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Canada's National Law Enforcement Magazine

February 1996 



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BLUE LINE

Canada's National Law Enforcement Magazine February 1996



This month's cover is courtesy of British Columbia based Current Corporation. The images demonstrate the effectiveness of the ITT Night Sight system. This modern technology is finding many applications in law enforcement. The top photograph shows a standard flash photograph of the suspect while the lower photograph shows the same scene through the lens of an ITT Night Vision viewer. It shows a lot of detail such as trees, road behind and the faint after glow from a sunset. The bottom left is a demonstration of the unit's effectiveness in apparent total darkness. For further details on night vision equipment see Current's ad on page 19 and Tom Rataj's story on page 46.

This month we have run off a smorgas-board of editorial for your entertainment and information. Between the covers of this issue you will find a listing of over 240 companies and individuals willing to assist you in any area of law enforcement supply and service you can imagine. For this reason we strongly urge you to retain this issue for future reference.

Because this is our annual Supply & Services Guide issue it is also our opportunity to supply you with a good quantity of product and services information. There is always a large number of products being created and marketed to the law enforcement community. We have sprinkled this information throughout this issue and we are sure you will find it very helpful and informative.

This month we are happy to also include the Vancouver Police Department's *Force Options Theory*. Written by Use of Force trainers Joel Johnston and John McKay this detailed manual will walk you through the entire use of force continuum and explain the rationale behind the application of each level. Anyone who has become involved in the controversial area of use of force, and had to answer some pretty tough questions, will appreciate reading this piece.

Well if you were ever wondering what's new under the sun then you have certainly got the issue that will give you the answers.

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Policing the next millennium

By Morley Lymburner

The next century is going to hold many radical changes for policing, changes that not all of us can completely comprehend. Although the most visible part of this change will be in administration we will also experience a more subtle change in the way the front line officers perform their tasks.

Many changes are already in place and are beginning to evolve. What was seen to be innovative and trendy has now become common place. We are now experiencing the expansion and evolution of what was once considered quite radical.

In our hurry to get into the future we have probably forgotten a little of our past and lost a bit of the focus and purpose of policing. In particular I recall the sage advice of Winnipeg's Police Superintendent Bruce Taylor (See this article in my comments in the May 1995 issue of *Blue Line*). In his statement to the media about their officers getting more powerful weapons he stated; "We chose the 40-calibre semiautomatic pistol for its flesh-tearing characteristics. To be morbid about it, the only thing that stops a person is the size of the hole."

I would call this the statement of the year for 1995 and I would congratulate Taylor for his forthright honesty. He was bringing home the message to the public that his officers are out there to scare the bejeevers out of the bad guys. His unspoken words also tell the honest citizenry that they will be protected.

Taylor's statement said even more about the rational thinking of the Winnipeg Police. They will not shrink away from hard decisions nor hesitate to utilize new technology to assist them in fulfilling their mandate.

The preservation of peace, order and good government has no price tag. In a country as vast and diversified as Canada it is hardly expected to be an easy task. Accordingly it can not be expected to be cheap either. The next millennium will need a breed of manager that can quickly analyse new concepts and technology as well as recognize the cost versus impact of such changes.

The next millennium will belong to the well informed innovator. I recently spoke to a manager of a large organization in the private sector about the use of technology in her operations. She stated quite clearly that she felt part of her job was to keep informed of changes but in many cases to keep one step back from the leading edge. Her philosophy was that "being on the leading edge of everything was as damaging to an organization as staying behind in everything."

There must indeed be balance in any organization. Change must be viewed in the overall context of benefit to the public and the organization... and I would dare say in that order.

The next millennium will belong to the team player. The people who are ready to coop-

erate with others for a common good. Many organizations and individuals will only cooperate if they have the most to gain. We need more people who will be more impressed with a good assist than a big score. We can't do it all on our own.

An excellent example of this philosophy is the inter-agency investigations and arrests taking place in southwestern Ontario. London, Waterloo, Brantford, Chatham and Six Nations police officers have teamed up with the Ontario Provincial Police to investigate many cross-jurisdictional cases. They have finally realized that some criminals do not recognize political boundaries when they commit their crimes.

Another fine example in Southern Ontario is the private non-profit organization that commenced the Regional Air Support Program. (See this article in the August - September 1995 issue of *Blue Line*). The concept is to seek the financial assistance of the public and private sectors to obtain helicopter patrols for the police. This group not only recognized the need for such a service but also recognized the need for good inter-agency cooperation. To this end they are seeking funding from communities from Oshawa to Niagara Falls to give those police agencies the needed resources to

do their jobs more efficiently.

The next millennium will also belong to the risk takers. I don't mean the reckless kind but the kind that can weigh the pro's and con's of a situation and recognize what level of risk they can handle. As is the situation with a good boxer an agency should be able to know its strength and conditioning enough to quantify the amount of a hit they can afford to take and then take those steps which risk a hit and be ready to respond.

One example of this was a Solicitor General's office dictum which advised a seminar organizer that they would be funded but only if they did not have a trade show attached. The rationale was that a trade show would make it appear that all the companies were endorsed by the Provincial Solicitor General. The organizers agreed. The theme of the seminar was "Technological Advances in Policing". Go figure!

We all have to take risks in life or we do not grow and learn.

The next millennium in policing will also belong to the ethical leader. Those individuals and organizations who can work in good faith with their peers and subordinates not only show a shining example but encourage emulation and support. Leading the motivated with a carrot is far more preferable than pushing the recalcitrant with a stick.

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Is there a reader who can solve the mystery of the OPP shirt?



I would be interested in finding out the history of this shirt as I have spoken to a few seasoned Ontario Provincial Police officers and none can recall this type of shirt being issued.

The red and black plaid shirt has a large yellow patch on the right side with a crown at the top, 12 leaves below enclosing a circle with the OPP printed inside this circle. Inside the circle is the Ontario coat of arms. The manufacturer's label inside the shirt is "BIG BOB."

I am interested to see if your reader's de-

partment or someone from OPP Headquarters can shine some light on this mystery. The shirt hung in my father's closet since the early 1960's and I brought it home after he died in 1989.

*Sincerely - Harry W. Burley
Aux. Cst. Belleville Police Service*

Editor's Notes

I called this officer and he advises his father was fishing at Chisolm's Mills on the shores of the Moira River near Belleville, and caught the shirt in his fishing line around 1960. He states the area where it was found could also have been "Colonel Vanderwater's Park" in Madoc.

Upon closer inspection I noted that the crest has a King George Crown and may place the crest in the era prior to 1952. In my limited opinion it very well could have been worn by a Special Constable or First Nation's police or member of a search team.

The material has been forwarded to Charlotte Dowd, Curator of the Ontario Provincial Police Museum in Orillia for research.

If a Blue Line reader can help solve the mystery there will be a one-year subscription reward of both Blue Line and Ten-Seven Magazines. You may call Charlotte at 705 329-6889.

Attack on Miller unfounded

Mr. Grimshaw's letter attacking Gary Miller's article on capital punishment deserves a reply!

Mr. Grimshaw stated "Canada is a caring society." He, then, should set the example and personally house and feed all convicted murderers under his own roof! And, if he has a family, they too should share in the "caring" for these mad dogs!

Who is Graeme Grimshaw to overrule God?

Take heed, Mr. Grimshaw... "Whoever kills any man shall surely be put to death." LEV 24:17. In Exodus 21:12 we read, "He who strikes a man so that he dies shall surely be put to death." Finally, in Matthew 26:52 Jesus said, "Put your sword in its place, for all who take the sword will perish by the sword."

Mr. Grimshaw... decisions have consequences. Your attack on Mr. Miller and the issue of capital punishment was unfair and unfounded.

The majority of Canadians have wanted the return of the death penalty for years... it's only spineless politicians and a dictatorial government that has robbed society of justice!

*Thomas R. Buchenauer CD
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By Gary Miller

Why the Police Department became a ~~FORCE~~ Service

The Police Department became a Police Force many years ago for a very specific and valid reason: to remove the impression, perhaps even the fact that the police of a given jurisdiction were merely an enforcement arm (or department) of that jurisdiction and could not act independent of political influence. It was decided, wisely we thought, that the police must be perceived as being, in name and in fact "independent agents of the Crown" while operating, of course, within the confines of the law they uphold, their own organizational rules regulations and procedures, and the Ontario Police Act, but definitely at arms length from the influence of local politicians.

Police work is a noble calling which must be, and must be seen to be, above the politics of the day. Hence the use of the time honoured, internationally recognized designation: Police FORCE.

Now the term "force" has fallen out of favour. It seemed that many provincial governments wanted to soften the image of the police by encouraging the public, and the police themselves, to think of the police organization as primarily devoted to "service" rather than to enforcing the law.

Today's designer politics aid the criminal more than the police. Yet, we routinely and commonly refer to employed groups as "workforces" with no fear of negative impact.

Now the clock has been turned back. Due to the precedent set by former Metro Toronto Police Chair Susan Eng, the Police Services Board takes an aggressive role in running things. Senior command seem paranoid, paralysed into inaction without having first the blessings of the local councils and highly parochial special interest board members.

Board members have openly opposed standard police procedures and crime fighting initiatives. One board member looks upon police as an "occupying army", a disturbing state of affairs. The police force was clearly changing course and so the proud entity known as "The Force" became "The Service."

The senior command decision to rename the police as a "service" instead of a "force" signalled a change in philosophy that did not sit well with many. It's easy to see why former Metro Toronto Chief Bill McCormack resisted the change. No single act more clearly demonstrated for a large segment inside and outside policing the loss of police independence and neutrality from local government.

The police are now slipping back into the ways of a department of local government, rather than an independent but fully accountable separate Crown agency. Some would later argue that it is no better than the police deserved, since they abused their powers in the past.

To obfuscate this dramatic abandonment of

executive power to local government, the fiction was widely disseminated that the flattening of the police hierarchy had resulted in real decision making power being pushed down to the front lines. This was called "empowering the neighbourhood police constable" or the beat cop, the community officer, whatever the appropriate coinage of the day, to connect directly with the community. It smacked more of down-loading responsibility for screwups to the first response officer.

Not surprisingly, the newly "empowered" police constable seldom gets near the real community, never mind much power. Waiting to co-opt him are politically connected community activists, advocates for special interests who demand their own agendas be served at the expense of both the larger community and the impartial application of the rule of law.

Traditionally, the strength of our form of law was always (so we thought) that it recognized the supremacy and independence of the Crown over any government of the day by visibly and formally owing allegiance to the Crown. Ex-Metro Toronto Police Chair Susan Eng removed the royal oath of allegiance (after setting an example of defiance by refusing to take the Royal oath by which all previous police chairs had been sworn into office).

The new government at Queen's Park, significantly, has recently restored the Royal reference in the police oath in an attempt to dignify the swearing-in process and restore a sense of pride among jaded police officers.

But the real power brokers are still the community activists, defence lawyers and a ragtag of furious local politicians determined to derail the new team at Queen's Park at every opportunity. The ubiquitous "Beyond 2000 Restructuring", a plan of uncertain authorship dedicated to reinventing policing in the Toronto region through police/community partnerships, and a product of the free spending late 80's serves their purpose very well.

By any measure, police are much more highly regarded in the eyes of the public than in those of politicians. Of course, some groups amongst the populous do not like the police, such as criminals and their ever vigilant counsels. Wielding the awesome power of the Canadian Charter of Rights and Freedoms, unfriendly groups have acted to progressively reduce much traditional police power, which they insist the police have abused.

Many tribunals, struck to determine police abuses, have found that such abuses had occurred and in retaliation swift action followed to curtail police powers. Added to economic restraints, this curtailment has been achieved at a terrible cost to the whole community of severely diminished police presence and involvement where and when it was most needed.

This is one reason why crime statistics APPEAR to be falling. Many of these statistics are enforcement driven and cannot help but fall, given the present shortages and malaise. More and more, the police are simply not there to enforce the law when it is broken, or powerless to act, due to the "Charter."

Out of control drug abuse is just one example. The drug squads have been decimated by personnel cuts and restructuring. Illicit Drug charges are down, not because illegal drug traffic is down but because there are so few remaining drug law enforcers. Whose purpose is served?

In the traditional police hierarchy, the ideal command structure had traditionally allowed the front lines to focus on fighting crime, ensuring public safety, and protecting lives and property, (all fundamental reasons for policing). The Senior Command stood as a bulwark against the corruption and influence peddling exerted by strident spokespersons for special interests who did NOT represent the wider community. However the senior command now encourages special interests to set the agenda.

The command officers and the "empowered" front lines as well as being several heartbeats closer to the scrutiny of the curiously composed Metro Police Services Board, are also under the baleful gaze of those 15 taxpayer-funded "watchdog" agencies, ever peering over their shoulders.

There is a tragic irony of the concept held so dear by former police chair Susan Eng as she recalled the friendly street cop of her childhood. With his powers he could afford to be friendly. Now the front line and misnamed "empowered" police officer of today has been stripped of most of his lawful powers formerly drawn from the Criminal Code, common law and other statutes and now overshadowed by the "Charter". He must apply in writing to receive retroactive permission to even unholster his sidearm, much less actually use it. He is of necessity little more than a paper tiger, a "PR" front man for the jurisdiction that employs him (or her).

Should police serve and protect one richly varied but interdependent community and serve all within the community fairly and equally according to law? Or should we toady to local politicians, and their special interest friends. Ought we to be continually rewriting the rules as we try to read and apply a different set of standards to satisfy each group as they cleave to social mores developed half a world away, often very alien to our own? Or do we enforce the laws impartially and objectively, as they are written? Are police still law enforcers, however weakened their powers (due to past sins of commission and omission by a few) to stem the rising tide of violent crime? Or is their function simply better served as "PR" people?

Feds need help from cops in uncovering industrial espionage

by Lee Lester

Canada Computer Paper Inc.

The Canadian Security Intelligence Service is working with police forces to detect industrial and economic espionage by foreign governments. Computer and hightech companies are thought to be among the main targets.

"CSIS liases with a number of government departments and agencies, and that includes a number of police forces," confirms agency spokesman Gaetan Blais. "Under our mandate, we investigate economic espionage sponsored by foreign governments and directed against our economic and commercial interests."

Business espionage, estimates the White House Office of Science and Technology, costs US companies \$100 billion a year in lost sales. On the common basis of dividing US figures by 10, the equivalent Canadian loss would be \$10 billion.

But Blais says losses suffered in this country are impossible to estimate. "It is like money laundering," he says. "Everyone knows it goes on. But can you provide me with any figure? No one is in a position to know." He adds that many companies would not admit to being victims of espionage, for fear of undermining the confidence of their suppliers and shareholders.

CSIS economic security national coordinator Ted Flanigan warns. "For the most part, it is information that is contained on com-

puters that is at risk." It is important, he says, to make companies aware of the situation so they can guard against data theft.

Peel Regional Police, in Southern Ontario, has called on CSIS for help after a number of suspicious break-ins in the region.

At the SecurTech 96 conference in Toronto last November, Peel crime prevention officer Henri Berube described how the force is working with CSIS to develop a program "to help Canadian companies protect their assets." The program hopes to show uniformed patrol officers how to pinpoint espionage-related burglaries.

