking on behalf of the Ontario Association of Chiefs of Police stated his organization fully supports the call for the regulation changes. "We are concerned that the ammunition that is currently specified for police officer use in Ontario does not provide us with enough assurance of incapacitating the violent criminal," he stated.

Inspector Bill Watts, President of the Senior Officers' Association said that police are well aware of the concerns expressed by some people that there is a risk that innocent people may be accidentally shot by the hollow-point ammunition. He said the senior officers believe that there is more danger from ricocheting bullets with the ammunition police have now than from the hollow-point ammunition they are seeking.

"We must put the concern of an accident into perspective," Watts said, "In the last twenty years there have been 59 police officers shot to death in the line of duty in Canada. The safety of the lives of front line officers is a major issue."

The most stinging indictment came from Mr. Garchinski when he pointed out the execution style death of Constable MacDonald of the Sudbury Regional Police. "We believe that he may have survived if he had the right equipment, both the semi-automatic handgun and hollow-point ammunition. The facts that have been made public through the media indicate that he shot one of his killers with the current ammunition, but it didn't stop the guy from allegedly beating and shooting the officer to death. Officers need equipment that will incapacitate criminals when necessary."

All three associations pledged to support an action commenced by London Police Constable Tom Drouillard before the Ontario Government. The officer's complaint is that his safety is at risk because of the inadequate ammunition he must use in the line of duty.

Mr. Garchinski concluded by adding "if the government acts positively on his complaint then that will solve this problem. If not, we will have to have some hard discussions with the government."

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## Up-Coming Events

August 17 - 21, 1994

### CATAIR AGM '94 Mississauga - Ontario

The Canadian Association of Technical Accident Investigators and Reconstructionists will be holding a four day seminar/conference hosted by the Ontario Provincial Police on the subject of "Human Factor Influencer in Traffic Crashes." For further details on the seminar or on becoming a member contact Bob Scott (905) 874-3147 or FAX (905) 874-4032.

August 21 - 26, 1994

### C.L.I.A. Workshop '94 Edmonton - Alberta

The RCMP "K" Division Drug Enforcement Branch and the RCMP Edmonton Drug Section will be hosting the annual "Clandestine Laboratory Investigator's Association workshop." There will be a trade show in conjunction with this event. For further details about the event contact Cpl. K.J. Graham at FAX 403 945-5579 or phone (403) 945-5533.

September 11

### Peace Officers Ducks Unlimited Fund-Raising Auction and Dinner Winnipeg - Manitoba

Winnipeg City Police, RCMP, Natural Resources Officers, Corrections Officers and Military Police invite you to an Auction & Dinner to be held at the Warrant Officers Mess, CFB Winnipeg, at 5:30 P.M., Cost \$70.00/couple, \$40.00/single. This includes membership in Ducks Unlimited. Further details contact M. Mitchell. (204) 983-5111.

September 11 - 15

### Ontario Law Enforcement Conference Hamilton - Ontario

The Hamilton Municipal Law Enforcement Department will be this year's host to the Ontario Annual Training Seminar and conference directed at bylaw and special enforcement officers. A trade fair will be associated with this event. This trade fair will be open to all law enforcement officers at all jurisdiction levels. For further details contact Jim Rose at (905) 546-4511.

September 22 - 25

### 1994 Canadian Police Motorcycle Championships Shannonville, - Ontario

This year's event will include an open invitational Police Motorcycle Championship that will see racers from around the world attending to compete. For further details and registration contact Dave Stewart at (905) 831-2013 or Fax (905) 831-1929.

October 2 - 7

### International Association of Law Enforcement Planners Annual Conference Jackson Hole - Wyoming

The Snow King Resort will be the venue for the 1994 Training Conference. For membership information and further details contact David Foster at (307) 733-1430 or Fax (307) 739-0919.

October 20-21, 1994

### Child Abuse Prevention Conference Toronto - Ontario

The Institute for the Prevention of Child Abuse presents its 9th Annual Confer-

ence, "Know More": Prevention Through Education, at the Delta Chelsea Hotel. For details contact the conference Coordinator at (416) 921-3151 Fax (416) 921-4997.

November 9 - 10, 1994

### Greater Metro Toronto Police Trade Show Scarborough - Ontario

The staff of the Metropolitan Toronto Police College in conjunction with Blue Line Magazine will host their second annual trade show. This event will attract over 50 companies and individuals with products and services of interest to law enforcement. The show is open to all emergency services personnel. For further details contact Paul Vorvis at (416) 324-0590 or Fax (416) 324-0597.

November 26, 1994

### In Harmony With The Community New Market - Ontario

York Regional Police Male Chorus will present an evening of music at the St. Elizabeth Seton Catholic Church which will feature music from Ottawa Police, Metro Toronto Police, Halton Region Police and York Region Police Choral groups. Proceeds to Big Sisters of York Region. For tickets call Supt. Lowell McClenny at (905) 830-0303 Ext:7960

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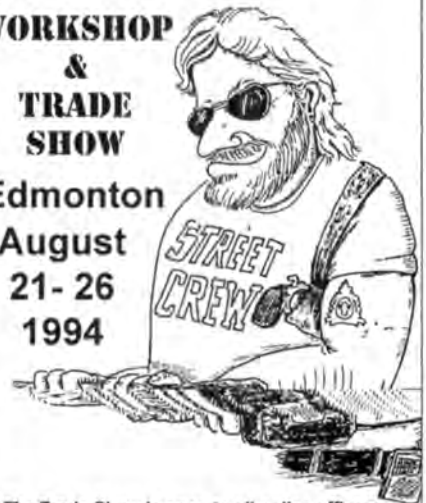
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# THE WAY IT IS ON BEING GAY

By Neil V. Thompson

I do not know what it is like to be gay, but having lived in Vancouver's West End for the past seven years, I have come to meet and know many gay individuals, of both sexes. The gay community in Vancouver, as in other major centres adds a zest and vitality to urban life, that certainly would not be here without them. They are active in retail businesses as well as the arts and helping professions. There are several gay couples living in our complex and they are good neighbours.

My wife is involved in real estate and several of her associates and contacts are gay. In addition, I have worked with several gay psychologists and doctors and all are tremendous assets to the community. And my daughter is currently assisting a forty-three year old gay male who is dying of AIDS. I actively support and encourage her in this endeavour. Finally, I have, as have most of us, worked with gay police officers.

As I see it, the gays aren't asking for anything more than those of us in the heterosexual community already have. The right to be who they are, the right not to be discriminated against because of lifestyle, sexual preference, or whatever you want to call it. They also do not want to be judged, called abnormal, deviants or worse. For in the gay community, they are the norm, and I have yet to be called deviant or abnormal by a gay. Although I might be called deviant by the police community because I don't support capital punishment and do support a woman's right to abortion and the protesters demonstrating against logging in the Clayoquot.

So what is gayness all about? Gays have been members of society from the dawn of history, just like the rest of us. Traditionally they have been shunned and ridiculed by society, primarily because they are different. In Hitler's Germany they were rounded up along with the Jews, the mentally and physically infirmed and anyone else Hitler took a disliking to. They were viewed as the lowest of the low in the concentration camps and were forced to wear a pink triangle in order that they would be distinguishable from other prisoners. And of course they suffered fates as bad or worse than other inmates.

No one knows what makes one person heterosexual and another homosexual. We do know that it is not an overly domineering mother or a "wimpish" father. Many studies over the years have debunked this

old myth. Some new research indicates that there may be a genetic component responsible for the differences.

Dean Hamer, a molecular biologist at the National Cancer Institute in Bethesda, Maryland, studied forty pairs of gay brothers. He found that in thirty-three of the pairs, the brothers had the same distinctive markers near one end of the X chromosome.

Simon LeVay, a gay educator and neurobiologist studied the brains of forty one male cadavers, nineteen of them homosexual. He found that in the gay men, a segment of the hypothalamus, in the base of the brain and believed related to sex drive, was significantly smaller than in the heterosexual men.

*"Nobody chooses to be gay; who in their right mind would choose something that costs so much in terms of isolation, pain and outright humilitaion?"*

- Jason (20 year-old McGill history major)

Estimates of the number of gays in North American society range from one to ten percent. This means there are somewhere between four and forty million gays living in North America.

