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by Morley Lymburner



# Breeding contempt for the law

Photo radar and four-way stops breed public contempt and are good indicators of traffic engineering being usurped by municipal politicians.

Using four-way stops to slow traffic is a feeble attempt to compensate for the lack of properly instructed police officers tasked with enforcing speed limits. Speeding is now enforced only in the most egregious of circumstances. A collision at one of these crude, ill-thought out corners is reduced to a 'he said — she said' situation which no one can adjudicate. In most cases, neither vehicle stopped correctly, if at all. The danger, of course, is when four-way stops signs become thought of by motorists to be the default configuration.

Better use of yield signs would be far more effective and eliminate many arguments presented in collisions. 'He said — she said' is a little less subjective when one views where one car hit the other. Simply slowing down and yielding to the vehicle on the left closest to the intersection is much more palatable to the public and police. It effectively turns a four-way stop into a pseudo traffic circle without the centre median and construction expense.

Four-way yields make motorists more aware and alert, since they must pay closer attention to moving traffic approaching in all directions. Yields reduce a potential hazard by requiring right of way control over speed that all but eliminates the requirement to completely stop. Speed is reduced, as are the number of frustrated drivers and officers who have to whistle and pretend to look the other way.

## Photo radar

This new-age budget saving traffic control system is terribly abused and puts enforcement firmly in the control of the bean counters and bottom-line junkies who analyse productivity and revenue under the guise of traffic safety.

Any police agency using photo radar in school zones needs to be asked: 'What the heck else are your officers doing at that hour that is more important?'

School zones must be **policed**. Supervisors working with well instructed police officers should strategically concentrate on ensuring orderly and safe traffic movement in locations where they are most needed. Rush hour routes and school zones are givens.

Our most precious future assets are walking to a facility tasked with turning them into responsible, caring adults. Children are very impressionable. Every agency would be well served by stationing a uniformed officer in their neighbourhood to be seen by all, and to ensure the journey to and from school is safe. Nothing a police service does should trump this... Nothing!

No electronic device passively sitting on the roadside taking pictures can be as effective. In my day, I would hammer school zones and

less than one in 100 motorists would contest their ticket in court. Most were too ashamed to even attempt a defence.

Ticketing motorists in school zones gives them an immediate jolt of adrenaline and wakes up every driver who sees the officer approaching the violator. A well instructed officer knows all this but the bottom-line junkies do not... nor do they care.

That camera in a box only makes things worse. A citizen sleepily drives through a school zone, in some cases not even remembering they did so, in a routine commute to work. Familiarity breeds contempt. Several weeks later a photograph and bill for \$200 plus administrative fees addressed to the vehicle owner arrives in the mail. But the car owner can't remember doing anything wrong.

Remember that sage advice of parenting manuals? Discipline must be immediate and meaningful to be effective. Punishment for something done three weeks earlier has little or no effect. That ticket creates only enmity for the system and the operations that set it up — and regardless of the source, it is always police who take the flak.

As if this poorly thought out approach to traffic control and enforcement were not bad enough, we now must contend with the ravages of legalized pot. The statistics from our southern neighbour are ominous and prophetic. The percentage of Washington state drivers involved in fatal crashes went from 8.3 per cent to 17 per cent after marijuana was legalized. With no empirical research to tell how much THC is too much, the courts fall back on officer observations.

How many offenders caught on the photo enforcement initiatives are impaired? With a photo radar ticket we see the symptom but can do nothing about the cause. A distorted sense of time and distance are the chief issues with THC consumption, so how safe will stop signs or school zones be without a police officer to subjectively determine a driver's capabilities?

When a photo radar fails to take a picture of a child being struck by a non-speeding but iPhone distracted, potted up or drunk driver, perhaps the local chief will reconsider staff deployment.

There is no easy or cheap fix to traffic safety and a lot more grey matter must be brought to bear on how and why we do enforcement. But one thing is sure. Photo radar in school zones is not the answer and symptomatic of a poorly managed police service.