Berube told of a small Mississauga electronic safety equipment development company that was broken into. Although filing cabinets and desks were rummaged through, nothing was seemingly taken. But an officer discovered the company had drawn up a bid for a \$7 million contract a day or so before the break-in.

In a paper form, information as a Corporate Asset, Berube stated, "The contract bid in question was for a job in a foreign country. It was later discovered that the company in question is known for its aggressive economic espionage program."

An iron ore shipping company was also broken into. At first, it was thought the target was the firm's computers. But, as nothing was



taken, it was assumed the burglars had been scared off. But, within 30 minutes, an officer learned the company was approaching its fiscal year end. Staff then found the most recent database back-up tape missing.

A small communications systems supplier, also in Mississauga, had two computers stolen in a break-in. But more valuable machines were left behind. The stolen CPUs contained prospec-

tive client information likely to be valuable to competitors. Also, the company had been the target of a foreign company's takeover attempt.

Berube said Ultra Optech, a Quebec-based company with a laser-based system for inspecting materials used in, among other things, the Stealth aircraft, had three computers stolen. On their hard drives were confidential codes for specialized software used by the Canadian Armed Forces. Company president Gerard Durou estimated the value of the theft at more than \$250,000.

Former RCMP Staff Sgt. Jan Wolynski underlined the difficulty of fighting datatheft. Now an information security consultant in Orleans, Ontario, he said that while stealing a disk or paper containing information was a crime, just copying it from a computer was not, although civil remedies might apply.

Australia, the United States and the UK have stiffer penalties for punishing datatheft, and Canada's Criminal Code, he said, might need strengthening.

TEAMWORK TAKES PRACTICE

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The ICAT Trainer is now the most interactive Judgmental Use of Force Trainer available today. This new and improved system allows the training to be controlled by the trainer. Other weapons systems now incorporated include all types of duty firearms, O.C./Mace and Batons. Now verbal commands can be used during a scenario. All weapons are non-tethered and able to be used from a duty belt. Four weapons are individually identified and scored simultaneously.

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Turn those old report forms into hi-tech data input devices



Now here is a product worth looking at by any agency that is still using hand written report forms but would like to use computer technology with a minimum of transition training.

Formbuster, by California based Virtual Reality Laboratories, Inc. is designed to create ready made forms or scanned images of your existing forms as a database input screen. For law enforcement applications it is an obvious fit. No one has more types and styles of forms than police departments. In addition to regular department wide forms many agencies also generate in-house report forms to suit a myriad of circumstances and situations.

The real strength of this application is the ability to get those old "thump-o-matic" report forms off your desk and onto the computer screen.

Formbuster can be an ideal solution, for instance, for that arrest report form your members have to fill out at the station and then give to another person to key into the computer. By scanning the arrest report as a template in Formbuster you can now create database boxes in all the areas that need information printed in. Formbuster will even create the database as you go along.

To save time Formbuster features unique "hot tabs" that are preset at data insertion points for rapid tab-through. These tabs also remember what was entered on each line and can recall this information instantly if it needs to be repeated. Data can be entered from the keyboard or by clicking-and-pasting from an existing stand alone or network database, from text files or even previously filled-out forms.

Another feature permits both text and form image to be edited as needed. Custom logos, graphics and even signatures can be added. Colour graphics are automatically converted to highly detailed grayscale images that retain quality when faxed. Special options such as a "Grabbing Hand" and a "Zoom Control Bar" make it easy to reposition forms on the screen.

Forms are saved in a compressed format to conserve hard drive space and automatically decompress on retrieval with no loss of resolu-

tion.

In addition to all of this if your computer utilizes the newer computer fax cards you can also fax out your report forms to any other fax machine by simply pushing the "print" option. This is ideal for detachments that must send in copies of reports to headquarters, a court house or law office for disclosure purposes.

For users with large volumes of paper forms, Virtual Reality Laboratories also offers a separate conversion service that will scan, digitize and set the "Hot Tabs" for all of your agency forms and return them on a disk ready to be used with Formbuster.

"Formbuster meets an important need that no other forms fill-in product has addressed," says Lance Woeltjen, president of Virtual Reality Laboratories. "It eliminates the need for a forms-generating program that creates forms from scratch; it overcomes limitations of other programs that only fill in forms manufactured by specific vendors; and it save hours of busywork for everyone from a small office to a large corporate organization, no matter what kinds of forms they use."

Formbuster works with Windows 3.1 and supports most common graphic formats and is compatible with all major standalone or networked database programs. It requires a 386 or higher processor with 4MB of RAM and 5MB of hard disk space. To be more efficient it would also be wise to obtain a fax/modem card for the computer as well.

For further information call 1-800-829-8754 or Fax 1-800-355-8597.

Canadian Crime Prevention Centre now on The Internet



The Canadian Crime Prevention Centre is very proud and pleased to announce a new Internet Web Site that will give visitors crime prevention tips, CPTED resource information (Crime Prevention Through Environmental Design) and other valuable information.

The CCPC site is located at <http://WWW.cadvision.com / Home Pages! accounts/ccpc/index.html>. This will be the test location for this information based site to check the response. Currently there are very few Canadian sites relating to crime prevention on the Internet and this will fill a need.

The site will also serve as a resource site for downloadable information regarding CPTED and other crime prevention initiatives. Professionals and other people interested in crime prevention will be able to access plans, documents and information that can help them to make their community a safer place to live.

In conjunction with the leap to the Web, the Centre will soon be offering "The Internet and it's Dangers" a workshop for parents and caregivers to learn what is out there and how to protect your children from these dangers.

For further information contact the Canadian Crime Prevention Centre at (403) 264-0880.

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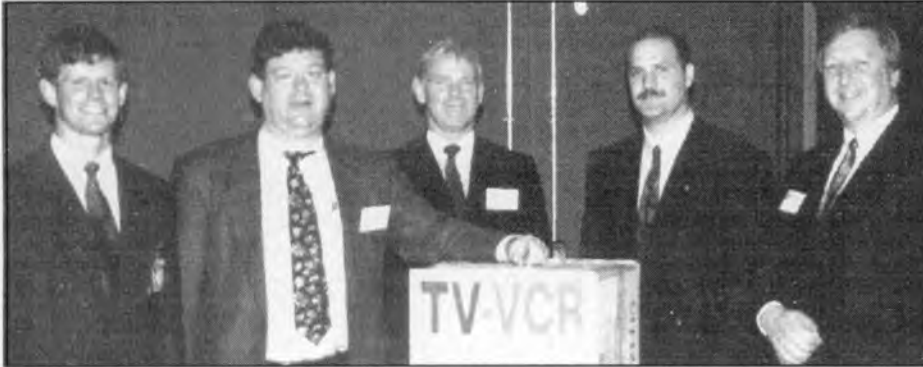
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Canadian Society of Industrial Security say Cops and community can work and learn together



Receiving TV-VCR donated by the Canadian Society of Industrial Security are Peel Regional Police Officers Tom McKay and Gerry Davenport. Looking on is CSIS V/Chair Jim Maddin, Cst. Henri Berube and Chair Keith O'Brien. The donated unit will be installed in the Peel Regional Police Crime Prevention Trailer. (Pictured at right)



A cooperative effort by private local organizations the Peel Police robbery prevention trailer is used to teach employees of businesses what to do in the event of a robbery. For details call 905 453-2121 Ext. 4032

The Ontario Region of the Canadian Society for Industrial Security held a dinner meeting with over fifty members and guests in attendance last October. The speakers were Tom McKay and Henri Berube from Crime Prevention Services of Peel Regional Police.

Constable McKay gave a presentation on Crime Prevention Through Environmental Design (CPTED). He provided many examples of how crime can be reduced by making changes to the environment surrounding an establishment.

Constable Berube's presentation was on

the affects of different types of lighting and its impact on crime. The presentation also included an actual demonstration which astonished many people in attendance.

During the evening, Ontario Region of C.S.I.S. donated a television and VCR for use in the robbery prevention trailer of the Peel Regional Police. Accepting the item was Constable Gerry Davenport of the Crime Prevention Services.

The trailer is set up on the inside to resemble a retail store. It was completely refurbished

through donations from the corporate sector working in partnership to reduce crime.

The robbery prevention trailer will be taken to strip malls and other shopping areas in the Region of Peel. The purpose is to educate small retail owners and employees on how to prevent robbery and what to do should a robbery occur. It is hoped that by increasing awareness, robberies and violence to employees during a robbery will be reduced.

For further details call CSIS at 1-800-461-7748 or Fax 613-257-5383.

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Law on CD-ROM's still costly from government services

By Jim Omura
Canada Computer Paper Inc.

"Cheaper law" based on the promise of cheaper publishing on CD-ROM is slowly coming. In October, Publications Ontario began sales of the Statutes of Ontario on CD-ROM.

The government has printed statutes, regulations, and paper consolidations quickly and cheaply for years. The consolidation of the Planning Act in both languages costs \$15 for 131 pages—close to the cost of printing and handling alone.

The new CD-ROM consolidated statutes are being sold in subscription licences at a base annual price of \$675. This price currently includes two releases per year including network usage by up to ten users. Unlimited users are allowed at a cost of 50 per cent more per year. According to Eric Steeves, director, public access services branch, Management Board Secretariat (MBS), the joint project between the Attorney-General and MBS began about a year and a half ago, when the decision was made to bring the statutes and regulations databases "in house."

The goals were maintaining cost effective print production, responding to requests from the legal profession, making available electronic access (direct Internet access is being investigated), and producing electronic media versions.

The target market was "the legal community—lawyers, businesses, students, law libraries and researchers, and internal government" who would be willing to pay for such a service, says Steeves.

The data is kept in a special database file and the disk includes a copy of its own accessing software, Folio Bound VIEWS 3.1a, which runs only on Windows (version 3.1 and later).

According to James Sauve of Libraxus, a Macintosh computer can also access the CD by using a program called Infobase Manager 3.1a, which costs an extra \$340. The Mac software does not have to be updated for later disks. This first disk contains only the consolidated Statutes current to Oct. 1, 1994, roughly a year behind.

Mr. Steeves notes that the ultimate goal would be to come out "two to three months after a session" and that the disks would be used "as a complimentary service along with on-line services for more current versions" provided directly and through on-line commercial vendors.

Both English and French versions are on every CD-ROM and the accessing software allows parallel reading. Information about proclamations (when a statute actually takes effect) is linked for quick access. Future disks will also contain the consolidated regulations, which will be similarly linked.

Looking towards the future, Steeves comments, "This could eventually eliminate the paper versions if it becomes the official version of Ontario legislation for use in the courts."

SUPPLY & SERVICES NEWS '96

A true end-to-end solution for any law enforcement agency



Enterpol currently offers three ready to go software products for the police community. The *Dispatch*, *Records Management* and *Crown Folder Documentation* systems offer a true end-to-end solution for any law enforcement agency or detachment.

The *Dispatch System* is a Windows based drag-and-drop graphical user interface. It tracks calls for service, available units, call histories and unit histories. In addition it links to the *Records Management System* with a capability of providing hazardous address information.

The *Records Management System* tracks all details of an occurrence. It is based on Lotus Notes, the groupware standard for computing. Information can be sorted and viewed many different ways and instantly retrieved.

The *Crown Folder Documentation System* is a Windows based electronic forms engine which accesses the information from the *Records Management System* and prints court documents, such as Promise to Appear, Criminal Informations, Notice to Parent etc. Double sided forms are printed from scratch with the proper colour paper. One records clerk on a small Ontario police service enjoys having the ability of completing impaired crown folders before the accused even supplies his first breath sample.

Enterpol Inc. specializes in application development, consulting and training for business and government and excel at police management systems. For more information contact Brian Henry at 905-722-6166.

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Does Point Shooting Work?

**The best way to train:
aimed fire or instinctive shooting**

It is critically important that officers receive quality instruction from professional firearms instructors familiar with close quarters shooting before attempting this technique.

by Dave Brown

In the pages of law enforcement magazines and on the police ranges of North America there rages a debate about the proper method of training modern skills in handgun shooting. This argument stems from an acknowledgment that the majority of police officer shootings occur at distances of less than two meters and are over in seconds. Very rarely does an officer, forced to use a firearm, report having a conscious memory of a sight picture before the trigger is pulled.

We devote much firearms training time into emphasizing the importance of a correct sight picture on the accuracy of the shot. Should the proper sight picture requirement be dropped from training and replaced by point shooting techniques? This seems reasonable in light of statistical data that seems to back up that no one sees a sight picture anyway. Why bother training in aimed fire that may only slow down the officer?

The answer is simple. With proper training,

aimed fire works and point shooting may not work. Modern advanced firearms skills should use techniques appropriate only to the specific circumstances.

"But I Don't Remember Seeing the Sights..."

Point shooting is often confused with hip shooting and instinctive shooting. They are, in fact, different techniques with the same end result: a fast shot on a close target. However, this then forms the limitation of all three. The target must be close. Anything beyond arm's length requires a proper sight picture. Any argument for point shooting at distances past one meter is based on one false premise—if no officer remembers taking a sight picture in the middle of a gun fight, then no sights were used by the officer.

The key word here is "remembers."

Just because there is no conscious memory of a sight picture does not mean that the sights were not utilized. It just means that the subconscious mind did the task of acquiring the sights

for the conscious mind under the stress of a shooting situation. How well that subconscious mind has been trained in that skill leads to the success or failure of the outcome.

The proof that sight pictures are still used, even at close distances, and often with no conscious memory, is seen by these same outcomes. The best marksmen still connect with their shots and the poor marksmen do not.

Street survival means that the police officer must win, in spite of a lengthy list of odds already stacked against you. Let us not add inappropriate techniques to that list.

Hip Shooting

Hip shooting is an arm's length technique that requires firing the weapon from the hip as soon as it has cleared the holster. It is a viable option when you are so close to a perpetrator that a weapon can be deflected or snatched away, with deadly results. It is thus a weapons retention technique and not a speed shooting technique. Because it requires a hesitation and interruption in the draw motion, it is ultimately no faster than bringing the gun up to eye level and using the sights. It may even be slightly slower, as it requires you to think. Thinking only slows you down when it comes to ingrained techniques such as a smooth draw and a fast weapon presentation from the holster.

Hip shooting does work as long as it is confined to this critical arm's length distance only, and you remember that the bullet goes where the eyes are looking. Focus on a particular spot on the perpetrator's body and fire the gun from the hip as soon as you clear the holster.

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It helps to lean the hips to the side and cant the gun, but the bullet will likely strike within inches of where you are looking. (This is one reason why participants in real gun fights or electronics FATS simulations seem to shoot the weapon displayed, more often than the center-of-mass of the actual target.)

It is critically important that officers receive quality instruction from professional firearms instructors familiar with close quarters shooting before attempting this technique.

Point Shooting

Point shooting is based upon the skills you learned as children playing cowboys or cops with your pointing finger often simulating a toy gun. Where the finger points is where the bullet strikes. It involves accurately hitting targets with the gun below eye level, and with no sights employed beyond the simple pointing of the gun at the target. It is not hip shooting with one hand but rather uses two hands in a proper shooting stance. With lots of training and practice, point shooting can be accurate at distances up to seven meters.