Research indicated that one in ten teenagers is a homosexual. However, as with many gays, because of the discrimination of the "straight" community, they struggle to deny their homosexuality. This struggle leads to a high suicide rate and high rates of drug and alcohol addiction. Studies suggest that 30% of teenage suicide victims (five thousand annually in the US and Canada) are gay and that 30% of teenage drug abusers are gay. Strangely enough, these same sorts of problems have plagued our native and black communities throughout the years.

I personally believe that who we are is determined by a complex interrelationships between our environment, ourselves, and our genetics. It is something that goes beyond mankind's ability to understand. So why worry about it.

The plain and simple fact is that "what is, is", and the sooner we accept the differences between us, the sooner we can get on dealing with the important problems of our time. If you look around your world, you will quickly learn that all our major problems are caused by intolerance, a lack of compassion and understanding and lousy communication.

I personally do not want to be the judge of what is normal and what is abnormal or deviant. In order to be able to declare myself the norm, I must be prepared to become the standard by which all others are measured. I don't think any of us would be willing to do this.

I could fill this magazine with horrendous stories of discrimination and violence which have involved citizens of this continent, simply because they were gay, or women, or black or Hispanic. I think enough is enough. Ladies and gentlemen we have nothing to fear from gays, and while I realize that the sexual practices of gays are what prompts a lot of the hostility, fear and misunderstanding, these same practices occur between many heterosexual men and their female counterparts.

I am a man who believes that we have choices in all areas of our lives, save one. That being who we really are and where we fit into the intricate fabric of life here on this planet. I tire of people who urge gays to choose to be straight. That is equivalent to telling a black man to "choose to be white". As Jason stated in the opening remark box, "who in their right mind would choose something that costs so much..."

I should like to end this article with a piece published in the "Letters to the Editor" section of the Vancouver Province on Monday, January 11, 1993 entitled,

*Befriended by gay co-worker.*

*If you had asked my opinion a few years ago on the gay lifestyle I would have responded with a lecture on deteriorating morality.*

*A year ago the company I work for hired a gay man. At first I avoided him. We worked very closely together and it became impossible to ignore that he is gay and proud of it.*

*This man was very patient as I often inquired about different issues in his life. Most importantly, I began to see him as a friend rather than gay.*

*I still struggle with certain issues regarding the gay community. But, because of this man, I no longer judge or fear them.*

- N. Robson Vanier.

This letter says it all for me. I for one, support police officers in being who they are, be they gays, blacks, native Indians, Indo Canadians, women or any other group which we have at various times in our history, tried to exclude for one reason or another.

Please make this magazine stand for something more than guns and laws. Guns and laws have repeatedly failed to make things better. Only compassion, support, tolerance and understanding will change the worsening world situation we find ourselves in.

## Editor's Response

I too agree with the principles spoken here and it is good to find someone who could write about the issues in such a forthright and rational manner. However life and history is not all that simple.

One year ago I was the recipient of a series of letters which I could only describe as arrogant and intimidating. The final letters showed the authors true colours and indicated to me that this person is not a person I would like to be a spokesman for my cause.

My criticism of this man and his style is simply that he is far too brash an individual and lacks considerable sensitivity. He wishes to make change come fast and at any cost. He can do great damage in his zeal and does not appear to understand this.

I have since heard about gay police officers who will have no part of this man or his organization for several reasons. They see him as an opportunist who will use anyone to obtain his goal. They would not feel confident in his counsel. One officer indicated that he was not convinced, like myself, that his organization was not simply another form of "meet and cheat".

I am not anti-gay. I am anti-promiscuity. I have been a cop too many years to get

too hard-nosed about different life styles. However I have seen a lot of ruin come from promiscuity in both "straights" and "gays". I have also seen a lot of ruin come from too much alcohol, drugs and even loose talk.

My only advice to gay officers is to do your jobs and do it well. If others know you are gay then you are going to have to work a little harder to get their confidence. You will have to let your day to day lifestyle show others what you are really all about. If you need help dealing with emotional problems approach your departmental employee assistance program, a recom-

mended psychologist or a trusted friend.

For all the straight officers out there I can only advise you that there are a lot of things in this life you never experienced until you became a cop. The advice I gave for gay officers is just as valid for your own life as well.

In the year since I made my commentary regarding a gay police organization no one has even tried to prove to me that this organization is anything more than a radical fringe promoting promiscuous behaviour. This silence in itself speaks volumes.

- Morley Lymburner  
(Publisher)

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# Admissibility of Hair Samples Taken Without Consent

*R.v. Foster (1994) B.C.S.C.*

by Gino Arcaro

Several cases have dealt with the issue of admissibility of hair samples taken by force. Most recently, in January 1994, the British Columbia Supreme Court excluded hair samples that were taken without the accused person's consent. Prior to discussing the circumstances of that case, a recent history of relevant decisions will be examined.

*R. v. Alderton (1985) 17 C.C.C. (3d) p. 204 (Ont. C.A.):* The accused was arrested for break and enter in which a sexual assault occurred. During the investigation clothing left at the crime scene by the accused was seized by police. Hair samples were found on the accused's clothing. After the arrest, an officer asked the accused to provide hair samples. The officer told the accused, he could give hair samples freely or the police would take them. The accused complied. The officer seized hair samples by running a comb through the accused's hair and asked the accused to pluck a few hairs.

Mr. Justice Martin, p.209, stated that, "The taking of hair samples was not accomplished by violence or threats of violence." He added that a police officer may search arrested persons and seize anything that the officer reasonably believes will afford evidence that proves the person's connection to the offence that he is arrested for. In this case, reasonable grounds existed that a hair sample comparison would connect the accused to the offence. Therefore, the seizure did not contravene Section 8 Charter but it should be emphasized and reiterated that the court ruled that the circumstances of the seizure did not constitute violence or threats of violence. Consequently, three inferences may be drawn by this ruling:

1. Hair sample seizures taken by violence or threats of violence, may constitute a Section 8 Charter violation.
2. The officer's instructions to the accused in this case, did not constitute a threat of violence.
3. Hair samples are included in the type of evidence that may be seized by a person during the common law search after an arrest.

*R. v. Legere: (1988) C.C.C. (3d) p. 502 (N.B.C.A.):* Shortly after the accused's

arrest for murder, four police officers entered his cell and requested hair samples from him after they consulted with the crown attorney. One officer told the accused he had "no choice" but to give hair samples. The accused refused. The police began pulling hair. The accused eventually offered to pull the hair himself.

Six days later, the police obtained a search warrant for the purpose of seizing hair from the accused's head and beard. The samples were taken without consent but without resistance. The N.B.C.A. ruled that;

1. A search warrant cannot authorize the taking of hair in this manner.
2. The seizure was not justified as being part of a common law search after the arrest because the arrest had been completed.
3. The forcible taking of parts of a person in the absence of statutory provisions that authorize such acts constitutes an unreasonable seizure and a Section 8 Charter violation.

However, the hair samples were admitted as evidence. They were not excluded under Section 23 (2) Charter for the following reasons:

1. The consultation with the Crown Attorney that preceded the seizure.
2. The *Alderton* case had been published.

*R. v. Dymont (1988) 45 C.C.C. (3d) p. 244 (S.C.C.):* The accused was arrested for impaired driving and was injured. A physician obtained a blood sample from the accused for medical purposes. The physician gave the blood sample to the police without the accused's consent. The Supreme Court ruled that this seizure was unreasonable constituting a Section 8 Charter violation. The severity of the violation resulted in the exclusion of the evidence under Section 24(2) Charter. The Supreme Court stated that, "The use of a person's body without his consent to obtain information about him, invades an area of personal privacy essential to the maintenance of his human dignity." Additionally the court stated, "...the protection the Charter extends to prevent a police officer, an agent of the state, from taking a substance as intimately personal as a person's blood from a person who holds it subject to a duty to respect the dignity and privacy of that person."