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# A Regional PARTNERSHIP



*Three agencies cooperate to create a tactical team*

Photos Courtesy of Rick Hiebert at [www.actionplusphoto.com](http://www.actionplusphoto.com)

by *Chris Flook*

They go by various acronyms — SWAT, TST, ERT, ERU, TRU. Most large police services have either full or part-time tactical units, which have become integral to safely and effectively dealing with today's policing environment.

Smaller municipal services typically rely on established teams due to personnel and cost restrictions but not so in the Pembina Valley area of Manitoba, located 100 km south of Winnipeg. During the summer of 2014, the Altona, Morden, and Winkler police services took the first steps to creating their

own unique multi-jurisdictional regional team; a first in Manitoba.

Cst. Jon Goertzen of the Morden Police Service began the process in December 2013 after noticing a trend. The three services had executed 14 CDSA search warrants over the last year. The warrant writers were busy and making headway in combating local drug networks, which at that time were primarily handling cocaine.

This was an alarming trend given that the three services police about 40,000 people combined. The members executing the warrants did the best job possible with the resources available, but like every small

police service, issues were visible. Member availability and equipment wasn't always ideal and training varied based on when the constable had attended the police academy or their last course.

The three services did a great job at sharing members and resources to execute warrants, but that also created an issue of working alongside someone you were not familiar with. Procedures and approaches differed slightly between services, which also lead to constant learning and adaptation.

Goertzen proposed an answer to these increasingly dangerous and complex situations. Create a joint specialized team of nine







FRONT: Chris Flook, Morden Police; Cst. Devin Bell, Morden Police; Cst. Mark Legal, Altona Police; Cst. Arnie Klassen, Winkler Police. BACK: Cst. Phil Letkeman, Winkler Police; Cst. Sean Aune, Morden Police; Cst. Jon Goertzen, Morden Police; Cst. Jeff Thiessen, Winkler Police; Cst. Rick Wolfe, Winkler Police.

members drawn from the three police services and task them with safely executing and containing planned and unplanned high risk situations. This would include CDSA search and entry warrants and weapons, armed and barricade calls.

The idea was to provide a fast response to resolve the situation or contain it until further specialized support could arrive. Over the course of the next eight months, Goertzen met with the three chiefs to work out the logistics, manpower and support required. There were plenty of things to work through based on the individual needs of each service.

The next big question was, who could help answer all these questions? The answers came in the form of the Winnipeg Police Service Tactical Support Team (TST), which immediately embraced the idea of helping out and took on a big brother role to the emerging team.

Things were looking good on paper by the summer of 2014. Officers from all three services competed to be part of the first team. Each candidate was required to pass an interview process and meet physical fitness and firearms standards. By the end of September, the first members of the Regional Support Tactical Team (RSTT) were selected.

The team was long overdue, said Altona Police Service Chief Perry Bachelor. “What

has changed is the mindset of many and the realization that bad things happen to good people. At the end of the day the police are called upon to sort out sometimes dangerous situation in a safe and professional manner. This is when a well-trained team is not only a nice to have; it is a need to have.”

The first official training began in November 2014 when the team spent a week with the WPS TST to learn the basics of dynamic entry and clearing. This was only the beginning. Members also trained on surround and calls, controlled clears, breaching and tactical carbines.

The newly formed team board, made up of supervisors from all three services, provided oversight and a minimum of one training day a month, allowing members to regularly work on and sharpen their skills.

Training sessions are rotated to a different locale each month. Each community has an active volunteer fire department with excellent training houses. These locations allow the team a chance to practice their skill set. Off duty members assist as actors during the scenarios.

The team also uses local schools and commercial buildings as a training ground in the evenings. This allows members to remain familiar with layouts and practice in hallways. The RSTT board recognizes the importance of regular training and the positive impact it has on how the team conducts itself.

Each team member takes a turn at planning and running a training day, which has the added benefit of focusing on areas the member feels may need improvement.

Members also debrief their previous warrants, discussing the good and the bad, and either hand out or dream about new equipment.

“The RSTT is one of the very first long term regional efforts between the three police services and has been a positive experience throughout,” says Winkler Police Service Chief Rick Hiebert. “Our unified goal to provide a greater level of safety for all during high risk situations has been met with resounding success.”