This is the drawback to point shooting. It consumes a lot of valuable training time and ammunition to become proficient. Yes, there are good shooters that can demonstrate amazing accuracy on targets with point shooting, but these people are not likely to be beside you in a gun fight. Its value for the average street officer with finite training time and resources is questionable.

For point shooting to work, it requires position indexing using your stance to point your body at the target. The technique does work and some instructors can even demonstrate how subtle shifts in the stance can result in shots always going to any desired natural point of aim. This results in an accurate shot fired on a close range fixed target, literally with the eyes closed.

Point shooting, however, may not work outside the structure of a controlled range environment. Real shootings often happen unexpectedly with the officer in all kinds of awkward positions and rare is the opportunity to adopt a correct isosceles stance and proper grip. Most unprepared shooting positions could best be described by a "mouth-open, shuffle-crouch, panic-isosceles" with the officer usually off balance, often moving backward, and rarely with a good two-hand grip. This natural "ducking" crouch position is the body's first survival instinct in a gun fight (and a good one, too). Realistic training environments should always encourage rather than fight the body's innate survival tendencies.

Instinctive Shooting

If hip shooting and point shooting have limitations on the street, what is instinctive shooting and why is it increasingly being taught?

Simply put, when instinctive shooting is taught correctly, it is shooting without a conscious sight picture. This does not mean that the sights were not used, only that they were not remembered. The focus will likely be on the target and the mind of the officer will likely be busy analyzing the situation to determine the

legally correct response. The mind will not have time to think about the basic mechanical skills of firing the weapon. This is where instinctive shooting is valuable. It teaches the subconscious to take over the technical skills.

The key here is that it must be trained correctly. In the classroom with empty guns, begin at a low ready position. Raise the gun, acquire a sight picture, and then lower the gun. Students are encouraged to visually acquire a perfect sight picture in shorter and shorter time limits. At this point, the instructor should then condition students to trust their own instincts and free the subconscious mind to acquire the sight picture. This is accomplished by allowing the student to "see" the sight picture after the gun is lowered. This proves to them that their subconscious has the ability to acquire a perfect sight picture in fractions of a second.

This technique is defined as a "flash sight picture." The image of the sights flashes into the subconscious long before the mind is aware of it. In other words, instinctive shooting is aimed fire. It is both fast and accurate at close ranges because it does not interfere with the natural draw and weapon presentation.

This means that the point shooting versus aimed fire debate for the officer on the street becomes irrelevant. Continue to train and practice using the sights at all distances beyond arm contact. While it may seem ironic that you must always use the sights in training because you will almost never use them on the street, the point is that the sight acquisition is a mechanical skill that must become imprinted onto the subconscious mind. During high arousal situations, it is the subconscious that will be dealing with these technical skills so it must have the proper conditioning to expect this.

When you are under a great deal of stress, the body tends to revert to its dominant response. This dominant response must be the correct one. (This is why us amateur golfers tend to play a worse game under pressure, but many pro golfers tend to improve in, or even

require, intense competition.)

The Rest of Your Life

When an emergency unfolds, you must be able to respond appropriately. When that emergency requires the use of a weapon to defend life, you start with an immediate disadvantage. You first begin playing catch-up behind the action/reaction curve. If factors of ability and commitment are equal between you and your adversary, you will likely lose. You must be better, and you must be faster. When that gunfight begins, you have only the rest of your life to respond.

There are no documented cases of perpetrators being felled only by a single loud noise. You must hit your target. This requires that you religiously practice basic techniques such as sight picture, accurate aimed fire, trigger control, weapon presentation from the holster, re-loading and jam-clearing drills. Imprint these techniques onto your subconscious because this is the portion of the mind that will actually be aligning the sights for you. Whatever you wish to call point shooting, confine it to one meter or less. Sure, there are some really good instructors that can demonstrate point shooting at distances out past ten meters. However, these shooters are far better than you or I could ever hope to be. After all, is not the most important task for any instructor to keep the student alive?



- Dave Brown is a professional firearms instructor in Winnipeg. He offers courses and seminars on advanced handgun and shotgun skills for police officers, and is currently writing a book on the physiology and psychology of shooting sports. He can be reached at (204) 774-2543.

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Company unleashes flood of new gear for police market

Optimistic about the future of hunting and shooting accessories, "Uncle Mike's" is serving up a host of new products for law enforcement officers.

Topping the list in the 1996 Michaels of Oregon catalog is the introduction of the MIRAGE Series of SIDEKICK PROFESSIONAL holsters, belts and accessories. The new line, shown in the expanded 32-page color catalog, has the look and feel of leather, but is made of a tough nylon fabric called Nytek.

Four series of holsters are being made in the MIRAGE line, in most of the same models made in the firm's Cordura nylon group. Included are the Super Belt Slide, High Ride Thumb Break, Paddle and PRO-3 and Dual Retention duty holsters for law enforcement officers.

The company also is making a MIRAGE duty belt, many magazine and speedloader cases, radio cases and most police accessories.

The new product introductions don't stop with the MIRAGE lineup, however. Also new is a Cordura nylon ambidextrous Hip Holster with an integral magazine case on its forward spine, and a belt clip as well as a belt loop.

For small frame .22 and .25 autos and some small frame .380s, "Uncle Mike's" has added the Baby Bet holster, a companion to the popular Side Bet Universal Belt Slide holster.

Handgun and shotgun shooters can now shoot more and enjoy it more by protecting their hands with "Uncle Mike's" new Leather Shooting Gloves. They're designed to protect the web between the thumb and forefinger from the impact of handgun shooting, as well as the middle finger that's exposed to chafing in re-

volver shooting. The company said the gloves also are beneficial for shotgunners, offering protection and a better grip.

Major improvements have been made to both MIRAGE and Cordura models of most belt accessories, including a retention device on fitted magazine cases that retains the magazine even when the flap is unsnapped. Other changes involve new materials and designs.

For police, security and commercial users of handheld radios, 1996 is bringing new smaller size radio cases to fit smaller Motorola radios.

Police who use expandable batons can now reholster an extended baton with one hand. "Uncle Mike's" Expandable Baton Holders now have an opening in the rear that permits

the baton to be sheathed without telescoping it closed.

For both police and security, "Uncle Mike's" is offering a large equipment bag designed for carrying tactical team gear and shooting items. Also, a new Cordura nylon briefcase that's water resistant, virtually indestructible and expandable is being introduced. It has compartments for everything from pens and pencils to notebooks and laptop computers.

For tactical team members, the SIDEKICK PROFESSIONAL line now offers a PRO-3 version of the Tactical Holster. Primary purpose of the internal locking device is for tactical use to assure positive gun retention during extremely adverse tactical conditions. Another tactical product is a new gun case for submachine guns such as the H&K MP-5 and similar weapons.

For a copy of the catalog write to Michaels of Oregon, P.O. Box 13010, Portland, OR 97213.



Portable light can make computer work easier in the patrol car



Now portable computer users can work anywhere, anytime thanks to the NCL 400 Ultimate Notebook Computer Light from ASF Associates Ltd. of Merrick NY.

This easy to use, patented reading light evenly illuminates the entire keyboard, display and work area of any notebook/laptop etc. It is designed to help law enforcement and other emergency services personnel work quicker and more comfortably in their vehicles and outdoors under low-light conditions.

The NCL 400 comes with two types of Ektron bulbs (clear and red), a heavy duty DC vehicle adapter with hi-lo dimmer and a soft, compact travel case. The light can also be powered by type AA batteries.

And why a red light? "Red light allows eyes to adjust to darkness more rapidly," explains Arthur S. Friedman, president of ASF Associates Ltd. "If a person driving a car, conducting surveillance at night has to use a computer, regaining night vision quickly is obviously very important."

The unit is priced at US\$39.95 and has a 90-day warranty. It may be purchased directly from ASF by calling 1-800-771-3600.



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Get launched into cyberspace with this one-stop Internet package



Reviewed by - Morley Lymburner

Are you or your agency tapping your fingers on the desk or scratching your head about whether to jump into the Internet? It appears to be a bit of a daunting task. What hardware? What software? Where do we get it and how much time do we use up trying to get it all together? Oh! And one last thing... HOW MUCH?

Well here is a nice solution that should send you into cyberspace in record time. California-based Logicode Technology, Inc., is now shipping "The Net Kit" which allows quick and easy access to all on-line services and grants the user direct Internet passage through a multitude of easy-to-use interfaces.

This package comes complete with a choice of software and Internet suppliers for you to test drive plus a state-of-the-art Logicode V.34 Quicktel fax/modem that transmits and receives at up to 28,800 baud per second.

The Net Kit includes all of the tools required to explore the World Wide Web immediately and efficiently. Logicode has arranged for all major on-line service providers to supply The Net Kit with special offers, extended free trials, and choice of services.

Logicode has also assembled the best Internet Access Providers (IAPs) under one roof. The Net Kit offers full access to the World Wide Web, plus Mosaic, Gopher, WAIS, Veronica, Archie, ftp, E-Mail, NEWS, IRC, and Telnet are also offered to The Net Kit buyers.

Also included with the kit, and to be kept top secret from the boss, are some of the best-selling modem-to-modem computer games: Rise of the Triad, Wacky Wheels, Terminal Velocity, Doom, Dessent, and Heretic... SSHHHHHH.

Logicode has arranged for two major Sybex reference books to be included: "The Internet Roadmap," and "Games on the Internet," as well as attractive subscription offers from a

number of leading computer journals.

Other products included in the Net Kit are:

- An advanced theft retrieval software package similar to popular tracing systems available for cars,
- An easy-to-use address book (yellow pages) of interesting web sites and places to visit on the net,
- A full-featured dictionary, new e-mail setup, signature pages, spell checker, webpage manager, acronym catalog, and
- Canada's world renowned Winfax Lite.

Logicode reports it is ready for immediate delivery. The Net Kit with its V.34 Logicode 28,800 bps modem, has a manufacturer's suggested selling price (street price) of \$US199.95. I checked... the Fax/modem is worth this alone.

Also available are 14,400 bps economy models and voice mail modem versions. The Net Kit and Logicode stand-alone modems can be purchased from local distributors, retail stores, or directly from the company headquarters.

All Logicode Technology, Inc. data communication products carry a lifetime warranty and most are available in both IBM compatible and Macintosh configurations.

For further information, contact Logicode Technology, Inc., 1380 Flynn Road, Camarillo, CA 93012. Telephone is 805-383-2500 Fax 805-388-8991. A 24-hour Bulletin Board System is also available by calling 805-445-9633.



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Developing intersection collision avoidance systems

If one company in the United States has its way we should be seeing fewer accidents in the future.

Battelle Corp., based out of Columbus Ohio, is supporting a U.S. federal project to develop specifications for a system that would help drivers avoid intersection collisions.

The goal of the project is to develop a system that will alert drivers of a potential crash situation as they approach an intersection. Or, if necessary, the system can assume control of a vehicle if the driver is unable to respond in time.

The project, known as the intersection collision avoidance countermeasures system, is being funded by the National Highway Traffic Safety Administration (NHTSA). The prime contractor to develop the prototype system is the Calspan Corporation in Buffalo, N.Y.

Project Manager Jeff Everson, of Battelle's Cambridge, Mass., office, said the prototypes will be evaluated under realistic intersection conditions to test the effectiveness of countermeasure concepts. Electronic equipment will be placed in both the vehicle and the intersection infrastructure.

The equipment in the vehicle could include

sensors of several varieties—microwave, laser radar, or video imaging systems—as well as computers and communications equipment.

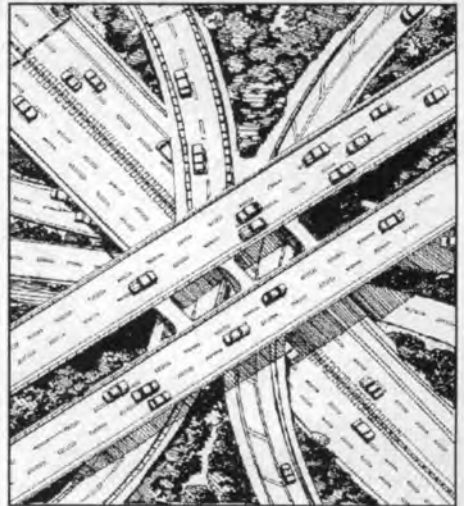
Potential infrastructure equipment might include intersection surveillance sensors and road-to-vehicle transponders.

Established as a five-year program, the project is divided into three phases. The first phase was recently completed. NHTSA awarded the second phase to the Calspan team.

During Phase I, Battelle conducted a review of research papers that pertained to a driver's behavior when approaching an intersection. Battelle researchers then created several ideal, driver behavioral models to account for intersection collision scenarios.

Battelle also helped develop intersection countermeasure concepts—electronic systems that would warn of potentially dangerous situations at intersections.

These systems should consider such parameters as velocity, heading, acceleration of the subject vehicle, presence/configuration of the traffic light, signal light phasing, and the dynamic state of other vehicles in the vicinity of the intersection.



Assisting Everson with the project from Battelle are Alvah Bittner and Rhonda Kinghorn. The program manager at Calspan is John Pierowicz.

For more information, contact Jeff Everson at Battelle Cambridge, telephone 617-577-7250; telefax 617-577-7257; or at Internet address: everson@battelle.org.

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Both pants and jacket are available in sizes S to XXL.

U.S. Cavalry has priced the jacket at \$US 49.95 and the pants for \$US 24.95. This fleetingly translates into \$54.01 and \$32.51 respectively (as of January 10th anyway) in Canadian funds... and don't forget the GST!

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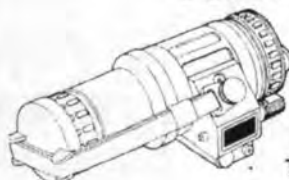
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Work related burnout need not happen in policing

by Marc Rogers M.A.

Burnout is not an inevitability of police work. Officers and administrations can take an active role in both reducing the burnout experienced by officers and protecting officers against future burnout.

Research conducted at the University of Manitoba on Police and Burnout has resulted in some very interesting findings.

The study was conducted by the writer and used officers from the Winnipeg Police Service in Winnipeg, Manitoba as subjects.

The study was designed to look at factors that buffer the police officers from burnout. Burnout is a psychological term that has become increasingly more popular in the media.

Burnout refers to the condition where a person feels that his/her mental or physical energy levels have been depleted to such an extent that they cannot meet the demands placed on them in either the work place or their private lives.

Burnout is often displayed as a callous or cynical attitude towards work and persons the individual comes into contact with. Burnout is especially prevalent in the human services professions, a category which includes police officers.

The research conducted in Winnipeg concluded that officers in the Winnipeg Police Service reported to be suffering from moderate to high burnout levels. This finding was expected as previous research has indicated that police officers have a high level of burn-



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out. The research also identified a percentage of the officers that reported little or no burnout.

The study then focused on what differences there were between the officers who reported moderate to high burnout, and the officers reporting low or no burnout. The factors studied included: gender, age, number of years of service, marital status, number of children, assigned duties (i.e., uniform patrol, plainclothes, etc.), and various social support variables.