*R.v. Williams (1992) 76 C.C.C. (3d) p.385 (B.C.S.C.):* This court did not follow the *Alderton* decision. It stated that the seizure of living body parts for the purpose of DNA analysis cannot be justified as a search incident to an arrest. Seizure of blood, saliva, and hair, without an accused's consent is reasonable and constitutes a Section 8 Charter violation. The court also noted that while the Charter violation would be serious, "The taking of head hair is among the least intrusive trespasses on personal privacy and dignity." This evidence would likely be admissible because exclusion would result in disrepute to the administration of justice.

*R. v. Hodge (1993) 80 C.C.C. (3d) p. 189 (N.B.C.A.):* Thirty six hours after the accused's arrest for an attempted robbery, the police told the accused that if he did not provide hair samples, the samples would be forcibly removed. The accused complied.

The N.B.C.A., ruled that taking hair from an accused without consent constituted a Section 7 Charter violation. Additionally, the seizure could not be justified as a search incident to the arrest because the arrest had been completed when the seizure occurred. The samples were excluded under sec 24(2) Charter.

*R. v. Foster (1994) B.C.S.C.:* The B.C.S.C. in *R.v. Foster (1994)* excluded hair samples and saliva samples that were taken from an accused by means of threats of force, for the purpose of DNA testing. The circumstances of this case were as follows.

A 78 year old woman was walking on a street in Vancouver. She asked a man for help. He agreed and walked with her for a distance. However, he was late for an appointment and later asked another man in the vicinity (the accused person) to continue helping her. The accused agreed. The accused took her purse and removed money from it. He dropped the purse and fled. The complainant entered an office and sought assistance. The office personnel recovered her purse, telephoned the police and then drove her to the neighbor's home. After a brief visit there, the complainant returned to her home. After she entered her house, she saw the offender in her backyard. The offender entered the house, physically assaulted her, sexually

## Case Law

assaulted her, forced her to reveal the location of hidden money, stole the money and left.

The complainant phoned the police and she was taken to a hospital. Semen was found during a doctor's examination. Reasonable grounds was formed by means of palm and fingerprint evidence.

The accused was arrested 4 weeks later and was transported to a police station. The accused was informed of his right to counsel and was cautioned. He exercised his right to counsel and consulted with a lawyer.

Four officers later confronted the accused in a small room intending to take hair samples and saliva samples for DNA comparison with the semen sample. One of the officers told the accused they wanted to take hair and saliva samples and would use force to take them. The accused refused and the threat of force was repeated. The accused agreed under protest and allowed the officer to pluck 25 hairs from his head and take a saliva swab from inside his cheek.

The officers relied on an Ont. C.A. decision in *R.v. Alderton (1985)* and believed they were acting lawfully. They testified openly and honestly about these circumstances. In the B.C.S.C.'s voir dire ruling, the samples and the DNA samples were excluded under Section 24(2) Charter. The reasons were:

1. There was no doubt that the seizure was forcible, despite the agreement to allow the samples to be taken.
2. The seizure was unreasonable, constituting a Section 8 Charter violation and compromised the fairness of the trial, constituting a Section 7 Charter violation.
3. The court relied on a S.C.C. judgment in *R.v. Elshaw (1991)* stating that a police officer's good faith cannot correct a violation of rights that creates an unfair trial.

Despite the exclusion of the samples and DNA testing, the accused was convicted and sentenced to 14 years in prison based on the following evidence. The accused's palm print was found on an overturned chair in the complainant's kitchen, and the accused's fingerprints were found on the complainant's insurance documents.

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## 30 Minute Delay After Tests Not Unreasonable

*R. v. Madsen (1994) Vol.803 (B.C.C.A.)*

by *Gino Arcaro*

On March 17, 1994 the British Columbia Court of Appeal ruled that a thirty minute detention of an accused person, between the times of a BAT test and the serving of the BAT certificate did not constitute a sec. 9 Charter violation.

The accused had been stopped by police for driving erratically and subsequently failed an ASD test. The officer read a standard BAT demand and a BAT test followed. The results of both tests were 230 mgs.

After the BAT test concluded, the accused was detained for a thirty minute time period. During that time, the officer completed release forms, a twenty-four hour suspension form and the breathalyzer certificate. The BAT certificate was served at the time of release, thirty minutes after the BAT test.

The accused was acquitted in Provincial Court. The trial judge excluded the

BAT certificate, under sec. 24(2) Charter; ruling that the thirty minute delay was an unreasonable detention, thereby constituting a sec. 9 Charter violation.

The Crown's appeal to the British Columbia Supreme Court was dismissed. The Court ruled that a BAT demand only justifies a detention for the sole purpose of a BAT test. In this case, the court considered the detention to be an unjustified convenience for the officer to serve documents. The unjustified detention was premised on the court's opinion that the officer had an alternative for releasing the accused immediately and serving a summons to him later.

The Crown appealed to the B.C.C.A. This court allowed the appeal and ordered a new trial for the following reasons:

- 1) The thirty minute delay did not constitute an unreasonable detention. Completing forms are critical aspects of a police officer's investigation.
- 2) After the BAT test results of 230 mgs.

were received, the officer had a "duty" to ensure that the accused would not repeat the offence and to ensure his court appearance.

3) The thirty minute detention was necessary in the public interest.

4) Although officers should not detain accused persons for the purpose of writing personal notes and occurrence reports, writing release documents and BAT certificates justifies continued detention.

5) The officer did not have to use the alternative of immediate release and later serving the accused a summons, because sec. 496 C.C. is not interpreted in that fashion.

Gino Arcaro is a professor with Niagara College in the faculty of Law Enforcement and Administration. He is the author of the book "Impaired Driving: Forming Reasonable Grounds" and "The Formulation of Reasonable Grounds." For further details or advice you may Fax him at (905) 834-7556.



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## New Commercial Crime Unit Introduced

By Kirsten Thesberg



In the first six months since implementation the Nepean Police Service's Commercial Crime Unit has been heralded as an enormous success by both the business sector and the Nepean Police Service.

In 1993 Nepean's Police Service was overwhelmed by a 96% increase in commercial crime. Business and community groups were becoming increasingly dissatisfied with the level of police presence in the area.

As innovators in proactive policing, Nepean Police Service in cooperation with area businesses and the community created the Commercial Crime Unit in February of 1994.

The goal of the Commercial Crime Unit is to reduce incidents of crime in the City of Nepean. By promoting a partnership between the business sector, the community and the Nepean Police Service the Commercial Crime Unit hopes to provide the means, education and awareness to achieve this goal.

The focus of the Commercial Crime Unit is to enhance the effectiveness of existing Police Prevention efforts and to develop in cooperation, new initiatives in the area of business crime prevention concentrating on problem oriented policing.

The Commercial Crime Unit was established with four main objectives in mind; to provide and disseminate crime analysis of data related to commercial crime, to provide a liaison between the Nepean Police Service and the business community, to enhance the community crime prevention programs and to eventually develop a Commercial Crime Prevention Bureau.

Disseminating information through spreadsheets to uniform officers makes them aware of break-ins which have occurred in their area, thus diminishing the chances of repeat occurrences.

A crime analysis is also conducted on the information gathered and it can be

passed on to the business community in an impartial fashion. The intent is prevention through awareness.

The Commercial Crime Unit is currently headed by a constable who acts as a liaison between the business sector, the community and the Nepean Police Service. Due to the success of the unit and it's predicted expansion the Board has approved the hiring of two full time constabulary members who will eventually staff the Commercial Crime Unit.

Currently in place are commercial crime prevention programs and initiatives such as Operation Provident and Operation Store

they could aid in diminishing the risk of thefts occurring in their businesses. The Nepean Chamber of Commerce attributed this to the lack of community involvement, education, awareness and organization.

The Nepean Chamber of Commerce Crime Prevention has recently formed a standing committee on crime prevention and an action plan its under development which will outline the committee's goals and objectives. According to the Chairman of the committee the Commercial Crime Unit has been instrumental in organizing, educating and encouraging the business sector to play a key role in crime prevention.

The ambition of this committee is that a Chamber of Commerce Crime Prevention Association will be formed which will eventually assume control of the crime prevention programs and initiatives.

Crime prevention and problem solving are the focus of the Commercial Crime Unit but it is not solely their responsibility. The aim is also to incorporate standardized in-house training for front line officers, enabling officers to allot more time to talking with merchants.