As the first multi-agency tactical team in Manitoba, the RSTT will continue to break new ground with its multi-jurisdictional responsibilities. Members are key to the team’s success. Their dedication to training and conducting themselves in a professional manner has gone a long way with towards keeping the team useful.

Given the small area in which they operate, it is not uncommon to see a team member “switch hats” once the all safe has been called and dive into the investigational side of things. This helps in getting the job done faster and reduces overtime expenses.

### Future

The RSTT will continue to train hard to ensure members are up to the task of providing a safe resolution when called upon. With the help of a generous grant through the Manitoba Justice Criminal Property Forfeiture program, the team has been outfitted with the basic equipment necessary to fulfil its role.

Members look forward to increasing their skill sets and expansion, which will allow flexibility for call-outs.

“Through continued training, the RSTT will grow in confidence and numbers,” says Morden Police Service Chief Brad Neduzak. “There has always been a need for a team such as this with the work that we do. The number of warrants that the RSTT has been involved in so far, as well as the interest shown by other officers, suggests that the RSTT will continue to be a successful and important part of the Pembina Valley region.”

**Chris Flook** is a Constable with the Morden Police Service. He can be reached at: [cflook@mordenpolice.com](mailto:cflook@mordenpolice.com).





# Rural policing not what it used to be

by Peter Cantelon

Morden, Manitoba has 7,700 residents, give or take a few. Is the Morden Police Service (MPS) urban or rural? It is both.

Although the MPS was once purely a rural law enforcement agency, Morden has grown substantially and the service now polices an emerging urban area.

## Beginnings

The MPS was officially founded in 1891 when James Atkin was appointed the first constable. His duties included acting as the town's sanitation officer, nailing down loose boards on town sidewalks, measuring water levels in fire wells, enforcing the dog tax and inspecting buildings.

A second constable was hired in 1931 as a night watchman and two part-time officers, known as "Saturday Night Policemen," helped keep the peace during the overnight hours.

Morden constables continued doubling as sanitation officers until 1950, when Bill Larke was hired as the first chief, but were still called upon for a variety of other duties, including reading the town's newly installed water meters. Larke served as chief until 1978.

A third constable was hired in 1964. Until this time, constables had no uniform and used their own vehicles, including bicycles, for transportation. Morden didn't purchase its first police car until 1967.

## Growing community

Today's officers still have plenty of duties but they're all directly related to law enforcement in a rapidly growing community. The service has grown to 12 constables, two sergeants, a chief, newly arrived K-9 Unit, a special constable and an admin. They deal with virtually all of the crime seen in a major metropolitan centre like Winnipeg, only on a smaller scale.

With the diversity of crime comes a diversity of training and cross-training that you might not expect in a community like Morden, including Scenes of Crime Officer (SOCO), traffic investigations, crisis negotiation, commercial vehicle inspection, K-9, drug investigation, intelligence, drug recognition, field sobriety testing, datamaster, basic firearms instructor, forensic interviewing, major crimes and more.

Members receive most of this training through the Winnipeg and Brandon police services and the RCMP and CPC courses in Ottawa. All of this specialized training is a result of Morden being situated in one of Manitoba's fastest growing regions, which has presented its share of challenges.

"The biggest challenge is keeping up on training with specialized services in the various areas of police work," said MPS Chief Brad Neduzak. "It's no longer sufficient to just write parking and traffic tickets; there's a lot more going on in our communities that

are transitioning from the rural to the urban".

With a ratio of one officer per 641 residents, some may think Morden is well policed but the need to cross-train means officers are often not on the street as they perform specialized duties related to their unique training.

"Our SOCO members can be taken off the street for three or four hours to process a simple break and enter crime scene," explains Neduzak. "There's considerable amount of time that the officers are taken off the street when you start to branch off and specialize."

## Flexibility

Given the force's small size, the cross-training can have its drawbacks but there are also many positives.

"You can basically utilize one officer in various areas," said Neduzak. "In the bigger centres if you are in a drug investigative section, for instance, then that is exclusively what you do. Those officers would not be attending regular calls for service such as domestics, break and enters or alarm calls.