When all the results were analysed it was concluded that two factors were key in determining whether the officer would become burned out or not. These two factors were social integration and reassurance of worth.

Reassurance of worth refers to the concept of feeling that one is important and competent at what they do either in the workplace or in their private life.

Social integration is best understood as the quality of social interactions and social activities.

Police officers who reported high levels of reassurance of worth also reported low levels of burnout. Officers who reported high levels of social integration also had lower burnout.

The study then went one step further and looked at what factors are important for predicting future burnout. The important factor was social integration.

Social integration was a predictive variable; by measuring the officers' level of social integration it is possible to predict whether the officers would become burned out or not. Officers with low social integration have a strong likelihood of burnout and officers with high social integration have a low likelihood of burnout.

It seems that by having quality social interactions with other people and having other people with whom you can participate in activities with, acts as a type of shield against burnout.

The important aspect is the term quality; sheer numbers of social interactions is not as important as the quality of the interactions. The findings that high reassurance of worth and high social integration help reduce and protect officers from burnout has some important policy implications for police administrations.

Burnout and stress within the workplace are linked to high absenteeism, high levels of compensation claims, low morale and productivity, high rates of public complaints against officers, and high staff turnover.

Being able to reduce the job related burnout is a cost saving benefit to the administrations.

Administrations have direct control over reassurance of worth. Through education and upgrading the managerial skills of supervisory staff the workplace can be seen as a more positive work environment.

Administrations can pay more attention to positive aspects of their human resources instead of accentuating the negative.

The above mentioned administrative

changes would greatly increase officers' perception that they are competent and play an important role. Social integration is a social skill and as such individuals can be taught how to increase their level of integration.

Most police departments have Employee Occupational Safety and Health branches. These branches can set up training programs to assist officers who have low integration skills.

Police officers owe it to themselves to protect themselves not only from the possible physical dangers of the job, but from the psychological dangers as well. Knowledge and understanding are the keys to such protection.

Marc Rogers currently holds a Master's Degree in Forensic Psychology from the University of Manitoba, and is finishing his Ph.D. in experimental psychology. He currently is a constable with the Winnipeg Police Service (WPS) in Winnipeg Manitoba. He has been a police officer for 10 years and serves on the Post Trauma Team. Correspondence may be sent to him at 16 Highgate Cres. Winnipeg MB. R2N 1T7
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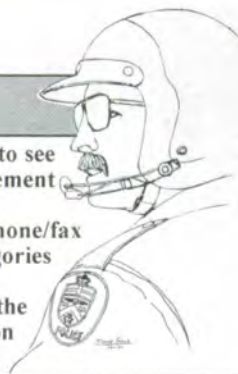
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The first part of this directory consists of the "Corporate Listings" which includes the names, address and phone/fax lines of the companies. The second part is the "Category Listings" which places the companies under the categories of services or products they offer.

Although this annual directory appears quite comprehensive it is not by any means exhaustive. It only reflects the companies which had sufficient interest to take the time to return the survey form. This should be sufficient indication that your enquiries to these companies will be handled with the utmost attention.



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RCMP approved

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This "Category Listing" section provides you with a list of the companies that have indicated in the *Blue Line Survey* which category of goods or services they are able to supply most efficiently to the law enforcement community. Simply look up the category of product you are interested in and then go to the "Corporate Listings" directory for that company's details.

A complete list of categories, along with secondary cross-references in italics, are supplied here for your convenience.

Accident Reconstruction
Computer - Software

Aircraft

Alarm Devices
Security

Alcohol Detection Devices

Ammunition

Ammunition - Non-Lethal

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Awards, Badges & Pins
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Surveillance

Body Armour
Tactical Team Equipment

Bomb Disposal
Hazardous Material Handling

Boots & Shoes
Footwear
General Police Supply

Cameras, CCTV, Film
Surveillance
Video-Mobile
Video-Surveillance
Security-Perimeter Control
Photography

Cases, Duty Bags, Storage
General Police Supply

Clothing & Outerwear
General Police Supply
Uniform

Communications-Base Stations
Telecommunications

Communications-Consultant

Communications-Hand Held

Communications-Mobile

Communications-Systems

Community Programs
Crime Prevention

Computer-Accessories

Computer-Consultant

Computer-Hardware

Computer-Mapping

Computer-Records

Computer-Software

Computer - Training

Consultant - Architects

Consultant - Financial

Consultant - Investigative

Consultant - Organizational

Consultant - Range Design

Consultant - Security Screening

Consultant-Software

Consultant-Spees Writing

Consultant-Training
Training Programs & Courses

Counterfeit & Forgery

Crime Prevention
Community Programs

Emblems
Gifts
Awards, Badges & Pins
Vehicle-Accessories

Equipment Bags & Cases
General Police Supply
Cases, Duty Bags & Storage

Exercise Equipment & Health

Eye, Ear & Skin Protection
Gloves
Range Supply
Hazardous Material Handling

Firearms - Training

Firearms - Simulation Training
Video - Training

Footwear
Leathergoods
Uniform

Forensic Services & Equipment

Forensic Investigations
Consultant - Investigative

General Police Supply
Gifts
Awards, Badges & Pins

Gloves
General Police Supply
Leathergoods

Hats & Regalia
Clothing & Outerwear
General Police Supply

Hazardous Material Handling
Bomb Disposal
Eye, Ear & Skin Protection

Helmets
Tactical Team Equipment

Holsters
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Chiefs may be ousted after Solicitor General's policing review

In early December, Ontario Solicitor General, Bob Runciman, announced the government will implement significant changes to police operations in the province.

Ontario is looking to cut the number of police chiefs and place more officers on the front lines.

"When you have 10 chiefs of police in one area, perhaps you can do with two - those are the kinds of questions that will be looked at," Runciman was quoted as saying in a local paper.

The provincial Solicitor General said a large-scale review of Ontario's police forces will be launched and legislation will be introduced in the spring to amend the Police Services Act, with the changes to be phased in by the beginning of the fall.

Runciman said there will be a whole range of issues which will be examined during the course of the review in an effort to find methods of performing tasks in the most efficient manner.

The government will consider amalgamating police services in order to cut administrative costs associated with managing smaller forces.

The exercise will also examine possible methods to improve how police officers in the province respond to crime.

Runciman said there are a number of people who feel that they are currently under-policed and that they are not receiving adequate responses to offences such as breaking and entering. He said the government will attempt to address the issue.

Letters warning of possible changes were issued to Ontario municipalities in the beginning of December.

The letter basically stated that the ministry had received a number of requests from various municipalities and the police community, to address concerns over the structure and financing of Ontario policing.

The high priority memo from Assistant Deputy Minister, Fred

Peters, also stated that organizations including the Ontario Association of Police Services Boards and the Ontario Association of Chiefs of Police, had passed formal resolutions which requested the examination take place with possible resolutions to follow the investigation.

While the process is underway the government has decided to place a moratorium on requests by municipal forces to shut down local departments and replace them with Ontario Provincial Police.

However, fourteen communities which submitted proposals to can local forces prior to announce-

ments regarding the review won't be affected by the moratorium.

Those communities include Strathroy, Orillia, Alexandria, Clinton, Fort Frances, Harrow, Meaford, Perth, Kirkland Lake, Penetanguishene, Maudstone, Desoronto, Mitchell and Collingwood.

With the Finance Minister's announced changes to municipal funding to municipalities, the Ministry of Municipal Affairs and Housing will introduce legislative changes which will, among other things, give greater control over most special purpose bodies to municipalities.

User group on firearms appointed by Justice Minister Allan Rock

Allan Rock, the Minister of Justice and Attorney General of Canada, announced the appointment of a User Group on Firearms in late November which will advise the government on the development and implementation of the new Canadian Firearms Registration System.

The Registration System is to be implemented in two phases over a seven year period. The licensing phase is slated to begin in 1996. During this phase firearms owners will have five years in which to obtain a Firearms Licence. The second stage, which begins in 1998, will require firearms owners to register their firearms by 2003.

The User Groups will give advice which will help to ensure an effective and convenient system that will reflect the interests and needs of various firearms users including recreational and sustenance hunters, police, firearms dealers,

outfitters, competitive and recreational shooters, collectors, firearms safety instructors and administrators of the firearms program.

The User Group will begin their task once Royal Assent is given to Bill C-68 and continue throughout the implementation period.

The User Group compliments two other committees involved in the design and implementation of the Canadian Firearms Registration System.

The committee includes chief firearms officers from every province and territory, as well as a federal steering committee or representatives from the Department of Justice, Customs, Solicitor General, the RCMP and other federal agencies.

This group will be instrumental in the implementation of the new Bill C-68. Their work will ensure that transitions are made properly.

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INSIDE

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Patrol jacket adjusts to your environment

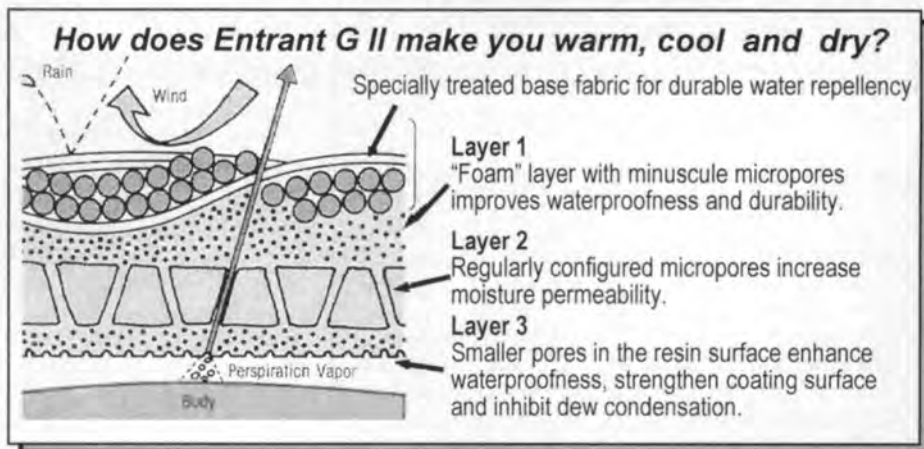


Nine-One-One's model 131 patrol jacket incorporates a new waterproof but breathable fabric called Entrant GII. Acting like a portable air conditioner it helps to adjust your body temperature according to your environment.

Nine-One-One Outerwear is introducing Style #131 to supplement their growing line of Canadian made products custom designed for emergency services personnel.

The Style #131 Bomber Jacket was added because of the major move to semi-automatic handguns and the way they sit on the officer's waist. While this is not a totally new style to the market, it is their version of a shorter bomber complete with side zippers for easy access to equipment.

Nine-One-One, long recognized for superior warmth in their products, does not jeopardize its reputation by allowing a choice of zip-in zip-out insulations into this bomber. A new one



zipper 3M Thinsulate removable liner system is available in the department's choice of 100, 200, or 300 weight to combat whatever climate is present.

Being a custom manufacturer Nine-One-One allows the department to make any adjustment to a style that will enable the product to perform for its particular needs. Extra interior pockets, mike holders etc...even belt loops on the exterior of the jacket have been requested, developed and delivered.

Nine-One-One has also introduced Entrant GII to the market. This newer form of waterproof-breathable fabric takes the place of the Entrant fabric formerly used. The moisture permeability or "breathability" has been greatly improved.

Waterproofing is the simple part of constructing a garment, comfort in these products

is measured by how well they breathe.

Nine-One-One manufactures a full line of products designed for emergency services personnel, from bombers to full length parkas, bicycle suits, Nomex (fire retardant) crowd control and tactical suits.

All products are custom manufactured in Canada.

Safety partners co-operate on new courses

*Safety Update
Ontario Safety League*

"Learning from each collision leads to prevention," is how Bob Cole views and sums up a motor vehicle crash scene.

Constable Cole of the OPP Aurora detachment, attended the recent Airbrake Inspection Course for Collision Investigators along with 11 other law enforcement officers from across Ontario.

Frederick Transport and Challenger Motor Freight teamed up with the Ontario branch of the Canadian Association of Technical Accident Investigators and Reconstructionists (CATAIR) in mid-October.

"As professionals we have a common purpose when attending a crash site. It's this kind of initiative and learning process that can prove to be extremely valuable to us and ultimately to drivers as well."

Bob Cole is also chairperson of the Toronto chapter of CATAIR.

Cole recently acted as facilitator for the industry preview session of the Ontario Safety League's latest course: *Motor Vehicle Collision Investigation Part 1*.

The first five-day course was held at the Province's Ministry of Transport offices in North York and seventeen people graduated from the course.

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The Court Jester sets his sights on the boys in blue

*"Cop Shop" by Peter MacDonald
Published by Stoddart Publishing
Reviewed by Morley Lyburner*

Good news arrived at my office last month. It was a master copy manuscript of Peter MacDonald's new book "The Cop Shop" scheduled for release on an unsuspecting public next month. Peter is the author of Court Jesters fame who has spent over four years gathering these humorous stories of police officers from around the world. My walk through the 246 pages of his manuscript kept my sides sore and tears

rolling down my cheeks. What follows is just a sample and we hope to bring you more in up-coming issues with the kind permission of Stoddart Publishing. In this case obtaining permission to copy a story was a little bizarre. I was asking permission to copy my own story.

The Rookie and the Prowler

I was a young rookie just out of police college and coupled with a training officer. This guy sized me up for the first couple of hours and realized I was keen and energetic. He started to ask me questions about the training they gave us at the college. He said he'd heard it had changed since he had his little cakewalk ten years before. I told him it was gruelling and said I was very happy to have graduated. He asked me about the physical training, and I told him it was extremely tough and had produced some of the best-conditioned officers in the entire country.

Around dusk we began to patrol an industrial area of our sector. My coach-officer told me there'd been a lot of factory break-ins lately, which police reckoned had been committed around sunset. They called the culprit the Twilight Burglar.

As we drove past a factory at the end of a cul-de-sac, my partner suddenly shouted, "There he goes! He ran down the alley! Did you see him?"

Far be it for the rookie, a trained observer straight out of police college, not to see something that obvious. "Yeah, sure, I saw him," I lied.

"Okay," said my mentor, "there's no way he's getting out of the rear of that factory. You go down that side and I'll go down the other side. We've got him for sure!"

I exited the passenger side of the car and got out my flashlight. I could see what my partner meant—there was a high barbed-wire-topped fence to the rear, and there was no way that guy could get out of there. I ran to the back of the factory and shone the light across the tall grass by the high fence.

Suddenly I could hear some rustling to my left. I knew I had the guy now, and I quickly shone my light towards the ever increasing rustling sounds. My stomach started to churn, for I'd illuminated an entire row of the meanest-looking dogs I'd ever seen. There were five dog houses in a row against the back wall of the factory, and every pair of glowing eyes and gaping fangs were aimed at me. The rustling sounds were replaced with a low, rumbling growl that sounded like the roll of thunder.

Panic slowly creeping over me, I stayed completely still, fearing any move might send them lunging at me. I realized that my light was in my right hand and I couldn't even reach my nightstick or my gun without startling them into action. Even if I could get to my gun, how many

of them could I shoot before the others got to me? My only option, I thought, was to keep the light steady on their eyes and very cautiously, very slowly, move towards the alleyway behind me. I was counting on getting a lot of space between us before I could break out into a cold sweat and a dead run.