The Unit is also mandated to train Loss Prevention Officers of major department

stores to complete all the necessary steps for shop theft arrests. All that is required from the uniform patrol officer is to ensure the arrest was lawful and to release the alleged offender.

The possibility of privatized patrol is also being looked at by the Commercial Crime Unit. This could involve either the police and private security companies or citizens. It is possible that one of the anticipated expansions in the Unit could include a Citizen's on Patrol Program.

In providing awareness, education and involvement to area businesses, their employees, Uniform Patrol Officers and the community the Nepean Commercial Crime Unit's goal is to prevent crime from happening. Through this partnership the Nepean Police Service have empowered the business sector and the community, by involving them in the solution to the growing rate of commercial crime in Nepean.



Front. The unit anticipates expansion to include other programs such as Merchant Crime Alert and to eventually establish a Commercial Crime Prevention Bureau.

The Commercial Crime Unit also offers merchants individualized attention in designing crime prevention techniques and security measures and outlining areas of improvement, that would be beneficial in reducing chances of shoplifting or burglary in their individual businesses.

The business sector, with the help from Police Service's has also begun to organize itself. Before the Nepean Police Service became actively involved in community pro-active policing the business sector was loosely organized and heavily relied on reactive policing.

Crime prevention programs existed prior to the Commercial Crime Unit but merchants had inadequate knowledge of the programs and were not aware of how



# JURY TRIALS ABOLISH THEM

## Part 2: A Culture of Excuses

By Chris Braiden

It used to be juries concentrated on whether the accused done the deed or not.

Today juries are manipulated to focus on excuses for doing the deed by actually putting the victim on trial for creating the excuse in the first place. Virginia Postrel, editor of REASON magazine, writes, "We have created a culture of excuse and it has conquered our courts." Professor Paul Robinson, commenting on the Reginald Denny case in the Wall Street Journal, wrote, "Riot used to be a crime. Now it's a defence to crime."

But the news is not all bad. These Hollywood trials, and the media hype they generate, have spawned a second new industry. Many of the accused and their jurors have been regular guests on the talk-show circuit; Oprah, Geraldo, David - whoever will pay a buck. Some even have books and movie offers in the works. Both Bobbitts have marketing agents.

For those who applaud these moronic verdicts, ask yourself these questions. If Morgentaler was charged with wife-beating instead of abortion, would you cheer an acquittal now? Would he have wanted a jury in the first place? Would his lawyers have chosen the same jurors? Not likely on all counts. If Rodney King was a copper and his assailants Afro-American, would you applaud their acquittals?

Would they go to Simi Valley, a white, Republican, middle-class neighbourhood (where the coppers went) for their jury? No way. If Reginald Denny was black and his assailants white, would they have chosen the same lawyer and would he have chosen the same jurors? Not a chance. Would the Afro-American community call their acquittals justice and greet them with a celebration? Not on your life. One African-American (community activist, by her own description) said, "There was a riot going on therefore there was no law. How could you convict them when there was no law?" You don't run a justice system like pizza delivery where you order off the menu.

However, we reap what we sow in life. With everything there is a cause and effect. I'm sure Robespierre thought the guillotine was a great idea until his neck was under it. The community is getting shafted by these irresponsible verdicts. Worse, they're leading us back to the law of the jungle. Do the killing first and then think of

a reason for doing it. Anything will serve as a defence so long as you get the right jury. Pretty soon "the devil made me do it" will work.

Trials are supposed to be decided on evidence, not emotion, gender, size of lawyer, having a way with jurors, or luck. Evidence, in turn, must be fact or else based on fact. Knowledge consists in understanding the evidence that establishes a fact, not in an emotional belief that it is a fact. That's fundamental to the common law system of justice.

James Madison, in helping frame the Constitution of the United States, said that passion must never overrule reason in the making of law. Jurors are supposed to put aside their biases and feelings and analyse evidence, not the sympathy-inducing theatrics of television which deals in images and emotions. Televised trials focus more on the performance of witnesses than on the actual evidence of the case. The slick clichés, "The police are not paid to lose street fights" and "The thin blue line" of the King trial have nothing to do with a search for the truth.

The "I got caught up in the riot" excuses of the Denny trial are just as irrelevant. Based on the evidence I saw just on television alone both Bobbitts should have been convicted. If the Menendez brothers were so fearful of their parents for so long they also had lots of time to go to the police. That's why we have them. There's only one lawful excuse for one person to use physical force against another; to protect oneself or another from immediate physical attack.

The rule of law is the cornerstone of democracy. Ignorance of the law is no defence to a crime. We're all expected to know the law of the land. A law stays the law until rewritten or repealed by those elected by the community-at-large to do so on our behalf. If law is flawed they can fix it. If legislators are flawed we can fire them. This keeps control of the law in the hands of the community.

It's not the job of jurors to make new law. That's exactly what they did in all the cases I've referred to. After Morgentaler will someone please tell me what the law is if the statutes don't mean what they say? In light of King will someone please define excessive force for me? In the wake of the Bobbitt and Menendez cases will someone please tell me what self defence means?

Second, juries are redundant. Their

raison d'être has disappeared. When introduced centuries ago juries were badly needed. The law was what the monarch said it was; the 'judge' a lackey of that monarch. Many an aristocrat lost his land to the crown on trumped up charges of treason. Under the Common Law the Justice of the Peace was at once the police chief.

The Magna Carta, which created the notion of trial by peers, applied only to the aristocracy. The peasants weren't in on the deal. Even as recently as the early eighteenth hundreds, the judiciary and the police were as one in the form of the Bow Street Runners. The first two superintendents of the newly created (1829) London Metropolitan Police were given the titles Justices of the Peace. It wasn't until 1839 that they were divested of their judiciary powers and called Commissioners.

For centuries, courts were inquisitorial in nature. There were no trained lawyers and the accused couldn't call witnesses in his defence. There was no codified law or formal justice system and the common law was in its infancy.

But all of that has changed. Today we have a professional Bench and Bar. The system is adversarial versus inquisitorial. The Bench is entirely independent. There is a constitutional legal system with volumes of codified and case law. A lawyer is provided for the accused at public expense if necessary. The accused has an almost unlimited right to call witnesses. There is an extensive appeal process in place. Granted judges are not infallible nor lawyers perfect but they are professionally trained and can be held accountable for illogical decisions. If individuals prove incompetent they can be removed. The system itself is sound. In fact, eliminating juries would force society to clean up its act in appointing its judges. The role of the judiciary in a democracy is far too important to be left to the caprice of politicians. I don't have that boundless faith in any branch of humanity. Too many judges are appointed for the wrong reasons. Some never litigated in their lives prior to their appointment. The bench should be as any other profession where one chooses earlier in life to prepare, study and train for that particular discipline.

Juries no longer make sense. Contemplate paying a plumber to fix your pipes. He hands you the tools, tells you how to do the job and then has a coffee while you do the work. That's what we do with juries. Juries made sense when trials were uncomplicated and quick. Laws were few and simple. There weren't the mountains of forensic and technological evidence common today. Today months-long trials are common. Scores of witnesses (including experts) and thousands of pages of evidence are common. At the end of it all

we take the case out of the hands of the professionals and drop it in the laps of twelve lay folk who are invariably intimidated and overwhelmed by it all. One such person, Ellen Desjardins of Toronto, a juror in a sexual assault case, wrote of her experiences to the *Globe and Mail* in January 1994. She writes: "I felt like a spectator in a game, a win-lose battle between two lawyers. The main strategy of this game was to discredit the testimony of the accused, complainant and witnesses."

Lawyers behave differently in front of juries. There's far more acting. Again in the words of Desjardins, "The attorneys would strut about in their black robes firing questions and making suggestions to people who could only respond to the specific questions put to them. It seemed to me that the lawyers could be as rude, sarcastic, intimidating, offensive, blunt and persistent as they wanted to be. There appeared to be no concern for human dignity or sensitivity of people's feelings."

In some countries a lone dissenter out of twelve can hang a jury. I once heard a defence lawyer boast that to get his client off all he had to do was sow a doubt in the head of one of twelve jurors. In this day and age of tabloid excuses it's easy to convince a single juror that the accused didn't do what millions saw him do.