"We have a couple of officers trained in drug investigations, but they still have to work their regular shifts, take the calls, and deal with all the other files as well, be it minor or major in nature."

While there has always been a level of specialized training in the force, the amount and nature of it has changed over the years



with the arrival of urban issues such as drug use. Morden hasn't forgotten about the basics though, and has responded to community concerns by creating a traffic unit. Each member takes a turn in rotation.

### Working together

Morden is not the lone police force in the region. A local RCMP detachment and the neighbouring Winkler Police Service are just 10 minutes down the road and the Altona Police Service is less than an hour away.

There was a time when area police forces had little to do with each other, but as criminals began moving from community to community, police forces had to adapt. This has effectively increased the policed population to 25,000 people when you include the rural municipality and Winkler.

Morden shares a local records database with Winkler and Altona, allowing for far more detail than CPIC. Officers can cross reference and access police reports from throughout the area.

In many ways Morden, Winkler and Altona have developed many of the hallmarks of a regional police force without the official structure. Morden and Winkler even share the same police association and often leverage each other's strengths when the need arises.

Morden's population grows to between 60,000 to 75,000 each year at the end of August as visitors flood in from across the province to the popular three day Corn & Apple

Festival. No police force can manage so many visitors on its own. The MPS depends on its close relationship and proximity with Winkler, which sends officers to assist. Morden returns the favour by sending officers each year to help out during Winkler's Harvest Festival.

### Unique mix

It is this unique mix of attributes — a rapidly growing urbanizing population combined with one of the largest festivals in the province — that have driven Morden to take on some skillsets not typically found in a rural force — like adding a K-9 Unit.

Just over a year old, Chase is a Belgian Malinois who has a lot in common with her human counterparts in that she also wears more than one hat.

"When we spoke with the Winnipeg Police Service K-9 section, they strongly recommended we have a cross-trained K-9," said Neduzak. "In the bigger urban centres they have a specific dog that searches for drugs exclusively, ones that do search and rescue and ones that just track."

"In a rural area you're going to have a multitude of these calls, but not necessarily the volume to train a dog in one specific area. Just as our officers are cross-trained, we have a K-9 that is cross-trained for a much broader use."

With a mandate of providing the community with the best possible service and a future that points to continued growth and urbanization, the MPS is focused on seeking the best

training and technology to meet the need.

"The focus for the future would be to continue to stay on top of the latest policing techniques in order to keep up with our growing population and the changing issues," said Neduzak.

### Keeping up

"We realize that we may not be able to sustain a lot of the specialized services that maybe bigger urban services have, but there is specialized training and equipment that will help us do our jobs more effectively. If you don't keep up, you're going to fall behind real quick."

There's no point in having a police service that is half trained, half equipped that is going to do a half decent job. Our community and the citizens deserve more. We wouldn't be doing anyone justice to operate that way."

Morden police officers can be found working outside the community and volunteering within. The MPS sent two members to the 2010 Vancouver Olympics and other members have taken active roles coaching local youth sports teams and youth organizations.

Morden has also assisted with local charities and during the summer of 2011 hosted its first fishing derby in support of the Blue Ribbon Society Fund.

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# Better By Design

*New police campus gives sense of place and ownership*



by Tom Rataj

One of the highlights of a policing career is moving from an old, worn-out and cramped building to a brand-new, state of the art, spacious facility with natural light and modern design.

Durham Regional Police Service (DRPS) east division, forensic identification service (FIS) and e-crimes units members experienced such a highlight in early 2015 with a move to a new campus in Clarington, about 45 km east of Toronto. It's located at the west end of the town, partially abutting agricultural lands, although extensive new residential development will likely change that within the next few years.

## Campus model

Instead of constructing one large building on a small lot, the 27 acre site is designed on a campus model. Two buildings and a fuelling facility have already been built and two more buildings are planned for the future.

The site is bisected by a tributary of the Bowmanville Creek with a required 60 metre



Durham Regional Police Forensic Identification and E-Crimes building.

wide buffer zone, providing flood-control and some natural character. Internal driveways and walkways will eventually connect all four buildings, making it easy to move between them on foot without leaving the relative safety of the campus.