Slowly, I moved my now-rubbery legs. With each movement I could hear the thunder growing. I could see the dogs slowly get up as if in unison. I took only two steps, and the nearest dog took his first lunge towards me. I started to run and felt the dog's jaws snapping at my heels. I looked over my shoulder and much to my relief I saw that this huge dog was chained. All I had to do was outrun the length of chain. I felt my fear subside slightly. But what a long chain it was! Finally, I could see it get taut and snap out straight. I slowed my pace and then saw the worst horror of my brief police career—THE CHAIN SNAPPED!

I'd experienced sheer terror, then relief, then absolute horror. My legs started moving so fast I'm sure only a blur could be seen. The huge animal continued to come at me like a furry cannonball. I then saw the police car near the

end of the alleyway, and for a second I felt salvation was on the way. I quickly realized how close the animal was to my back and knew I had no time to go to the door of the police car. I took two more great strides and leapt onto the hood of the car, over the windshield, and wrapped my arms around the red roof-light. The light suddenly went on and there was no sound to be heard—except the hysterical laughter of my partner.

I looked over the edge of the roof of the car and saw him patting and scratching the ear of the huge beast, who had a few more woofs left in him. He had his paws up on the driver's door and, with his tongue hanging out and his tail wagging, looked up at me as if to say, "Thanks for the fun." My terrifying attack dog was suddenly an elderly, overweight, lovable mutt with no teeth. My partner knew the owner of the factory and also knew his beloved dogs were kept well fed and chained to their dog houses at the rear of the factory to keep prowlers away.

"Well," said my partner, "they sure do train you rookies better than when I was at the college. Why, I've never seen a rookie run as fast as you did!"

Tony MacKinnon's RIDE Team



Wanna bet we don't at least get a couple?

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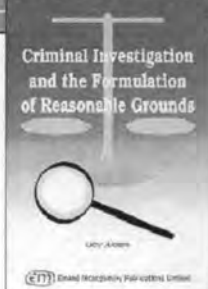
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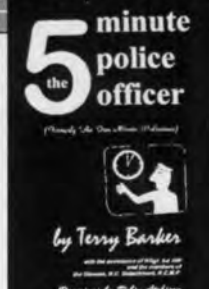
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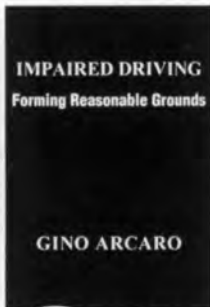
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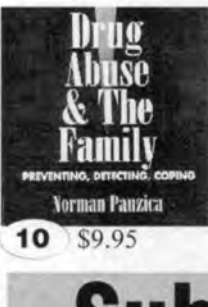
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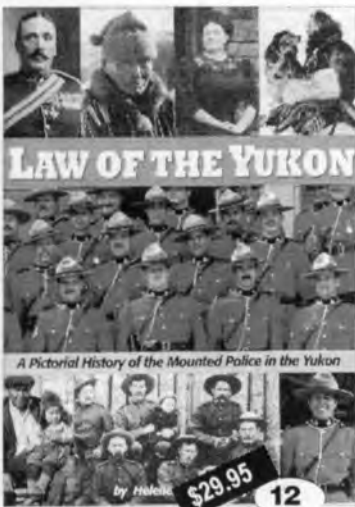
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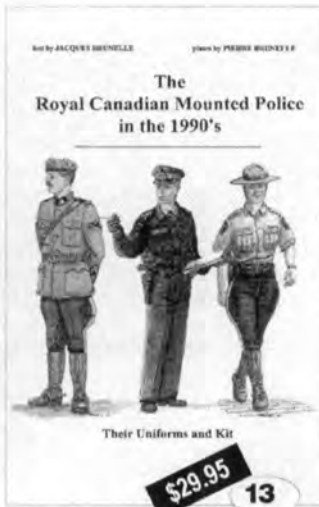
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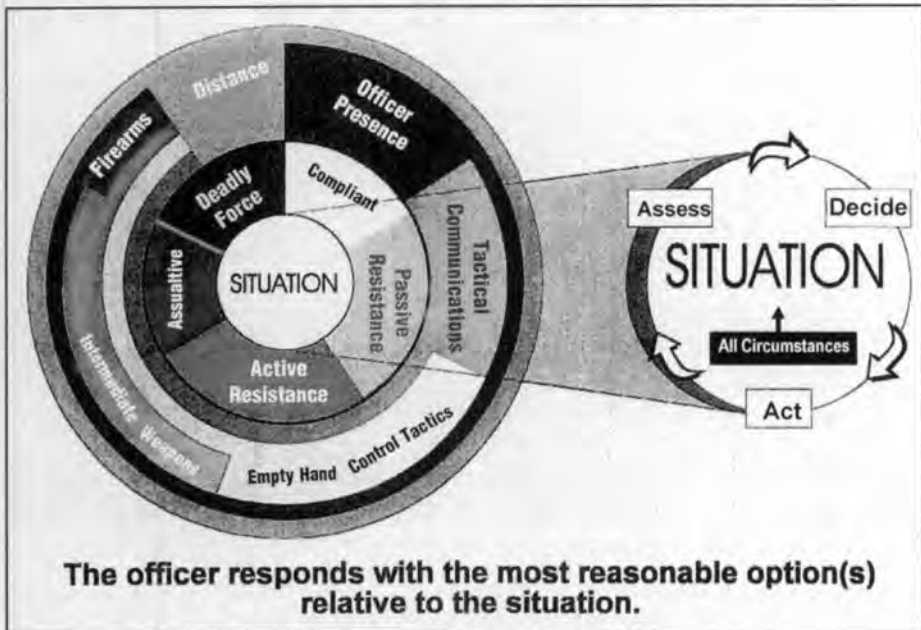
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Force Options Theory



A common sense approach to the use of force



By Joel A. Johnston and John K. McKay

The use of force by public officials has always been a sensitive and difficult subject to deal with. Most people go through life, with the exception of the odd school yard tiff, never having to use force against another person. Consequently their perceptions of physical confrontation and the force used are shaped almost solely by media images. They include news media accounts of incidents through print and electronic media, television programs and movies, and major motion pictures. Rarely do such representations accurately reflect reality. In essence most "good people" in society, having never been exposed to a real use of force situation, rely on the media, whose primary purpose is to generate revenue. This is often done through controversy, sensationalism, and polarization of issues.

In Canada, the law authorizes *everyone* to use force to protect themselves, or anyone under their care, from assault (self defence) as long as they use no more force than necessary to do so (section 37 Criminal Code). The law also authorizes *everyone* to use as much force as is reasonably necessary to prevent the commission of certain offences (s. 27 C.C.C.). Additionally police officers are specifically authorized to use *deadly force* (s. 25 C.C.C.) if certain conditions exist and no less violent means are available. This usually means the deployment of the police sidearm.

However, deadly force can be delivered in a variety of ways. Section 34, and in essence section 37 of the Criminal Code of Canada authorize *everyone* to use *deadly force* if certain conditions exist. If someone were in a life-threatening situation, where they reasonably

believed that they may suffer grievous bodily harm or death, they would be justified in responding with what equates to a deadly force response, whether by firearm or some other means. The law in Canada also holds everyone who is authorized to use force criminally accountable for any excess use of force (s. 26 C.C.C.). Essentially the police and the public have the same authority to use force and the same accountability for such use. However each has different mandates, different training, and different options with respect to using force. Clearly all use of force must be predicated on lawful authority to do so.

Police officers by virtue of their mandate are frequently compelled to control resistive and often violent lawbreakers. Often times these lawbreakers are physically attacking the officer. The goal of police officers is not to fight with these people, but to control this unlawful and frequently violent behaviour in order to deliver such offenders to the criminal justice system to be dealt with according to law. Anything further is beyond the police mandate.

The difficulty occurs when, as a result of this mandate in conjunction with the authorization by federal statute, an officer is *compelled* to deal with a violently resistive offender. Frequently the offender (and the officer) is injured and sometimes killed. Subsequently electronic and print media accounts appear before an investigation has even been completed. The media accounts are often based on nothing more than the reporter's perspective, dubious witness statements, or comments from friends and/or relatives of the offender. This is coupled with the public's already media-fed sensitivity

to use of force incidents. Now we must reconcile the fact that someone was injured or killed by a police officer as opposed to reconciling the entire incident *objectively*.

Some Simple Truths

At this point it is important to establish some undeniable facts regarding the use of force. First, in Canada we have decided and legislated what constitutes unlawful behaviour. This is set out in our federal and provincial statutes. We have also decided in Canada that we wish to live in a civilized, law-abiding society. In order to help preserve this ideal we have hired professional law enforcement personnel to assist with this. The police are *supposed to* arrest "bad guys". The public wants this.

Second, the vast majority of police officers have no desire whatsoever to engage in physical conflict with anyone in the course of their duties. The risks are simply too great (mental anguish, stress, criminal liability, civil liability, internal discipline, injury or death). However if a police officer is compelled by mandate and/or circumstance to control a violently resistive offender they have a right to do so having regard for public safety and their own safety ahead of the offender's, because the offender is always the one with the choice to resist or comply.

Third, during the course of any physical engagement it is very likely that injury or possibly even death may result depending upon the level of resistance or violence. Regrettably, sometimes good people have to hurt bad people or more good people will continue to be victimized and hurt. Police officers have taken an oath to uphold the law and protect the citizens of their community. Whenever a police officer loses a confrontation with a resistive or violent offender not only is the officer endangered but so are the citizens that the officer is sworn to protect. Citizens pay police officers to prevail in use of force confrontations.

How Do We Explain Use of Force?

In the face of competing with media images, we need an uncomplicated way of explaining how and why force is used that allows police officers to remain safe while making accurate and decisive choices when responding to difficult, often precarious situations under extreme stress. A way that allows the public to understand the process of force response and the true essence of any given incident. And a way of articulating this in such a manner that allows the courts to understand the entire process while satisfying the requirements under law. Fortunately such an explanation exists - one that is uncomplicated while at the same time comprehensive. It is called "*Force Options Theory*" and has been employed as the prevalent training model for law enforcement and security personnel, and as the method of articulating use of force incidents to all levels of courts, tribunals, and inquiries in British Columbia for the past decade.

Force Options Theory is a simple model that the public and police alike understand, and can relate to. It provides members of the public with the true essence of a given confrontation, and explains in clear terms how police officers are trained to escalate and de-escalate force

(continued...)

having regard for the law, and the totality of circumstances unique to each incident. This is done in an objective fashion leaving those scrutinizing each incident to draw their own conclusions with respect to the appropriateness and reasonableness of any force used. It enables police officers to be decisive and astute in choosing techniques and tactics, in escalating and de-escalating force, and in providing follow up control and after care. Force Options Theory is a positive, professional approach to use of force education and articulation. It has been met with resounding approval from the public, the courts, administrators, and police officers.

What is Force Options Theory?

Force Options Theory is based on the philosophy of control, that is police officers are routinely called upon to control unlawful and frequently violent behaviour. In a policing context, rarely is the concept of self defence considered by the courts unless deadly force is used. In general, because of specific training and equipment, the police mandate is viewed as one of 'controlling and influencing people's behaviour', where ordinary citizens would be 'defending themselves'. Police are required to control people's behaviour to one of three ends: deliver them to the courts to be dealt with according to law; institutionalize them (hospital or similar facility) for treatment or evaluation according to law; or release them. These are the only options for disposition. The remainder of the judicial process is beyond the police mandate.

Police officers bring with them to the job their own physical stature and skill set, and are further provided with specific training and equipment in order to accomplish their mandate. From training in: presentation; communication skills and tactics; empty hand skills; intermediate weapon skills; emergency vehicle operation skills; specialized skills; and firearms



Craig Best, director of the Officer Survival Institute, Chateauguay Quebec, demonstrates stabilization techniques of a disorderly subject utilizing pressure point control.

skills; in conjunction with being equipped with symbols of authority: (badge, uniform, etc.); intermediate weapons (OC spray (OCS), handcuffs, impact weapons, tear gas, tasers etc. and including police dogs, police bicycles/vehicles and certain weapons or options of opportunity); and firearms - police officers set out to accomplish their mandate of controlling and influencing people's behaviour. Preferably at the lowest possible level - that being their mere physical presence along with simple dialogue.

Most of the time police officers are successful in resolving situations at this desired level. Unfortunately control cannot always be established at this level. Police officers are placed in a reactionary position most of the time. That is they respond based on the behaviour of an individual or group. Police responses are **behaviourally** based only. The behaviour is either that of compliance or various levels of resistance. In other words an offender has complete control over the course of an encounter with the police, they may choose to comply or to resist. The police response must be predicated upon this behaviour. As stated previously, the overwhelming majority of the time, presence and low level dialogue is sufficient to

resolve most situations. However, when certain conditions exist, force must **necessarily** be escalated in order to preserve public safety, officer safety, offender safety and/or to deliver an offender to the justice system.

The Force Response Options

1. Officer Presence - appearance, physical stature, reputation, uniform, symbol of authority.

Many people do not view presence as an option option in controlling and influencing people's behaviour. However most people can relate to having been driving along the highway, perhaps a little too fast, and seeing a car parked off on the side of the road. Believing it may be the police, they slow down sharply in order to avoid a possible traffic ticket. This is a very simple example of how presence works. The mere physical presence or even the belief of a police presence often changes people's behaviour.

2. Tactical Communication / Dialogue - verbal skills, tactical communication, etc.

Advice, suggestions, questions, lawful orders, right through to loud, repetitive verbal commands (often in conjunction with implied physical force) are frequently sufficient to control and influence unlawful behaviour. Dialogue is used continually in conjunction with all force options at all levels of force. It is believed, in British Columbia, that approximately 95% of all encounters with offenders are resolved at this level. It remains the goal of police officers in British Columbia to resolve 100% of all encounters at this level. For various reasons, to be discussed later, this is not always possible and force is **necessarily** escalated.

3. Empty Hand Control Tactics - There are various sub-levels of force within the empty hand option, ranging from implied force through to deadly force. These sub levels of force include:

- Escort position (implied force)
- Superior physical strength (physical restraint based on size or number)
- Pain compliance techniques (joint locks and manipulations, pressure points, hair control, etc.)
- Empty hand or weaponless impact (stuns, strikes and kicks using various parts of the anatomy)
- Vascular neck restraint (rendering unconscious through pressure on the vascular tissues and nerves along the sides of the neck)
- Deadly force techniques (include strikes to various deadly force targets - ie: eyes, throat, etc.)

4. Intermediate Weapons/Weapons of Opportunity - again there are various sub-levels of force within the intermediate weapons option, ranging from implied force right through to deadly force. This category of force option is particularly relevant to modern day policing where new intermediate weapons, or less than lethal force options, are continually being introduced as technology evolves. To attempt to categorize each intermediate weapon separately would create a lengthy, complicated and constantly changing use of force model, which is

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both confusing and unnecessary. Intermediate weapons are just that. They represent an intermediate group of weapons between empty hand control and the firearm. Like empty hand control and the firearm they range from implied force through to deadly force. The sublevels of force currently used include:

- Oleoresin capsicum sprays (OCS) (implied force, targeted spray)
- Tear gas (warning, deployment)
- Impact weapons (implied force, motor dysfunction, joint strikes, deadly force strikes)
- Police dogs (implied force, biting and holding)
- Arwen gun (implied force, impact)
- Police vehicles / bicycles (implied force, impact)

Others may include: - Flashlights, radios, tasers, stun guns, nunchakus, etc.