As well, more than a few mobsters have 'walked' because one juror was bought. In Australia in 1991 the premier of the State of Queensland escaped conviction on corruption charges, the same charges for which the commissioner of the state police later went to gaol, because a lone juror held out for acquittal. In 1993 that juror came forward and admitted he had been bought by the defence to hang the jury. Britain is a case-in-point of trying to fix the unfixable, that of trying to move juries with the times by allowing conviction on a simple majority vote. That's like putting a new paint job on an old car whose engine is shot.

Juries are unpredictable and unaccountable; each trial is a one shot deal. Juries don't have to give reasons for their decision, just a simple "Guilty" or "Not Guilty." There's no way of knowing the competency of a particular jury until it's too late. Judges, on the other hand, are accountable both formally and informally. They're required (by convention) to give written explanations for their decisions which can then be professionally scrutinized by both sides. If one's decisions are too irrational too often, judges can be fired. The fact that rarely happens is the fault of those whose job it is to fire incompetent judges. The system itself is sound. Judges are also accountable to their professional peers whom they must face on a daily basis.

Jury trials are very costly and disrupt-

ive to public and private interests. Venue change is common, especially if you want to dodge the truth. It can take weeks to choose a jury. They may be sequestered at public expense and be lost to their family and employer for months (during deliberations in the Denny trial one juror ran through the hotel hallways screaming that she wanted to go home to her boyfriend!) Because of hung juries in the two Menendez trials, both will be tried again - at public expense because they have declared bankruptcy. The initial trials cleaned them out notwithstanding, their lawyers have agreed to defend them a second time out of the goodness of their hearts (and two hundred bucks per hour!) because, in their words, they have developed a special relationship with Lyle and Erik. You can bet your life this will be a long trial too.

Jury trials are much longer and produce far more appeals. The two most common grounds for appeal are a flawed explanation of reasonable doubt (something that defies exactitude by anyone) or a flawed summation of the evidence by the judge to the jury.

Because we live in a mass media world it's impossible to keep prospective jurors in the dark about the facts of a case. Ponder the futile media gag in the Karla Teale trial in Canada in 1993 (we're not supposed to know what her plea was to two manslaughter charges even though the 'trial' was over in two hours - including sentence!) in order to keep the public ignorant for the next two years until her husband Paul comes to trial. Good luck I say. Even thirty years ago when President Kennedy was murdered the world knew about it in two minutes.

Trial by judge alone wipes out the need for venue change, media gags, sequestering, long verbal summaries, the impossible task of flawlessly explaining reasonable doubt, and they produce fewer appeals. Most importantly, it leaves the matter in the hands of those trained to conduct that search for the truth.

Time overtakes all things. Plato said all that comes into existence must decay. Jefferson said no country can make a perpetual constitution or even a perpetual law. Convention, of everything, is by definition half dead.

Like automobile crank-handles, juries are redundant. Worse still they've become a tool of injustice. "We do things this way because we have done them this way for centuries" rings hollow when stacked against the insanity of Morgentaler, King, Denny, Bobbitt, Menendez, Teale - and common sense. It's time our legal system caught up with life.

Chris Braiden, is a retired member of the Edmonton Police Service and President of Braiden Consultants. For further information phone (403)459-5513 or Fax (403) 459-5475.

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# Winnipeg Police Officers Turn Carpenter To Defuse Back Alley Tensions



by Myron Love

Winnipeg police officers Jeff Seaford and Stan Kennedy have used a little "elbow grease" to remove a potential trouble spot in west Winnipeg.

With the end of winter, police again began receiving frequent complaints about gangs of noisy kids in a back lane racing over a makeshift ramp with bicycles and skate boards. There were complaints of

loud music, residents' lawns being trampled, garbage knocked over and garages being vandalized and the lane being clogged all the time in the evenings and on weekends. The disturbances had been going on for two years. Seaford and Kennedy's solution was to build the kids an alternative bicycle ramp at the community centre a block away and get them out of the alley.

"A city counselor tried to talk to the kids," Seaford says. "He was surrounded by about 30 of them and fled."

Rather than try to chase the kids, Kennedy, Seaford and other officers blocked off the lane at both ends with police cars one evening in May and walked up to the group of 12 to 17 year-olds. We found they were generally good kids," Seaford says. "Only two had prior records and neither had been convicted for a serious crime."

After talking to the group leaders, the police officers reached an agreement. They would leave the alley in return for Seaford and Kennedy's promise to build them a new ramp somewhere else close by.

The officers were true to their word. On their own time, they picked up some wood donated by local lumber yards for the project, and in four days, put up the ramp. Seaford says he had some carpentry training before. For Kennedy, it was a new experience.

There are over 60 kids now using the ramp regularly, the two police officers report. In fact, the teens added a second ramp by themselves to the backside of the police-built structure. "We promised we would do it," says Seaford, "but we didn't get around to it. This is better. It gives them a greater sense of ownership."

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# LETTERS TO THE EDITOR

## A Collector's Dream... Badges & Swords



As president of the Victoria Police Department's Historical Society I am writing to inform your readers about a fund raising campaign we have started to help us build a Police Museum.

Being the oldest police department west of the Great Lakes we have a great deal of history to display and as other departments with museums we want to be able to display our artifacts for everyone to see.

We have put together a pin set with replicas of the pocket badges of all the Municipal police departments in British Columbia. This set is a must for any serious pin collector.

The cost of the set mounted on a presentation board ready for framing is only \$29.95 plus \$3.00 to cover shipping and handling.

Orders can be placed by sending cheque or money orders to;

Victoria Police Historical Society  
#12 Centennial Square  
Victoria, BC V8W 1P7

Ole Jorgensen  
Victoria, British Columbia

I am writing in regards to a rare sword which I would like to sell. The sword was made in honour of the Prince Albert Police Department's 100th Anniversary in 1986. There are only 90 of these swords in existence.

The script on the sword is as follows: "The Prince Albert Police Department Sword of Honour Commemorating the 100th Anniversary of the Police Department 1886-1986." This sword, which was made in England, has numerous badges and shoulder flashes engraved on it as well as the Saskatchewan Coat of Arms. The sword is enclosed in a case which contains a black velvet background and a glass panel on the front.

Anyone interested in purchasing this rare souvenir can call me at (306) 764-7547.

Sgt. John Hosak  
Prince Albert, Saskatchewan

## How About A Patch Collector Column?

As a police patches collector, I think it would be great to have a special section in your magazine, to show the different patches across this country, and maybe around the world.

Eric Langlois  
Medley, Alberta

### Editor's Note

As of this month we have started a column called "Patches Profile". Anyone

wishing to have a shoulder patch featured please send one along (for our collection) along with a history of the patch or the significance of its design. We will feature these in upcoming issues and supply the name of the collector and phone number of who sent it to us.

If we get duplicates we will and your name and phone number to a list at the end of the column.

Say, Eric, what is the scoop on that thunderbird?



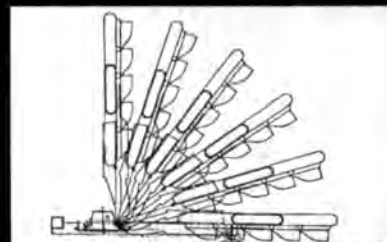
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# Birds of a Feather



Bernie Bird. If you don't know the name you have probably never attended a police or fire trade show anywhere in Canada for the past 27 years.

Bernie Bird has become a legend of sorts among chiefs, sales reps and officers alike. At trade shows his hospitality suites have become a safe haven for those looking to relax and chat with colleagues. Bernie is also well known for the countless miles he has travelled here in Canada and overseas as a representative with Identocard.

Bernie's down to earth charm, quick sense of humour and carnations have been the secrets behind all of his success and popularity. However, after 27 years with Identocard Bernie Bird, an associate member of the Canadian Chiefs of Police and International Chiefs of Police Associations, has decided to hang up his camera and close the Identocard Photo Identification branch which he has been associated with for so long.

Still haven't heard of him? You must be joking! Let me refresh your memory.