The east division building is located on the north-east corner of the property and presents the DRPS to the community. It's the only building which the public will routinely visit. The FIS and e-crimes building is south-west of the east division building, across the greenbelt,

with its own entrance to the south.

The second phase of the project, scheduled for 2023, is planned to include a regional support centre building (facilities, fleet, quartermaster, tactical support, canine and property units), a parking garage, an investigative excellence building which will house the major crime branch (robbery, fraud, homicide, sexual assault and domestic violence units) and community safety branch (polygraph, offender management, vulnerable persons, community services and Crime Stoppers units).



### Clever design

The attractive east division building uses a mixed pallet of materials, including grey limestone, dark brown brick, and metal panels in grey and black tones. Long, linear window runs penetrate the larger stone and brick facades, lightening the visual massing.

The building is completely accessible and although appearing to be multilevel from the outside, only the cleverly hidden mechanical equipment is located on what appears to be the second storey. Many internal doorways exceed the minimum width (860mm - 34") requirement of the Ontario Building Code for easy movement of mobility devices, furniture, supplies and equipment.

This 4,422 square metres (47,600 sq feet) building houses 170 personnel, with a maximum of 72 per shift. It has been designed for planned incremental staffing growth through 2035 so is rather spacious at this point.

Vehicle access to the site is clearly divided between a 'police only' entrance, controlled with fencing and an electrically powered gate, and the visitor entrance and parking area, which has no physical restrictions. Pedestrian access to the site is by way of long, gently graded stairs and ramp from the street corner and level curb-free access from the parking lot.

Outside the front entrance features cast-in-place concrete benches, which create informal outdoor meeting spaces while also serving as physical vehicle obstacles. Landscaping includes naturalized low maintenance gardens with new trees punctuating an otherwise plain turf area.



### Features

Police buildings, especially those used for front-line uniform operations, certainly qualify as extreme service. Numerous features throughout the east division building were carefully planned and implemented to manage wear and tear without the need for special attention. Outside hallway corners all feature stainless steel corner-guards while any doors likely to get extra wear and tear from uniform and equipment contact have stainless steel panels affixed to prevent damage to door finishes.

Much of the flooring is low maintenance

and designed for high traffic, consisting of either polished concrete or concrete coated with a coloured epoxy compound. Where appropriate, such as in the administrative areas, high traffic commercial carpet tiles were laid.

### Safety

In addition to basic security features, a bullet-proof steel plate lines the back of the public front desk counter. Large exterior windows offer clear natural surveillance outside the front desk area and the vestibule can be remotely locked on both sides to control building access.

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In exterior facing office areas, higher than standard window sills provide privacy for employees sitting at their desks while still allowing for ample natural light. All rocks in the rock-garden outside the front entrance are cemented into place to prevent misuse.

To prevent slips and falls during the winter and inclement weather, floors in the public entrance lobby, primary police entrance, prisoner sallyport and SOCO bay are radiantly heated, as are sidewalks outside the public and police entrances and holding room exit.

Decontamination facilities include a shower and eye-wash station in the sally port and showers in the staff change rooms.

### Daylight

There are plenty of windows in most office and work areas, all with separate light filtering and privacy blinds to allow tailoring to individual needs. Some interior walls also feature long horizontal windows set high in the walls so natural light can penetrate further.

The east division building has a private interior courtyard accessible only from inside the building, which is lined on all sides with large floor to ceiling windows. The lunch-room, on one end of the courtyard, allows direct access to the outside. The back hallway near the lunch-room has a beautiful three-storey atrium featuring wood posts and beams, creating a nice, calming, light-filled space to relax during breaks.

### Environmental

Solar gain for windows is controlled by a combination of low-E glass, deep roof overhangs, shading louvers above some windows and perforated light filtering and black-out blinds inside.

The entire campus is built on a greenfield site, requiring no remediation prior to construction. Both buildings have been designed and built to meet LEED Silver certification, which is anticipated to be awarded in the spring of 2017.