5. Firearms - this includes the police sidearm as well as the police shotgun, and various emergency response firearms. Even with the firearm there are various sub-levels of force. Often times the firearm is accessed and even pointed but never fired, as this high level implied force in conjunction with high level tactical communication is sufficient in resolving many situations. The sub-levels of force within the firearm option include:

- Hand on gun with warning (implied force)
- Gun out with warning (implied force)
- Gun at low ready with warning (implied force)
- Gun pointed with warning (implied force)
- Shots fired (deadly force)
- Some jurisdictions allow for warning shots to be fired under certain conditions where others expressly prohibit them.

It is important to note that these are **Force**

Options not levels of force. If we were to categorize levels of force we would see somewhere between **17-and 35 sub-levels** of force (depending upon interpretation) within Force Options Theory. Factually, force options are not as interchangeable in practise as they are in theory. Furthermore some sub-levels of force under the various options are on par with others, some intermediate weapons actually represent a lower level of force than some empty hand control tactics, and so on (ie: OCS is regarded as being lower level than physically striking a subject in an area likely to cause injury).

Rarely would an officer in a use of force situation commence with low level empty hand control, then acquire an intermediate weapon (OCS) and escalate to OCS, then escalate to impact while reverting back to empty hand control, further escalate acquiring a different intermediate weapon to the impact weapon, and again revert back to empty hand control while escalating to neck restraint. It is far more likely that an officer would escalate through the empty hand option before accessing any weapon, usually by virtue of circumstance.

Assigning levels of force to general force options is not practical in terms of explaining how actual escalations of force occur. The advantages of Force Options Theory are: the model more realistically represents actual use of force escalations and de-escalations; the model is equally applicable to non-law enforcement situations; the model is flexible in reflecting the totality of circumstances of each incident; and it is adaptable to change allowing for innovation and advances in technology without affecting the integrity of the model.

Subject Behaviour, Resistance or Aggression

Levels of resistance have been identified and categorized in an effort to illustrate the behaviour of an offender so that those examining an incident would have a sense of what type of control was necessary.

1. Compliant or Cooperative - commonly referred to as a "Yes" person. This person offers no resistance to lawful police actions.

2. Passive Resistance - doesn't attempt to interfere with an officer's attempt to control but does not assist in any way. This type of resistance is common among passive protest groups. Examples include letting the body go limp so as to present a "dead weight"; the linking of arms; locking self to a fixed object; etc.

3. Active Resistance - doesn't attempt to assault the officer but actively resists the arrest procedure. Often called "escape resistance" or "defensive resistance". This offender attempts to push or pull away, actively resisting all attempts at control. They may also attempt to flee. Accompanying this type of resistance may be verbal noncompliance, where the offender refuses to obey lawful orders or commands.

4. Assaultive Behaviour - not only resists lawful police action but also attempts to physically assault the officer. This may include punching, kicking, pushing, grappling, spitting, threatening with a weapon, etc. This type of behaviour is usually preceded by psychological intimidation, sometimes referred to as pre-assault cues (aggressive body language, facial expressions, posture, distance, etc.), and is often accompanied by verbal non-compliance. It must be noted that an officer is not obligated to be

(Continued...)

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physically assaulted before responding physically to pre-assault cues such as these.

5. Deadly Force Actions - resists violently and attempts to do serious bodily harm to, or kill the officer. This may be a concerted, serious weaponless physical assault, a multiple assailant situation, an attempt to disarm the officer, or an armed confrontation involving any type of weapon. This type of behaviour places the officer in grave danger. It is encountered with the least frequency, but clearly represents the greatest threat to officer safety and ultimately public safety.

It is important to note that Assaultive Behaviour and Deadly Force Actions may be employed against members of the public. If the police were present they would be justified under law and obligated by duty to respond equally to such circumstances.

The Decision to Use Force An Objectively Reasonable Standard

We have established that a police officer's decision to use force is based upon subject behaviour. Having said that we must consider the fact that everyone's (including a police officer's) perception of a given incident is likely to be influenced by a number of factors, including their past experience, their level of confidence and the dynamics of the particular incident, which we will discuss specifically later. This means that there will be some variance of responses among police officers facing the same situation with the same training background.

As such the response might be seen to be somewhat **subjective**. We must however have a measure of **objective reasonableness**, because purely subjective responses are simply unacceptable.

An officer's use of force will not necessarily be judged by what they **believe**, it will be measured against what a reasonable, well-trained, prudent police officer would do faced with a similar set of circumstances. The reasonableness of any police officer's use of force is based upon the totality of the circumstances **known** to the officer **at the moment that force is used**. A distinction must be made between what an officer **believes or perceives** and what an officer **knows**, and it must be made clear that once the decision to use force is made, that the decision and the preceding set of influencing factors are "frozen in time". **There is no certainty of outcome** when force is used. Any subsequent information that becomes known after the fact is not relevant to the decision to use force. For example, a subject flees the scene of a reported robbery. Upon arrival of the police the subject brandishes a handgun, and points it



at the officer, who with no opportunity to safely disengage, fires at the subject, fatally wounding him. Subsequently the subject is found to be in possession of a toy gun. As compelling as this may **seem** it is not relevant to the officer's decision to shoot if the officer had a reasonable belief that the gun was real.

The Force Options Theory model provides assistance in the officer's decision making process, and in post-incident articulation, both verbal and written. It also focuses on the relationship between the threat level presented by the subject (levels of resistance) and the force response of the officer.

The Escalation and De-escalation of Force

Force escalation is based upon the subject's resistive behaviour. The escalation from non-physical force (presence and dialogue) to physical force normally results from one or more of the following subject actions:

- 1. Breach of Security** - Subject, engaged in destructive unlawful behaviour, refuses to comply with verbal commands to cease. They must be physically prevented from continuing this behaviour.
- 2. Assaultive Behaviour** - Not simply actions of assault but also pre-assault cues, such as



Have You Seen This Child ?

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Readers who feel they know the whereabouts of this child are asked to call
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Other Known Details
HAS FRECKLES ACROSS HER NOSE AND CHEEKS. PIERCED EARS. WOULD BE IN FIRST YEAR HIGH SCHOOL.

Name of Child: HEATHER RELF		Sex: FEMALE	
Date of Birth: MARCH 12, 1981	Race: WHITE	Details ABDUCTED BY FATHER	
Height 152 CM	Weight: 45 KG	Hair STRAWBERRY BLONDE	Eyes BLUE
Date Last Seen JAN. 1993	Missing From: APACHE JUNCTION, ARIZONA		

Known Abductor: **RICHARD WILLIAM RELF**
DETAILS ABOUT SUSPECT ARE ONLY SKETCHY. BROWN HAIR, BROWN EYES, WEARS GLASSES, 188 CM AND 102 KG. BORN JUNE 12, 1953. NOTHING IS KNOWN ABOUT HIS PROFESSION OR PERSONS HE MAY ASSOCIATE WITH OR ANY OTHER DETAILS.





Dale Kliparchuk, of Edmonton-based Pads Fitness Supplies, demonstrates some offensive moves for police use of force educators.

aggressive body language, facial expression, posture, proximity, stance, muscle tension, verbal threats/non-compliance, etc. An officer or citizen need not be physically attacked before taking pre-emptive physical measures.

3. Flight - Subject attempts to flee lawful arrest or detention. One must physically prevent this escape if verbal commands are ignored.

4. Non-Compliance - Subject refuses to comply with lawful verbal commands, some physical force will be required to take them into custody, even in the absence of physical resistance.

In order to justify the escalation of force we must preclude lower levels of force by virtue of application or consideration. In other words it is not necessary to attempt each and every level of force before proceeding to the next level - lower levels of force must be deemed ineffective and/or inappropriate.

While lower levels of force are precluded in this manner, higher levels of force must also be precluded by virtue of the fact that they cannot be justified or simply are not appropriate under the circumstances.

Force is de-escalated based upon the level of compliance or control that is achieved. Situations are continuously assessed and force is immediately de-escalated and transitioned to follow-up control (ie. restraint, handcuffing, etc.). If resistance recurs then force is escalated accordingly.

In Canada the courts have allowed police officers to use a higher level of force than that which they face. This is commonly referred to as the 'One Plus Theory'. That is, an officer is justified in escalating to a level of force considered to be one higher than that of an offender they are attempting to control. This is acknowledgement that public safety and the safety of the officer must be considered ahead of that of the offender, which appears to be an innately reasonable concept.

Other Influencing Factors

Other factors that influence the application of physical force in a dynamic situation include officer, subject, and environmental considerations. Such factors may assist or may serve to hinder effecting control. Accordingly the level of force required must be adjusted.

Officer Considerations:

- size
- strength
- skill
- age
- number of officers
- back-up availability
- reasonable perception of subject's ability and willingness to resist
- reasonable perception of imminent threat to public, self or subject
- proximity to firearm
- position
- distance, reaction time
- disengagement/tactical withdrawal possible
- exhaustion/ Injury/ disability

Subject Considerations:

- size
- strength
- age
- gender
- skills
- weapons
- multiple assailants
- violent history
- drugs
- goal-oriented
- mental state
- language barrier

Environmental Considerations:

- friendly/hostile territory
- availability of physical cover
- proximity of back-up
- tactical withdrawal/disengagement possibility
- terrain (footing, effectiveness of force options)
- weather (footing, visibility, effectiveness of force options)
- lighting (visibility, effectiveness of force options)
- other hazards

The more factors that fall in favour of the officer the lower the level of force response that will likely be required. Conversely the more factors that fall in favour of the subject the greater the level of force response that will be justified. This is what we call the totality of circumstances.

What About Disengagement?

Police officers do not have a duty to retreat from a known threat. They may choose to disengage in order to de-escalate a situation or in order to gain a superior tactical advantage. But, officers by law and by virtue of their mandate need not retreat simply because they are faced with a situation that will almost certainly require the use of force.

In many cases disengagement is not only not required, it is simply not possible. Often physical barriers or obstacles prevent the possibility of disengagement. Other times the officer simply cannot outdistance the threat because of reaction time or the nature of the weapon and/or delivery

(Continued...)

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"It is important to remember that the subject has control over police use of force and can make the choice to comply at any time."

Photo courtesy - Nicholls Distributors

system. Still other times the subject poses a significant threat to the community should they not be safely contained and taken into custody. In such cases the police have a duty to act in order to preserve public safety which has to be considered of primary importance.

Disengagement is an appealing concept and must always be considered, but it is extremely limited in terms of its real-world applicability. Public safety and officer safety are priorities. It is important to remember that the subject has control over police use of force and can make the choice to comply at any time.

A Final Word

Police officers (and citizens alike) must have lawful authority to use force. The force that they do use must be based upon an objectively reasonable standard while having consideration for the totality of circumstances associated with any given incident. And while it is true that police officers seek to avoid using force and attempt to de-escalate situations preferring to resolve all confrontation at the level of presence and dialogue, there will always be situations that require the use of physical force. This is so because not all offenders choose to

comply with the lawful arrest procedure, thereby choosing to place the public, the police, and themselves at risk. It is an unfortunate part of the police mandate, however sometimes force must be used against bad people or they will continue to hurt other people. This is unacceptable in our society.

Force Options Theory is the foundation of all police use of force training in British Columbia. It is a positive, professional approach in explaining how and why police use force. It provides administrators with an even, objective framework to analyze and articulate use of force situations. It provides law enforcement trainers with a model that effectively facilitates learning among veteran and recruit police officers in analyzing situations and determining the appropriate use of force response(s), regardless of experience. Further it provides officers with a framework to clearly outline their course of action in use of force situations.

Perhaps most importantly, it allows the law enforcement community to explain in an unambiguous manner, what might otherwise be an abstract concept to judges and lay people giving them clearer insight into how and why force is applied.

References

Jordan Roth (deceased) - Los Angeles Police Department; California Specialized Training Institute, San Luis Obispo, California

Philip J. Messina, President - Modern Warrior Defensive Tactics Institute, Lindenhurst, New York.

Bruce K. Siddle, Executive Director - PPCT Management Systems Inc., Millstadt, Illinois.

Doug Ashton, Sergeant - Peel Regional Police, Brampton, Ontario.

Corporal Joel A. Johnston



A graduate of Simon Fraser University and is the Control Tactics Coordinator for the Vancouver Police Department. A former CFL football player, he is a certified and licensed Subject Control Instructor-Trainer (PPCT, FBI), a

graduate of Modern Warrior Police Defensive Tactics School, and an active Third Degree Black Belt (Sandan) in Shotokan Karate. Joel has certified over 80 law enforcement trainers in Western Canada and the U.S. Corporal Johnston is the Western Canadian Regional Director of ASLET.

Sergeant John K. McKay



A graduate of the University of Winnipeg, with over twenty years in policing he is a veteran law enforcement trainer. He has served as a Defensive Tactics Instructor for the RCMP, Winnipeg Police Department, and as the

Control Tactics Coordinator for the Vancouver Police Department. He is a certified PPCT Instructor and current Tactical Trainer for the Vancouver Police Department. Sergeant McKay is an active Second Degree Black Belt (Nidan). He is a former Emergency Response Team Leader and is an active founding member of the VPD Crowd Control Unit. He has given expert evidence to all levels of Courts in Canada.

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Q & A on Drug Abuse & The Family

by Norman Panzica



Q: Does marijuana really lead to heroin, cocaine and other drugs?

A: Not exactly, but there's a real connection. It's very rare to find a person who gets off on only one drug. Many problem drinkers, for example, use pain killers and sleeping pills.

Either a "yes" or "no" to the question as worded above would be untrue, but a strong link exists between the use of cannabis and such things as heroin and cocaine – even if we set aside the fact that most cannabis users drink alcohol to get high or to prolong the "stone."

Certainly it's true, as some scientists say, that "there is nothing in the chemical composition of cannabis that would lead to the use of narcotics or cocaine." And there's nothing in the ink on a deck of cards that creates compulsive gamblers.

Some American authorities have said that more than 90% of their heroin and cocaine addicts began with marijuana. That, too, is true, but barely relevant. In my experience, most cannabis smokers don't end up on cocaine or heroin. Some do.

The route from cannabis to other drugs can be traced by two equally good means: one is statistical, looking at thousands of addicts; the other, by studying individual users. Using these methods, one sees why counsellors, police officials and others who work with people in trouble, worry about the possibility of a single-drug user going on to other things.

The National Institute on Drug Abuse in the U.S. has shown that if large numbers of people use cannabis a thousand times (say, nine or ten joints a week for about two years), about three-quarters of them will go onto cocaine and a bit less than a third end up on heroin. And most cannabis smokers use LSD or something like it.

To understand this, let's look at some effects of cannabis and the personality of the user:

Cannabis, obviously, is a mind-affecting drug or nobody would use it.