The first thing you can do is take a look at your warrant card. Aside from the picture and name it looks pretty much like everyone else's right? Of course it does, because Bernie Bird was the man behind the concept of standardized warrant cards.

Bernie thought of the idea about twenty years ago when he was out west in Regina. He presented the idea to Commissioner Jodrey. When Bernie returned home he found a letter from the Commissioner who requested that he attend a meeting in which he would present his scheme.

Bernie agreed to attend but suggested the Commissioner, "If you want this to happen get all the Chiefs into a meeting."

The Commissioner did. The Chiefs liked the concept and it quickly gained recognition. The cards spread throughout

Saskatchewan, Alberta, Manitoba, Ontario, and the Matitimes until every province began to use the cards. However, it took a lot of work and effort to sell the idea to everyone.

"I had to either go to the police commission, or to the individual chiefs and this is where it all happened," explains Bernie.

In the beginning Bernie would go to a bar with a chief or deputy chiefs to talk business. However, he soon found that a bar was not a relaxed setting where business could be discussed. As a result Bernie decided to rent a room for guests to visit at trade shows. Soon the idea gained popularity and everyone was passing through his room at one time or another to socialize and relax.

"So it went on and on like this for a number of years, maybe five years," says Bernie, "I not only did the Ontario show, and the Canadian Chiefs show, I did the Prairie province shows, I did the Atlantic shows, all their conventions I went to.

"Many, many times we worked out of our hotel rooms, they never had the big rooms for exhibitors. Your booth was your hotel room. So that's the way it all started."

As the shows continued from year to year, Bernie continued to attend. As attendance grew so did the number of people Bernie came to know. One such person came in a rather small package by the name of Danny Trudeau. Dan, presently working with Gordon Contract Shoes, teamed up with Bernie and they became a form of travelling road show to the conventions. Bernie pointed out they hit it off right away.

However, Bernie is about to make his final appearance at the Canadian Association of Chiefs of Police Trade Show in Montreal. Bernie will attend the show with Polaroid Canada.

Polaroid is the company which will absorb Identocard's clientele. But don't worry, Polaroid has promised to look after their new clients in the same manner and with the same care that Bernie provided for the past 27 years.

Bernie Bird is a man who helped shape the way in which trade shows are conducted and helped shape the way many companies conduct business. Bernie was never too busy to help people establish contacts or give advice to those who asked.

We would especially like to congratulate Bernie on the award he received from the Ontario Association of Chiefs of Police

at their recent trade show in Durham. As he spoke of the award and his long standing association with the Chiefs of Police he explained how surprised, proud and honoured he was to be recognized.

Bernie also continually expressed how much he has enjoyed travelling across Canada, meeting so many kind and hospitable people and attending the shows which will seem empty in his absence. And to those of you attending the Montreal show Bernie would like to remind you to "bring gifts... lots of gifts. And don't bother wrapping them... unless the paper is in the form of 20 dollar bills."

We here at Blue Line Magazine would like to congratulate Bernie on all his past success and wish him even more success in his future endeavours.

## **Polaroid Canada Getting Serious About Police Work**

With the announcement of the closing of its identification card division effective August 31, 1994, Identocard Limited's customers can continue to receive the same high level of service and quality products. Polaroid Canada Inc. will supply refurbished ID-3 cameras, as well as providing the necessary training for set-up and operation to facilitate the on-the-spot delivery of employee photo identification cards.

With no capital expense other than the purchase of a validation plate and artwork, customers will notice no interruption in their service. Film and laminates are available from Polaroid dealers across the country.

Bernie Bird, sales manager for Identocard Limited, says, "After 27 years in the I.D. business, we want to ensure that our valued customers' needs are met. We are confident that Polaroid Canada will provide a high quality product and service to them."

Polaroid Corporation, a \$2.2 billion global organization, has been in the identification business since 1965 and provides instant, conventional, thermal and electronic solutions. "Over the years we have built a solid relationship with the law enforcement community," said Bill Mancini, business imaging consultant for Polaroid Canada. "In the future we will be offering new imaging solutions to forge that partnership even stronger."

For more information call Bill Mancini at (416) 675-3680 or 1-800-268-6970.

## Breeding Program Takes The Dog Work Out of Canine Recruiting



Vancouver Police are looking at breeding their own police dogs after finding the move could mean better canine constables and eventually cut costs.

And it would take a bite out of the dog squad's most pressing issue: having a reliable source of four-legged recruits, says a study presented by B.C. Institute of Technology (BCIT) business students.

"Over the last 15 years, the supply of suitable dogs has dropped drastically," notes Sgt. John Schouten, who's in charge of the force's 17 officer dog squad. "We

had to scramble last fall to find a new dog-master."

Working on the project since January, management systems Doug Larsson, Noorez Padamshi and Nevin Dos Remedios proposed a cautious, easy to evaluate start to a department breeding program.

If approved, the plan would see the force spend a total of \$6,000 to buy one breeding female a year over the next three years. Some of the dog squad's male German shepherds may be selected as mates.

The study found that initially the program would break even, but once up and running would reap growing savings as the cost of purebred German shepherds continued to increase.

"Usually when the squad looks at potential dogs, the quality can be all over the place," says Larsson, 25, whose team studied similar programs in Seattle and Calgary. "This would be a consistently high standard of dog."

Police want to study the costs further, but if the breeding program gets the go-ahead it would take only about a month to set up, says Schouten.

After that, it would be about one and a half years before the first of the program-

bred dogs could begin its police training.

Usually three Vancouver police dogs a year are retired, sometimes more if one is injured in the line of duty or develops medical problems as happened last year.

Typically the force has recruited its dogs from animal shelters and private home owners, but it can be a tough search, says Schouten.

Only about one in ten German shepherds meets the medical requirements, as a serious hip ailment is common to the breed. Narrow that field even further with needed background and temperament for police work, then finding a suitable dog can quickly eat up a lot of time and money.

Not only would a breeding program better those odds greatly, but it could even turn into a money-maker if it follows the lead of the Calgary Police Department's successful dog-breeding.

Officials there registered their breeding program as a kennel, notes Larsson, letting them sell dogs that don't make the cut for police duties.

Proposals are now being accepted for future projects for BCIT management systems students. For more details contact Bill Hooker at (604) 451-6783.

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## Stats Show Increase in Traffic Fatalities



Recently Transport Canada released a report on the preliminary fatality statistics for 1993. The report was not encouraging by any means. It would appear

that after a favourable report in '92 Canadian motorists have halted many favourable trends in '93. And the upward trend applies in almost every category.

For example, throughout 1993, there were 3,550 road users killed in reportable traffic collisions in Canada. This number represented a 1.4% increase over 1992 traffic fatalities which totalled 3,485.

The total number of traffic fatalities in Ontario alone came to 1,086 for 1993, the most fatalities recorded by any province for the year. Ontario also recorded the most traffic fatalities each month compared to any other province and at year's end had recorded 114 more fatalities than Quebec who ranked second with 972. From this point on the numbers do not get any more encouraging.

When the statistics are broken down into the Road User Class all but one category indicated an increase in the number of fatalities. The greatest increase in this category is listed under motorcycle users

who witnessed a 9.8% rise in the number of fatalities which came to 201 in 1993. Bicyclists also saw a sharp 8% rise in casualties which translates into 81 persons killed.

On the lower end of the scale the number of motor vehicle driver casualties came to 1,798 across Canada, a 2.6% increase over the previous year. A 3.4% increase in fatalities involving pedestrians was also recorded. The total number of casualties rose from 444 in '92 to 459 in '93. The only decrease in this category was in regards to the number of fatalities amongst motor vehicle passengers. The casualty rate in this area declined by 23 deaths and 2.4% for a total of 947.

The national trend in monthly fatalities for 1993 was very similar to that of 1992. The months which accounted for the most deaths in 1993 were July and August respectively. Fatalities for July totalled 411, which indicated a 26.5% increase over the previous year. There were 359 recorded deaths in August and although this was a 7.9% decrease over the past year it was still ranked as the second highest number of casualties. In 1992 August accounted for the most recorded casualties while July finished a not too distant third. The explanation for

the continuing trend is simple.