Additional environment friendly features include sound and motion activated lighting, solar heated domestic hot water system, on-demand hot water heaters and extensive use of low-energy LED lighting both inside and out. The HVAC system uses energy recovery enthalpy wheels to pre-treat fresh air exchange and variable frequency drive (VFD) electric motor controllers to more efficiently control fans.

All water fixtures — including sinks, showers, toilets and urinals — use low-flow fixtures to conserve water.

The beautiful glue-laminated (Glulam) woods beams and columns and the cross-laminated timber roof panels in the staff area corridor are all FSC certified.

The flat roofing areas use a white thermoplastic polyolefin (TPO) membrane that reflects sunlight, which reduces solar gain and keeps the building cooler during the summer. It is also lighter in weight than traditional tar and gravel roofing, and offers a lengthy service life.

### FIS and e-crimes

The FIS and e-crimes building is 2,387 square metres (25,700 square feet) and accommodates up to 27 people per shift. FIS has several specialized forensic labs and vehicle inspection garages, allowing complete investigations.

There is a specialized lab for blood splatter analysis, several negative pressure biohazard labs and several different storage rooms for

evidence drying cabinets and other specialized equipment.

One vehicle inspection garage is long enough to accommodate a typical semi trailer so forensic or mechanical inspection can be done indoors. One garage has an overhead catwalk on two sides, allowing vehicle inspections and photography from above. Two of the vehicle bays have radiant heated floors.

The spacious e-crimes lab has floor to ceiling windows along one wall allowing for substantial amounts of daylight to enter the lab. Each investigator has a modular standing workstation with custom server rack and multiple monitors easily configured to individual needs.

Many of the environmental and safety features are the same as in the east division building.

### Collaboration

“Collaboration is a key component of the DIALOG process and involved active engagement with all user groups – police, civilian staff, maintenance and operations staff,” said Steve Sestic, DIALOG Project Architect.

“Our hands-on workshops begin at the planning stage and continue throughout the design process. Understanding the needs of the end-users of the Clarington facility helped us give them a sense of place and ownership of their working environment.”

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Steve Sestic of Dialog Design ([www.dialogdesign.ca](http://www.dialogdesign.ca)) lead the site and building design and consulted extensively with staff who would work there. Construction was done by Graham Construction ([www.grahambuilds.com](http://www.grahambuilds.com)).

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## Police diversity fails to keep pace

### Only one major city in Canada — Halifax — staffs a police force that is as racially diverse as its community.

All other major law enforcement agencies across the country fail to reflect their communities' diversity among their ranks, leaving large swaths of visible minorities and Indigenous populations without representation.

- While 57 per cent of Peel region is diverse, its police has only 19 per cent non-white officers.
- 54 per cent of Vancouverites are from minority groups, whereas 22 per cent of its police force match that profile.
- For York region, also neighbouring Toronto, that ratio is 44 per cent for the population, but 17 per cent for the police force.
- In Edmonton, 35 per cent of its citizens are visible minorities or Indigenous, yet those groups are represented in less than 10 per cent of its police force.
- In Nunavut, 12 per cent of the police force is Aboriginal, but the territory is almost 90 per cent Indigenous.

In May, CBC News surveyed all major police forces in Canada in order to establish a national snapshot of the racial diversity of key law enforcement agencies.

These figures were then compared to the demographic makeup for each community using the 2011 National Household Survey to calculate the disparity between the racial profiles of police and general populations.

The head of the CACP says these numbers alone are not reason for concern.

"I'd say we are just on a learning curve right now," said Clive Weighill, chief of the Saskatoon Police Service.

Weighill says that, although there are recruiting challenges such as language barriers and historic distrust of police in some communities, "every service that I know of has a recruiting plan to bring diversity into the service because we all recognize how important it is."

He added that the Saskatoon force has a full-time Indigenous recruiter on staff.

The survey showed some of the least racially diverse police forces were also among the most closely representative of their communities in terms of the percentage point gap.

Police in Quebec City and Sherbrooke reported having a combined total of 12 Indigenous and visible minority officers out of a total of nearly 900. However, that closely mirrored the population in terms of percentage.