It's a disinhibitor. Not only does it take

away the usual restraints on our behaviour but, as the American Psychiatric Association has said, the smoker loses the ability to see the logical results of what he does.

In practical terms, this means that "magical thinking" takes away his fear of drugs he previously wouldn't use. We also know that the cannabis user is more persuadable, and can be talked into things she wouldn't have considered before starting into the first drug. In any case, dealers can find more buyers for LSD at a rock concert than at a Youth for Christ rally.

More over, the more he uses cannabis, the less likely is the person to believe hard scientific data and this, too, reduces his fear of the next drug. Besides, it's always the other guy who'll get into trouble – another form of illogic.

Cannabis is a seductive drug. The user doesn't get violent, rarely vomits and usually doesn't wet his pants. The effects are subtle and slow to grow, all of which convinces the

grasshead that he can handle getting high. And if he can handle one, then he thinks he can handle any drug.

We humans tend to modify our pleasures. Once you accept the notion that getting stoned is okay, then some other stone must be equally okay, or maybe better. If we enjoy it, we change it – somewhere in history someone became the first person to put cheese on a hamburger.

Besides suspending rational thought, cannabis typically makes the user discard some values, parts of her own moral code. And breaking our own belief structure is always worse than violating others' rules. Once you knock over one of those fences around your behaviour, the next one is much easier to kick down.

In summary, then, the answer is in the mind, not in bio-chemistry. A certain kind of person becomes a chronic user of cannabis, which makes him or her more vulnerable, more willing to try other drugs.

It really isn't a case of stepping-stones. Truth is, the list of drugs one wouldn't touch just keeps on shrinking-and sometimes disappears entirely.

Ferno-Canada to distribute CPR Plus



Kelly Medical Products Inc. of Princeton NJ, has announced that Ferno-Canada will distribute its CPR Plus Cardiac Compression Monitor. CPR Plus, the only hand-held cardiopulmonary resuscitation device approved for sale in the USA is designed to enhance both the training and field administration of CPR.

CPR Plus was received with enthusiasm at the recent Ontario Heart and Stroke Foundation annual meeting in Toronto, according to a company press release. "Good quality early CPR, combined with early defibrillation, are two of the most important steps in improving survival from cardiac arrest," said Ferno-Canada Managing Director Bruce Whitaker. "Used together, these two devices will significantly help emergency services and first responders improve patient care and, thus, patient outcome."

Ferno-Canada will immediately begin marketing CPR Plus to CPR instructor groups and industrial safety managers. CPR Plus will retail for approximately \$139.00 (Can) and can be ordered through Ferno-Canada at (800) 543-3766 or by fax (416) 253-0513 or WWW site at <http://www.kmp.com/cpr-plus>

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In The Limelight

A first-hand peek at the technology of night-vision equipment

by Tom Rataj



Once the exclusive domain of the military, night-vision equipment is now becoming readily available for police and civilian use.

While relatively expensive for individual use, night-vision equipment prices have fallen into the justifiably "affordable" range for all but the smallest police agencies.

Night vision equipment works by using a photo cathode tube to "intensify" all available light. The resulting phosphorus lime-green image turns even the darkest night scenes into amazingly bright and useful pseudo-daytime scenes.

Image resolution and contrast suffers somewhat, although this trade-off is quite acceptable especially when compared with any other alternatives.

When connected to a suitable lens, night-vision equipment can be used for any purposes ranging from simple visual observations up to and including covert surveillance with photography and video recording.

Night vision equipment ranges from complex specialized binocular visors down to sim-

ple general duty monocular viewers. Pricing starts in the \$5,000 range, and disappears somewhere into the budgetary stratosphere.

UNDER COVER OF DARKNESS

Lack of light seriously affects depth perception and visual range. Despite this negative impact, many criminals operate under the cover of darkness, using it as a very effective form of camouflage. Many traditional crime prevention principles are built around defeating this camouflage.

While not always practical or affordable, nighttime lighting effectively controls criminal activity by lifting the veil of camouflage available for criminal activity. Conducting adequate night-time surveillance is difficult, time consuming, and expensive.

While night-vision equipment is not cheap, its amazing effectiveness has the potential to, at the very least, reduce the difficulty and expense involved in night-time surveillance.

Connected to a basic SLR camera with a

decent telephoto lens, night-vision equipment is capable of collecting and recording very damning evidence. Remember, a picture is worth a thousand words!

NIGHT VISION TECHNOLOGY

The third generation of night-vision equipment effectively intensifies available light 3,000 times beyond what the unaided human eye is capable of using.

The results are staggering. In the following photo, Blue Line editor/publisher Morley Lymburner is identifiable from over 25m away using a third generation intensifier, connected to a 35mm SLR, and a 100 mm lens. The photograph was taken under moonlit skies with no direct artificial light available, although the snow covered ground boosted available light somewhat.

The photograph was captured on regular 400 ASA colour print film. To the unaided eye, the area where he crouched down was nothing more than a collage of shadows. Even when he moved, he was nothing more than a barely discernible shadow.

THE EEV NITE-WATCH SYSTEM

Not all night-vision equipment is alike, however. As mentioned earlier, many night-vision devices on the market are built specifically for one purpose. While they are well designed and manufactured, their specialization limits their use to a narrow range of applications.

Manufactured in Great Britain, the *EEV Nite-watch* system, is built around a multi-purpose intensifier module, which is designed to accept a wide range of industry standard optical devices.

The intensifier module can be used with nothing more than the basic battery powered eye-piece and a standard C-mount lens. With the available video or SLR camera system adapters however, the *EEV Nite-watch* system be-

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comes the core of a highly effective surveillance kit.

A police service that already has a surveillance kit consisting of cameras and lenses, can easily add the *EEV Nite-watch* intensifier and adapters to their kit to move into the high-tech world of night-vision.

The *EEV Nite-watch* intensifier alone costs \$5,120, while a relay lens system for use with a 35mm SLR camera adds another \$1,900. Although this may appear to be expensive, it is actually quite cost-effective because it will work with virtually any type of camera or lens you may already have in use.

And the one intensifier can be put to use in a wide variety of surveillance conditions, avoiding the cost of buying specialized intensifiers for every unique application.



The intensifier, with eye-piece and 25mm lens weighs in at a mere 330g, and measures less than 12cm in length. Battery life is rated at approximately 30 hours of continuous use, while the intensifier has a rated life-span of 2,500 hours. The actual life-span of the intensifier will vary somewhat dependent on actual conditions of use.

EQUIPMENT CREDITS

Hans Bock, of Bock Optronic Inc. of Etobicoke, Ontario, was gracious enough to provide a complete night-vision kit for the field tests conducted for this article. He can be reached at (416) 674-2804 or FAX: (416) 674-1827, or via the Internet at: hansbockyastral.magic.ca

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Up-Coming Events

March 15 - 24, 1996 Canadian Police Association Curling Championships Fort Frances - Ontario

The championships will involve teams representing every province and territory in Canada. For more information contact Steve Maki, Chairman, by phone or fax at (807) 274-1972.

March 18 - 22, 1996 Sexual Assault Seminar Toronto - Ontario

This 5 day seminar, formerly called Profile 2000, is hosted by the Metropolitan Toronto Police Sexual Assault Squad. It will focus on DNA, interviewing victims with disabilities, pedophiles, behaviour profiling and false memory syndrome. Registration is \$150.00 per participant and a special room rate is offered at the Colony Hotel. For more information contact Det. Ruth Schueller, or Det. Cst. Terry Green at (416) 808-7474.

April 8 - 11, 1996 2nd Annual Homicide Investigators' Seminar Saint John - New Brunswick

This year's seminar, which is hosted by the Saint John Police Force Major Crime Unit, will be profiling three significant homicides, along with investigative techniques. For further information contact Pam Parlee, Bill Reid, or Jane Holt at (506) 648-3211.

April 22 - 24, 1996 Health & Safety Conference Toronto - Ontario

The Health and Safety Conference and Trade Show will be held again at Toronto's Regal Constellation Hotel. For more information contact Micheal Hamilton at (800) 669-4939.

May 21 - 25, 1996 Interaction '96 - Conflict Resolution: Transforming the Future Edmonton - Alberta

The Network: Interaction for Conflict Resolution presents its fourth biennial Conference Interaction '96. Together participants will explore current issues and chart a course into the promising future of creative conflict resolution. For more information contact Conference Coordinator, Sylvia

McMechan, at (519) 885-0880, ext. 274.

May 26 - 30, 1996 Police Educators Conference Lethbridge - Alberta

Hosted by the Lethbridge Community College and Lethbridge City Police, the theme of this year's conference will be "Technology in Law Enforcement Training." There is an early bird fee of \$335 per delegate if payment is made prior to March 1996. For further details feel free to contact Lori Larson at (403) 320-3230, or by fax at (403) 320-1461.

May 29 - 31, 1996 Prairie Provinces Chiefs of Police Association Conference Winnipeg - Manitoba

The Winnipeg City Police are hosting the conference which will be held at the Westin Hotel. For further information contact Tom Legge at (204) 986-6326, or fax (204) 957-2450.

June 1 - 4, 1996 Crime Stoppers Training Conference Niagara Falls - Ontario

This conference is open to all law enforcement officials and all Crime Stoppers Board Members. The conference is being held at the Sheraton Fallsview Hotel. In addition to the conference, a one-day trade show will take place on Sunday, June 2nd. For more information contact Cst. Mark Sargeson or Cst. Joan VanBreda at (905) 688-4111, ext. 4351.

June 6 - 10, 1996 The Pas Peace Officers Derby International Clearwater Lake - Manitoba

The Pas detachment of the RCMP would like to invite all peace officers to their 11th annual fish derby. The entry fee is \$60 per person and includes camp facilities. For further information contact Cst. Craig Massey at (204) 623-6491, or fax (204) 623-5346.

June 9 - 14, 1996 Texas World Police Games Houston - Texas

The games, which cover 30 events, are to be hosted by the Houston Police Officers Association. To get on the Texas Police Athletic Federation mailing list call (512) 252-3675.

June 10 - 14, 1996 14th Annual Advanced Homicide Investigators' Seminar Toronto - Ontario

This year's seminar will be held at the Toronto Skydome Hotel. For more information contact the Metropolitan Toronto Police Homicide Squad at (416) 808-7400, or fax (416) 808-7402.

June 17 to 19, 1996 Ontario Association of Chiefs of Police Conference Toronto, Ontario

For more information regarding this year's show, which is hosted by the Metropolitan Toronto Police, contact Janice Pennington, or S/Sgt. Paul Vorvis at (416) 808-4872, or fax (416) 808-4802.

June 30 - July 3, 1996 Quebec Chiefs of Police Association Conference Quebec City - Quebec

This year's trade show will be hosted by the Quebec City Police and held at the Loews Concorde Hotel. Contact Mr. Jean Francois Roy for more information at (418) 691-7101, or fax (418) 691-4747.

July 11 - 14, 1996 Classic Car Show Brampton - Ontario

Book your force's classic police vehicle for this show, which will have over 2500 cars on display. Past shows have been attended by a large number of forces from across North America. For further details contact PC Tom Robb, Peel Regional Police, (905) 453-3311, ext. 2160, or Russ Mattheews, Show Co-ordinator, at (905) 846-0826.

August 25 - 28, 1996 Canadian Association of Chiefs of Police Conference Ottawa - Ontario

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Reunion

Metropolitan Toronto Police 3 Traffic Reunion - a social evening reunion will take place for all ex-members of 3 Traffic at the York Regional Police Association Building, on Friday, May 10, 1996. Ticket price is \$20.00 per person. For information and tickets please contact Tom Huntley at (416) 808-3913.

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Obtaining consent is a valuable investigative technique

R. v. Clement (1995) 100 C.C.C.(3d) p.103 (Ont. C.A.)

R. v. Wills (1992) 70 C.C.C. (3d) p.529 (Ont. C.A.)

by Gino Arcaro

Consent is an effective, valuable investigative technique that facilitates interrogations, searches and seizure of evidence. Regarding searches and seizures, valid consent represents a section 8 Charter waiver. Guidelines for obtaining valid consent are not found in statute law. The Ontario Court of Appeal, in *R. v. Wills* (1992), established procedural guidelines.

The circumstances of the following case, *R. v. Clement* (1995), represents an example of using consent in relation to vehicle searches. Afterward, the guidelines in *R. v. Wills* will be listed.

R. v. Clement (1995) Ont. C.A.

Issues:

1. Whether a search of a car for narcotics constituted a valid consent search.
2. Admissibility of evidence used in a robbery, including a weapon, seized during the search for narcotics.

Offences:

1. Robbery

2. Use of a firearm during the commission of an indictable offence
3. Being masked with intent

Circumstances:

Four robberies occurred at stores in Timmins, Ont., in 1991. The offender wore a Halloween mask and carried a revolver during each one. Witnesses gave only a general description of the offender, the gun and the mask.

While on patrol some time after the last robbery, two officers received a radio broadcast informing them of a Crime Stoppers tip, that two persons, one male and one female, had tried to sell cocaine in Kirkland Lake. The suspects were travelling to Sudbury and a description of the car, including the plate number, was broadcast. Shortly afterward, the officers saw the car and followed it for three miles, to a gas station.

The officers stopped the car and conducted an investigation that consisted of two separate searches of the suspect's car. A male person was

the driver and a female was a passenger.

The officers, according to their trial testimony, believed that the information they had received did not constitute reasonable grounds. The two passengers were escorted to the cruiser and were seated inside.

One of the officers asked to search the car. The driver complied with that request. The first search began, resulting in the seizure of a loaded and cocked handgun under the driver's seat. Search # 1 ended, and the officers arrested both the driver and passenger for possession of a restricted weapon. They were informed of their right to counsel. They invoked the right and exercised it upon arrival at the police station.

After consulting with his lawyer, the driver signed a written consent, permitting a second search of the car. Search #2 resulted in the seizure of a Halloween mask that was concealed behind the dashboard.

The driver was charged with the four robberies based on the similarities of the witness' general descriptions with the actual features of the driver, the gun and the mask.

Trial:

The defence brought a motion to exclude the gun and the mask because of a sec. 8 (unreasonable search), sec. 9 (arbitrary detention) and sec. 10(b) Charter violations.

The trial judge made the following rulings:

- the accused and passenger were detained when they entered the cruiser. They did not enter the cruiser with consent, constituting a sec. 9 Charter violation.
- upon that detention, the accused and the passenger were entitled to be informed of their right to counsel. Instead, they were informed a few minutes later, after search # 1 concluded. The failure to inform them at the time of detention constituted a sec. 10(b) Charter violation.
- the accused's sec. 9 and 10 Charter rights were violated only for two or three minutes.
- reasonable grounds did not exist to search the car for narcotics without a warrant.
- however, the search and seizure did not constitute a sec. 8 Charter violation because *valid consent* had been obtained in relation to both searches.

Although the *Wills* decision that established the consent guidelines was made subsequent to this trial, the same guidelines were applied to this ruling. Two specific disputes had existed regarding the guidelines:

- (i) whether the accused was made aware of the potential consequences of giving consent, be-

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ing the nature of the potential charge and the fact that evidence seized may be introduced in court; and

(ii) whether the accused knew he had the right to refuse to give consent.