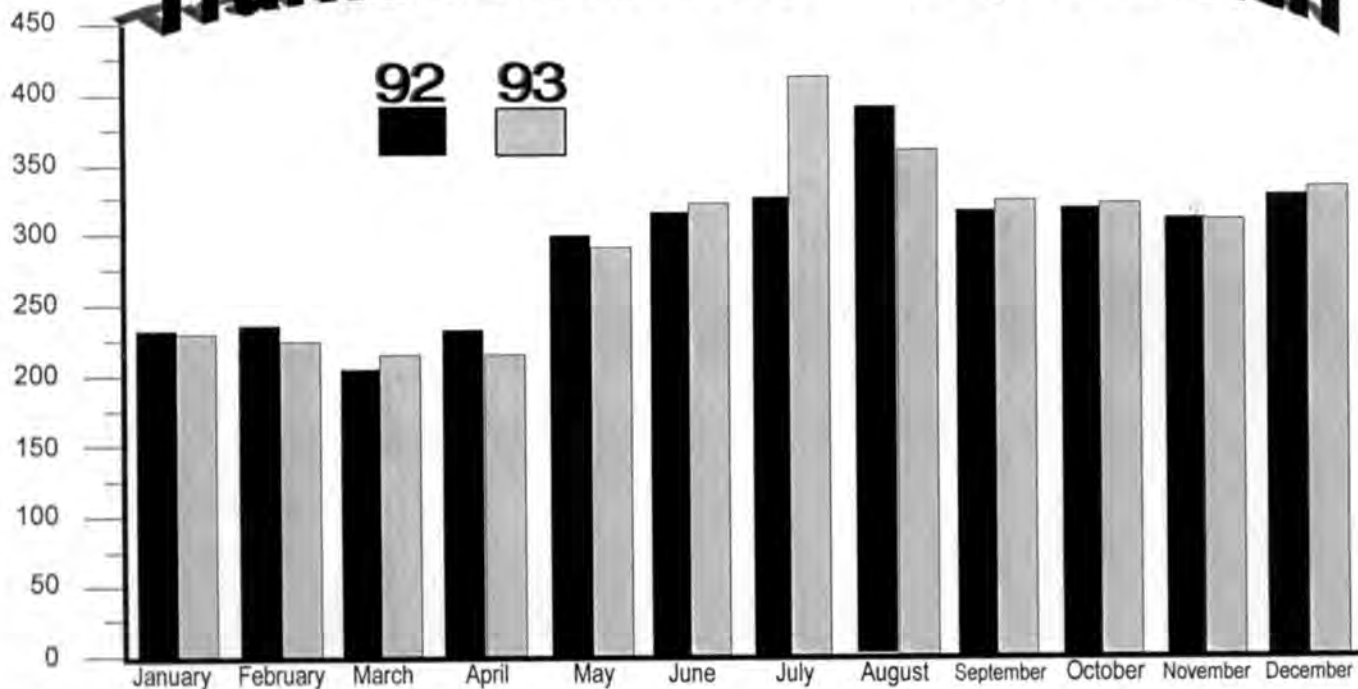
The fact is that speed plays a major role in most accidents which occur during these months because July and August generally possess clear and sunny days. On these days a motorist is more at ease and will be inclined to increase the vehicle's speed. When the speed increases so do the chance of an accident.

Although 1993 marked a year of increases in traffic fatalities the picture over the past 10 years has been favourable. Between 1983 and 1993 the number of persons killed in traffic collisions in Canada has declined from 4,216 to 3,550 which marks an annual 666 person decrease when the two years are compared.

Another noticeable drop has taken place with the total number of persons killed per ten thousand vehicles registered. The fatality rate has fallen from 2.88 in 1983 to 2.0 in 1993.

However, we must try to keep all of this in perspective. It is not enough to look at statistics from ten years ago compare them to today's and marvel at the decline in fatalities. Our goal should be to decrease the number of fatalities from one year to the next. Canadians have become more aware of their responsibility to respect other motorists and pedestrians but must remember that there is always room for improvement.

## Traffic Fatalities By Month





## What Is "Press Release" All About?

Blue Line Magazine started this column several issues back and its main purpose is to supply police officers and agencies with a ready made *Press Release* to give out to their community newspapers.

We recognized that many officers in small communities are required to wear quite a few hats. One of those hats can be the Media Relations Officer. These officers, quite often, have a pretty full plate. *Press Release* is designed by staff writer Blair McQuillan to give these officers a bit of a break.

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## Eye-Catching Inflatible Working For Law Enforcement



A uniquely designed, larger than-life police officer character has joined the Bellevue, NE Police Department.

According to police chief Hines Smith, "It has added a new dimension to our educational programs and activities by creating an effective way for a law enforcement agency to reach out to youth groups."

The versatile, 9 foot inflatable police officer was designed and manufactured in Omaha, NE by Signs & Shapes International. The firm custom designs inflatables representing products, corporate logos and various characters to organizations and agencies like law enforcement groups.

Inflated with circulated air provided by a small blower attached to a person's waist, the character is free to move around at malls, in parades and the public places. "Unlike other bulky costumes, this is easy to use and very comfortable," Smith added.

The Bellevue Department is the first law enforcement body to purchase one of the giant officers.

For further information contact Lee Bowen Signs & Shapes International (402) 331-3181 or Fax (402) 331-2729. Also Hines G. Smith Bellevue Police Department (402) 293-3105 Fax (402) 293-3066 for program information.

## New Hideaway Holster Has Gun Retention

A new concealment holster designed to be carried inside the waistband, but with the security of a retention strap, has been introduced by Michaels of Oregon.

The holster is made of four-layer laminate, the outside of which is a long-lasting polymer that clings to the inside of clothing and keeps the holster steady when running or walking. The laminate has thin waterproof closed-cell padding that forms a moisture barrier to protect the gun from perspiration.

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makes alignment of the light and pistol easier than using a separate flashlight.

A separate light can be difficult to use and hold while manipulating a pistol in a life threatening situation.

Available exclusively from Heckler & Koch, Inc., the UTL fits all variants of the USP pistol and can be purchased with an optional remote cable switch and tactical carrying pouch. The UTL can also be used detached from the pistol in place of a conventional flashlight.

For more information contact: Jo-Anne Powers Heckler & Koch, Inc. 21840 Pacific Blvd. Sterling, Virginia 20166 Telephone: (703) 450-1900

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## BMW To Supply Special Motorcycles For Victoria Commonwealth Games

The prestigious Commonwealth Games will be held in Victoria, B.C. this August and BMW Canada has arranged to furnish the Victoria Police Department with ten R1100 GS 'Boxer' motorcycles to be used during ceremonial occasions and for extra safety support.

There will be an extensive list of dignitaries including Queen Elizabeth and the Governor-General who will officially close the event. A 150-strong vintage car cavalcade will honour the Canadian athletes participating in the Games as they arrive by ferry from the mainland.

At the arrival and departure of these special guests and at many other events, the BMW motorcycles will provide handsome and capable rides for the Victoria officers assigned to take part.

The Victoria Police Department requested the involvement of BMW Canada because of the excellent track record BMW motorcycles have with the force. BMW bikes are used in day-to-day police work and also form the core of the department's motorcycle drill team. As many police departments across the country can attest,



the BMW K75 police models offer the manoeuvrability and thanks to ABS, the extra margin of braking safety that police work demands. For these and other reasons BMW has delivered ever increasing numbers of motorcycles into police duties in

recent years.

The new Boxer brings a stunning measure of style along with its performance excellence which will make it an ideal vehicle to share the spotlight with some of the world's top athletes and the distinguished guests of the Games.

The new R1100 Boxer uses the ultimate in modern technology including multi-valve cylinder, pace-setting Telelever suspension and the ultimate in fuel efficiency and ecological responsibility. The appearance of the Boxer is both sophisticated and sporty making a distinctive statement while providing superb service.

BMW Canada Inc. is providing the motorcycles at no charge to the Victoria force as a gesture of support honouring the Commonwealth Games XV. BMW Canada is proud to play a role in the Victoria Commonwealth Games and looks forward to assisting the Victoria Police Department in its role at this important event.

For more information contact: Tony Fletcher at (905) 683-1200.