The Toronto Police Service says one of the key impediments to achieving better representation is that the rate of officer turnover has been outpaced by the rapidly changing community.

"In 2000 we were at about nine per cent visible minority. We're now at about 24 per cent," says Mark Pugash, director of corporate communications for the force.

"People who join tend to stay for 30 years, or in other cases 35 years or longer. So there's not a great turnover. We've also had hiring freezes for a number of years in recent times."

Pugash says that when Toronto police hire, they have focused on recruiting Somali Canadians, and have also been successful in debunking certain myths about policing through a program that teams up youths with officers.

The survey found Halifax Regional Police was the only force to match or surpass the racial diversity of its community, with Hamilton close behind. The Halifax chief says conflicts

in the early 1990s led the force to re-evaluate its recruiting methods.

"We started some very targeted recruitment where we wanted to get members of the African Nova-Scotian community here," said Jean-Michel Blais. "We're now working very closely with the Muslim community."

"The most important thing is diversity of thought. We want to be able to encourage the best decision making possible," he said.

(CBC News)



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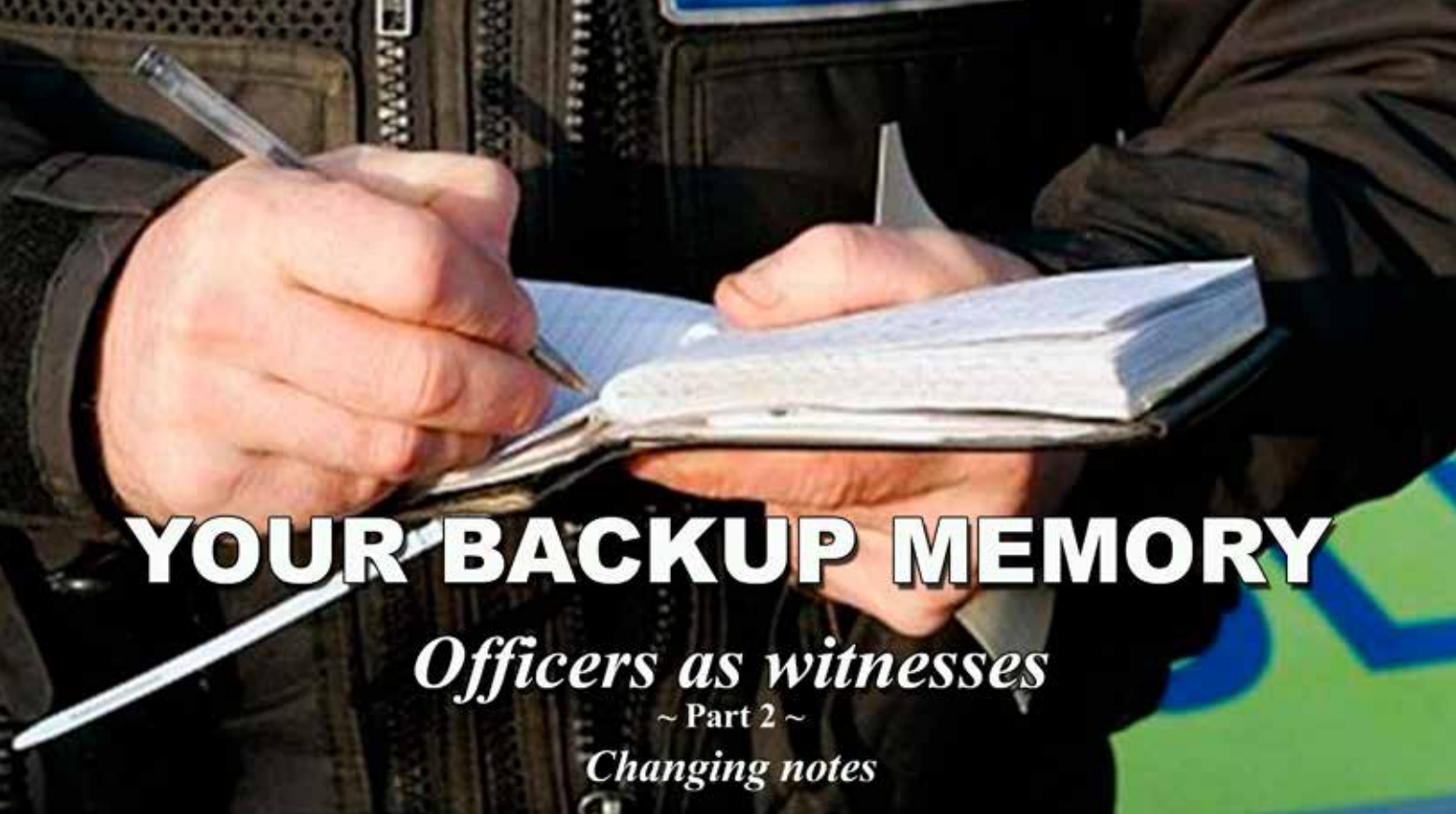
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# YOUR BACKUP MEMORY