The officer who actually made the request for search #1 testified that he could not recall informing the accused about what they were investigating or that he could have refused to give consent.

However, the accused's testimony proved that he had knowledge of the tip about the cocaine transaction, having learned it by means of some communication involving the officers. Additionally, the accused acknowledged that they knew the officers had "no right to search" the car.

The trial judge did not exclude the gun and the mask under sec. 24(2) Charter. The accused was convicted. He appealed to the Ontario Court of Appeal.

Ontario Court of Appeal:

The accused appeal was dismissed by a 2-1 decision. Justice Robins and Justice McKinlay gave the following reasons for upholding the conviction:

- the consent obtained from the accused regarding search #1 was valid because it was "voluntary & informed." The accused knew the officers were searching for drugs and knew he could have refused to give consent.

- identity was proven by the similarities of the gun, mask and accused's height, weight and hair, with the general description given by the witnesses.

- the content of the Crime Stoppers tip, in this case, did not constitute reasonable grounds to search the car without warrant.

- an additional significant ruling was made: **if valid consent had not been obtained in this case, resulting in a sec. 8 Charter violation, the gun would not have been excluded under sec. 24(2) Charter, because:**

- the crime was serious
- the officers acted in good faith, without displaying oppressive conduct
- the loaded and cocked gun represented danger to the police and public
- the gun was physical evidence, having existed prior to any potential Charter violation

The court added that admitting the gun, if a Charter violation had occurred, would be "realistic" and would not diminish the public's respect for the justice system.

It should be emphasized that a ruling of valid consent was made on the basis of the following evidence:

(i) the officer asked to search the car by saying, "If you let me have a quick look in your car, I can solve this here, or right now."

(ii) the accused did not protest.

(iii) the accused acknowledged during testimony that he "knew they had no right to search my car".

- regarding search #2 and the seizure of the mask, the court ruled that a sec. 9 and 10 Charter violation had occurred previously. However, the mask was not excluded under sec. 24(2)

Charter because its admission would not bring the administration of justice into disrepute. The obtaining of formal, written consent was a significant, contributory factor.

R.v. Wills (1992) Ont. C.A.

The Crown has the onus of proving the following guidelines to obtain valid consent:

- consent must be expressed and unequivocal
- it must be voluntary, free from inducements
- the accused must have knowledge:
 - of the potential consequences of giving consent
 - that consent could be refused
 - that, if initially given, consent may be revoked at any time later.
- the accused at no time revoked consent

Gino Arcaro is a former 15-year member of the Niagara Regional Police Service. He is an instructor with Niagara College and teaches several policing courses including Criminal Investigation and Police Patrol Principles. In addition to being Blue Line Magazines Case Law Editor, Gino is a frequent guest lecturer in Criminology classes at Brock University. He has authored several books including; *Criminal Investigation: Forming reasonable Grounds, Impaired Driving: Forming reasonable grounds and Principles of Law Enforcement Report Writing.*

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Neglect of duty

Resolution of Gustafsen Lake without loss of life demonstrates that skilled negotiation serves law enforcement far better than unnecessary force. Once government self-congratulation subsides, however, comes the uncomfortable realization that good luck, as much as RCMP skill, saved police from serious injury or death.

by Gil Puder

Countless rounds of high calibre ammunition were fired at police, and some found their target. Reconnaissance in hostile territory and booby trap tactics were practised in an unfamiliar, rural environment. A frontline Mountie describes "war" to a CBC camera, adding, "good God man, this is Canada... we're not ready for this." No kidding.

The provincial Attorneys-General and Justice Minister have for too long shirked their responsibility to articulate policy respecting armed insurrection. In future terrorist incidents, we must relinquish operational control to the agency properly trained and equipped to deal with them, namely the Canadian Armed Forces. Failure to recognize this will result in the needless death of dedicated police officers, sacrificed to some elected coward's political agenda. Without military assistance, civilian police cannot restore order when confronted by groups of well-armed and determined terrorists. You simply don't fight high-calibre shoulder weapons with sidearms and lightly equipped ERT teams. This type of insurrection requires armoured vehicles, air support, and a type of training that police are unaccustomed to. If you don't believe me, just ask the families of the dead officers at Waco and Oka.

Unfortunately, the loonie-left regularly invokes Waco and Oka to drive politicians into a bunker of denial. Cutting through the emotional and political tripe surrounding those debacles clarifies common problems: police waited too long, were outgunned, planned poorly, and then responded from a position of weakness. The result was dead cops, bureaucratic senior officers looking like buffoons, and criminals cast as heroes for their cause.

While licking the boots of the sensitivity lobbyists, government continually denies a fundamental principle: to effectively react and restore public safety, the justice system must be prepared to respond with greater force than that which is used by offenders. Of course, the goal is never to use force; the great strategist Sun Tzu opined that ultimate skill is to "subdue the enemy without fighting." The ideal must be tempered with reality, however, remembering Pascal's admonition that "law, without force, is



impotent." At Gustafsen Lake, necessary balance was not in evidence, since the RCMP are neither equipped nor trained to manage guerrilla warfare over uncontrolled terrain.

That's not criticism. Police agencies by Canadian definition should not have this duty within their mandate, since these are military operations. Generally, a good community police officer makes a poor anti-terrorist commando, and vice versa. Qualities necessary to do either job well have few common denominators, aside from huge differences in training and equipment.

Several years ago the RCMP recognized reality and disbanded their Special ERT (SERT) section, counterterrorism having been assigned to the Canadian Armed Forces. It will be foolhardy to turn the clock back and re-militarize the RCMP, when that agency is struggling to break free from a paramilitary bureaucracy in the interests of community service. Recently spending time in Israel, I was intrigued to find

that nation facing the same problem in reverse order. An unhappy history of warfare and terrorism has created a military culture with formidable counterterrorist expertise. Yet with peace gaining a foothold, the Israel Defence Force is realizing that small operations are better handled by civilian police. The lesson here is that situations need to be assessed and delegated to the agency suited to the task, not the politically expedient choice.

Controlling violence in deadly circumstances requires a willingness to shoot first, without giving your adversary a chance, because that chance, if taken, will cost your life. Few police ever face this decision, and our success rate is decidedly mixed. When fighting starts, those who hesitate, meditate horizontally.

Other extremist groups will study Gustafsen Lake, calculating the extent to which violence will further their particular goals. Although tough talk is in abundant supply, appeasement in the face of violence continues to be the policy of the day, guaranteeing future terrorism. Luke-warm repudiation of fanatics by "responsible" native leaders makes one wonder whether Gustafsen Lake and Camp Ipperwash were appeasement litmus tests, determining how far down government will drop its pants in the face of violence. But the cause really doesn't matter; this time it was native, but tomorrow could be white supremacists or FLQ-style wackos.

Values we associate with living in a free democracy will occasionally be tested, and must be defended against those who would selfishly subordinate them to their personal motives. Yet, paralysed by fear of second guessing, our pretenders to leadership demonstrate inaction that guarantees other, potentially worse, future incidents.

We in policing have been duped far too long by our own dedication and sense of duty. Our senior officers must stop grovelling to the politicians, taking on tasks that might get people killed, in the hopes that another negotiated settlement will leave all blissfully ignorant, with another promotion in the offing. And special teams members better do a re-think before their egos write cheques their abilities can't cash. The elected also have a duty, which is going unheeded, a duty to provide not just talk of law and order but the proper tools for the system to provide it, in the face of any adversity. Neglect of this responsibility will eventually cost the lives of people sworn to uphold justice, wearing uniforms of blue and red serge.

It's time to raise our voices and convince the politicians that cowardice is not a virtue, before another police funeral for some brave officer who died doing a job that wasn't theirs. If we don't, we'll all be there, in spirit if not body, hanging our heads in collective shame.

New combination trigger lock available

Some of the millions of parents who own firearms are sleeping easier tonight, according to a Los Angeles company whose mission is to help protect children from firearm accidents.

Securecase Co. of Santa Monica, California, announced last October it has begun delivery of a patented new trigger lock that is virtually child-proof while still providing quick access to the firearm by an adult.

Called the *Protector*, what sets this trigger lock apart from others, is that it utilizes a combination locking mechanism instead of a key. This makes it possible for parents to keep handguns readily accessible without fear of any unauthorized person using or gaining access to the firearm.

"The reason millions of American parents keep firearms is to protect their families from intruders," explained Dan Cislo president of Securecase. "The problem has always been how to keep a gun nearby on one hand... but still keep it safe from children on the other. The *Protector* combination lock mechanism allows the owner immediate access—without using a key—while protecting the gun from child access." The *Protector* lock is in fact the only patented combination trigger lock on the market.

The *Protector* lock adapts to any type of



firearm: handguns, shotguns or rifles. Place one half of the *Protector* lock on one side of the trigger guard and push the other half on the mounting bar that slips through the trigger guard. Push the two halves together to tighten and the trigger guard is completely covered, preventing any access to the trigger. To open the *Protector* trigger lock, simply dial in the correct combination, rotate the lock and pull the two halves apart. With the *Protector* lock, you can access your firearm lightning fast without having to find your key. With the combination lock there is no danger that the key might fall into the wrong hands.

Securecase introduced the *Protector* trig-

ger lock to compliment its popular Armloc Magnum Handgun case. "The *Protector* lock and the Magnum provide a powerful one-two punch in the fight to keep firearms safe," said Mr. Cislo. "Education is the most important factor in firearm safety, but children are curious. Securecase products insure that children's curiosity will not get the best of them."

The new *Protector* lock keeps firearms safe from children and from tampering thereby preventing accidents. "Accidents occurring from the improper use and storage of firearms have been increasing over the years. It has become a national problem," stated Jason J. Wall, says director for Securecase. "The products we make are our solution to the problem. We want people to know that there is an option that will let them keep their firearms safe, while allowing them to get it quickly in a time of need."

The *Protector* trigger lock and other Securecase products are available direct or at retail firearm and sporting goods stores. All Securecase merchandise complies with existing laws for firearm safekeeping in all 50 states. For further information contact Securecase Co. They are located at 1904 14th Street, Suite 110, Santa Monica, California 90404. Telephone 310-392-5438.

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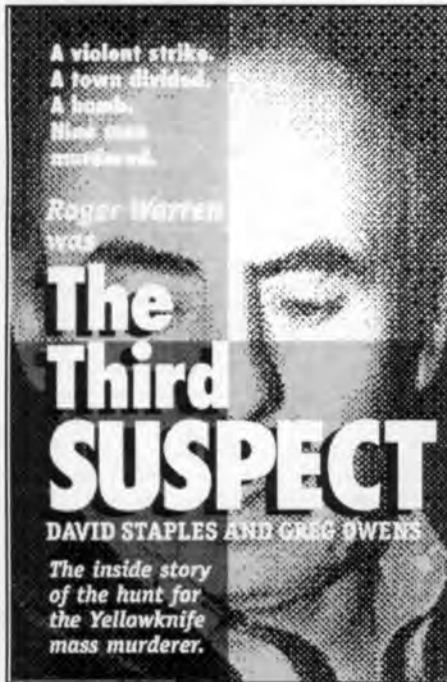
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Written by David Staples & Greg Owens
Published by Red Deer College Press,
Distributed by Raincoast - \$19.95

Reviewed by Morley Lymburner

Giant Mine Gold Mine, Yellowknife. September 18, 1992. After months of bitter labour disputes, suspicion, lockouts, and layoffs, a volatile situation is worsening, and some men on the picket line are starting to call for blood.

Already the mine has been vandalized with small explosions. At 8:30 a.m. on this fateful day, nine strike breakers cross the picket line and board a man-car going into the mine. Minutes later, all are dead in a horrendous explosion.

What follows is one of the most intensive criminal investigations in Canadian criminal history. Focusing on a conspiracy theory, the police initially reject the idea that one angry striker was responsible. But 13 months later, that is precisely what they conclude and long-time miner Roger Warren is charged with the crime.

THE THIRD SUSPECT examines each aspect of the strike from inception to bloody end with an insider's perspective. The book follows the lives of those most deeply affected by the strike, the blast, the investigation and the trial: the widows and relatives of the nine dead men, the R.C.M.P., the strikebreakers, the union, and Peggy Witte and Giant Mine management.

Never before have the perspectives of all the main players been brought together to create such a complete, psychological portrait of this northern tragedy. The authors had extensive access to R.C.M.P. files and to previously unreleased information about the crime.

Greg Owens and David Staples won the

1992 National Newspaper Award in Spot News Reporting for their coverage of the Yellowknife murders. The judges praised their work as a "vivid, detailed and compassionate account of a northern tragedy, obtained and written beautifully under tough circumstances."

This book is not just another story. It should

be treated as a text book by anyone concerned about labour relations, investigative techniques, personnel relations, stress management or a whole myriad of other interests. In particular it should be read and analysed by police instructors and legal buffs. It would also make one great movie!

Patch Profile

by Al Evans



Stellarton, Nova Scotia is located 100 miles east of Halifax, Nova Scotia. A ten man police department serves a population of 5800 people. The department was formed when the town was incorporated in 1889.

Situated near New Glasgow, Trenton and Westville, there are negotiations ongoing concerning amalgamation of the four towns into one regional department.

The police crest in the middle of the patch depicts two major industries in the area, with farming shown on the left side and coal mining on the right. Since the 1700's Stellarton has seen tragedy after tragedy occur in the mines. Hundreds of men have been killed in explosions and cave ins.



York Regional Police Service was formed in 1971 and they are celebrating their 25th Anniversary this year.

This agency was an amalgamation of the police forces from the area that formed the five townships in what once was York County in Southern Ontario.

The 630 police officers patrol quite a large area from the northern boundary of Metropolitan Toronto up to Lake Simcoe.

The shoulder patch was recently refurbished. Although it remains the same basic design the new patch has far more detail in the stitch work and the agency's motto, "Deeds Speak," added to the banner beneath the shield.

Al Evans is an avid patch collector and a past member of the Royal Canadian Mounted Police and Medicine Hat Police Department. He is still an active member of the International Police Association.

Al has been diagnosed with *Amyotrophic Lateral Sclerosis* (A.L.S.) better known as *Lou Gehrig's Disease* which is at present incurable and untreatable.

Al is no longer able to work and one of the few hobbies he still enjoys is Police Patch Collecting. His goal is to have the largest and most complete police patch and memorabilia collection in the country. He wishes to turn this collection over to Chief Bill Spring for display with the Medicine Hat Police Department.

Al has agreed to share some of his knowledge in a monthly column about the more interesting patches in his collection. If you have an interesting or extra patch of your agency it would be appreciated if it could be donated to this worthwhile collection. Send all donations to:

The Al Evans Collection
24 Stone Crescent S.E.,
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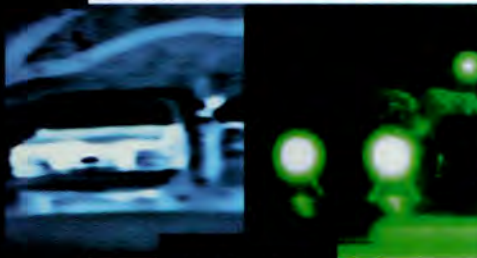
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