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Beyond that, every Glock has three passive safeties. And each one works sequentially off that trigger.

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of the trigger itself. Pull the trigger past the trigger safety and the firing pin block safety is still working.

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As soon as you take your finger completely off the trigger, the pistol automatically decocks and each of those three safeties is back in operation.

Glock was the first to manufacture a pistol that doesn't require an external lever to render it hot or cold. Handgun enthusiasts and law enforcement officers worldwide have shown a distinct preference for this Glock technology for some time now.

Undoubtedly, that's why so many other manufacturers have, as well.



# Stupid Questions

Q. I show you a piece of coal and ask you,

What is it? A piece of coal?

A. A piece of coal!

Q. Yes... that's right!

By Peter MacDonald

I assure you that the preceding daffy dialogue actually occurred, in a real trial, not so long ago. What's more, this sort of wackiness has been going on for a very long time. And if we're lucky it will never cease, for in this sad, mad world there are few surer sources of the therapy known as laughter than the good old-fashioned Stupid Question.

A great many folks, I suspect, would heap scorn and ridicule on the perpetrator of the query exhibited above. But not yours truly. To me, said specimen is a thing of beauty and a joy forever, entitling both author and composition to be enshrined, without further ado, in my internationally renowned *Hall of Shame*. That's where truly great Stupid Questions are preserved for posterity.

The search for new talent to showcase in that temple of trash virtually never ceases. Yes, hard as it may be to believe, there's always a long line of lawyers storming its portals, begging for admission. Relatively few succeed, and those who do often owe their good fortune to the glowing recommendations of colleagues or court reporters who know a superstar when they hear one.

We start with the same lawyer who asked the doozie noted above. He's a persistent bloke, always lusting after the limelight. On his second try he cracked the Hall again with this beaut:

"Where were you when you weren't where you said you were?"

Calgary lawyer J. D. Palmer roped - and successfully sponsored - this worthy entry:

Q: "Was it you or your brother that was killed in the war?"

The reply is tops, too:

"It must have been my brother. I wasn't in the war."

London, Ontario, court reporter Gail McGillvray, always on the lookout for legal levity, sends this exchange from a 1987 trial in St. Catharines:

Q. What were you doing driving on the road at that time?

A. I was driving my brother home.

Q. Was your brother in the car with you? In another recent case, Gail bagged this beaut:



Q. What time were you driving on that road?

A. 11:00 PM.

Q. Was that in the morning?

Then the eagle-eyed Ms. McGillvray snared this lulu:

Q. Just tell me how he was involved in the company. You said not at all. Did you mean not at all?

A. Not at all while I was alive.

Q. You are still alive now?

Shortly after that, Gail, definitely on a roll, garnered this goodie:

"Have you ever smelled an odorless solvent before?"

Court reporter Maria Mihalovich, of Hamilton, Ontario, is also a keen chronicler of forensic falderal. Here's a dab of deathless dialogue - with built-in S.Q. - that Maria spotted and preserved for us and future generations:

Q. What is your date of birth? A. October, 1910.

Q. Do you remember the day?

A. No, but I've been told about it.

In another case, we have this snippet:

Q. Do you remember when Sunday was that week?

A. It followed Saturday.

Ottawa court reporter Doreen Johnson, formerly of Edmonton, recently reeled in a couple of short, snappy S.Q.s:

A. I guess I was about ten.

Q. Were you in high school yet?

Some lawyers must have been issued, not born, for they can't seem to sort out simple relationships within the bosom of a family. Ian Sutherland, a court reporter in Lethbridge, Alberta, preserved this pip for posterity:

Q. And who owned the car?

A. My Mom and Dad.

Q. And they're your parents?

Here's more of the same, from Edmon-

ton court reporter Marie Kennedy, who harpooned this dilly:

Q. I understand, ma'am, that you are the mother of Janice Smith. Is that correct?

A..Yes.

Q. And, as well, you are the mother of Susie Smith?

A. Yes.

Q. And they're sisters?

And, while we're on the subject, get a load of this one:

Q. Mrs. Shahda, is the plaintiff in this case, Michael, your son?

A. Yes, he is.

Q. And I imagine he's been your son all his life, is that correct?

Misery likes company and fortunately for zillions of folks who require a periodic fix of laughter, Stupid Questions of the court variety can be found in abundance all around the world. For example, consider this recent specimen from Melbourne, Australia:

"How far from the chair were you when it hit you?"

And in the spirit of our new free-trade agreement, I present herewith a smorgasbord of S.Q.s from the U.S. of A.:

Q. How many autopsies have you performed on dead people?

A. All my autopsies have been on dead people.

Q. At the time you first saw Dr. McCarty, had you ever seen him prior to that time?

Q. And have you ever been injured or killed yourself, ma'am?

Q. Do you have any sort of medical disability?

A. I'm legally blind.

Q. Does that create substantial problems with your eyesight as far as seeing things?

Afterwriting numerous books about courtroom humour Peter has been hitting the streets all over the globe looking for Cop humour. He advises he has accumulated quite a few but is looking feverishly for more Canadian content. Peter advises he will be releasing his book early next year and is quite enthusiastic about it. You might as well be a part of it!

If you have a funny story to submit feel free to call him or simply write it down and Fax it along to him. He will be happy to honour confidentiality if you say so and to give proper credit where it is necessary.

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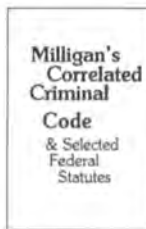
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Modern law enforcement practitioners need all the tools at their disposal. The biggest and most basic tool is *Knowledge*. The following material has been reviewed by *Blue Line Magazine* and are highly recommended to our readers.



Gino Arcaro's latest book is a comprehensive study of Canada's Drinking Driver laws. Excellent resource for police officers, prosecutors or anyone interested in the administration of laws toward drinking drivers.

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\$22.95

A Canadian Criminal Code written by a cop for cops, this book is unique in that it has an index at the front of the book which puts Criminal Code sections in street language in addition to the formal terminology. For this reason you will find the words "Shoplifting", "Kickback" and "shell-game" included with the appropriate section numbers provided.



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This book is about surviving high risk patrol. Advanced material ideal for academy and departmental training programs and for all law enforcement officers. 554 pages with 750 photographs and drawings. This very real-life book will not only teach you about the "Tactical Edge" it will also help keep you on it.



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Based on journals Jack Watson kept during his four-year RCMP posting in the North, this book is a tribute to the great Yukon spirit of adventure and community that still lingers on in our national psyche. This book takes you through the rugged lifestyle of a one-man RCMP detachment during the 1930's.



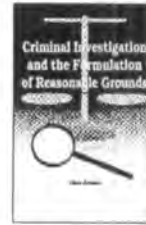
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Written by the author of "The Five Minute Policeman", this book was selected as the study text for the U.S. Parks Service Police for promotional candidates. Evaluated by the College training staff and staff psychologists around the world this book is must read material for anyone looking for managerial level careers.



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Described as a "Paper Police College", this unique and comprehensive Canadian text book is designed to instruct you in the workings of the Criminal Code of Canada in a logical, easy to read fashion. It concludes each issue with a true investigation which underscores the issues discussed in each chapter.



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The Ontario Highway Traffic Act (cross referenced to selected Regulations) and conforming with the Revised Statutes of Ontario 1990. This is the first comprehensive and reasonably priced version of the HTA released that is suitable for the pocket or briefcase. Order Today! Quantities are limited.



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Police Crowd Control was written by a San Francisco Officer who has had over 20 years experience in handling crowds of all types. This authoritative manual will show you the difference between crowd control and crowd management and how to use the media to your advantage to head off problems before they arise.



Tony MacKinnon has a remarkable combination of artistic ability, sense of bizarre humour and worldly insight that only a cop could have. This combination has been the basis for a lot of good laughs over the five years he has been contributing cartoons to Blue Line Magazine. Hidden in the back of Tony's cartoons is a certain realism that only a cop can understand completely. Some of the situations are bizarre or off-the-wall but so is much of police work. Many cops identify with some of the situations depicted by Tony or have found themselves in just such a situation. The cartoons in this book are not as much a credit to the profession as they are a credit to the man depicting them.

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