## *Officers as witnesses*

~ Part 2 ~

### *Changing notes*

by Ian D. Scott and Joseph Martino

What happens if a police officer remembers something after their notes are prepared and wishes to record it? Should they record it in their notes and, if so, where?

There is little doubt that it should be recorded. Notes, once made, are not carved in stone. They can even be changed. But if they are changed or additions are made, the officer should record the date of the change or addition, and most importantly the reason for it. In other words, the officer should be in a position to explain why a change or addition was made when giving evidence at trial.

It is perfectly understandable for an officer, while viewing the scene of an accident or a crime, or while speaking to somebody about the incident, to suddenly remember something that he or she forgot to record. It is important to stress, however, that the officer's memory must be his or her own and not that of someone else's.

Undoubtedly, defence counsel will attempt to attack a change or addition to the notes as a deliberate fabrication or an error. That attempt at impeachment is perfectly proper. Defence counsels' duty is to use every legitimate tool at their disposal to obtain an acquittal for their client. While allegations of impropriety or sloppiness can be upsetting for anyone answering questions under oath, officers in their role as professional witnesses should keep in mind that defence counsel are fulfilling their duty to thoroughly test the evidence against their client.

The following illustrates the type of cross-examinations that could be carried out by an

experienced defence counsel:

Q. You investigated this (incident) on (date) approximately six months ago?

A. Yes.

Q. And in the intervening period, you have investigated at least a half dozen other complaints?

A. Yes.

Q. Your purpose in preparing notes is to record what you observed so that you can refresh your memory when you are called upon later to give your evidence?

A. Yes.

Q. To ensure that you will give a fair and accurate account of the events, you try to make comprehensive notes of everything that you observed?

A. Yes, everything that is relevant.

Q. And if it is relevant, you make a practice of recording it carefully in your notes?

A. Yes.

Q. And you did so on this occasion?

A. Yes.

Q. Now you testified that you saw...?

A. Yes.

Q. And you considered that to be an important and relevant piece of evidence in this case?

A. Yes.

Q. Will you now show us where you recorded that observation in your notebook?

A. I didn't record it.

Q. You are asking the court (and jury) to believe that although it was important and relevant to this investigation and you always record in your notebook what is important and relevant to an investigation, you did not do so this time?

If the officer's notes are not comprehen-

sive but rather only a brief summary of his observations, then he may be subjected to the following examination:

Q. Your purpose in preparing notes is to record what you observed so that you can refresh your memory when you are later called upon to testify?

A. Yes.

Q. You said that you wrote down only what you considered to be important?

A. Yes.

Q. That means that you did not write down everything that you saw - only what you thought was important?

A. Yes.

Q. So that if something happened that you did not consider important, you did not write it down?

A. Yes.

Q. Now I am going to suggest to you that the following happened...

A. I cannot recall that.

Q. Of course you cannot recall that because the only thing that you can recall is what you wrote down in your notes?

A. All I can say is that I do not recall that.

Q. And that is simply because, as you said earlier, you have investigated at least a half dozen other complaints in the meantime and that you made notes to assist you in recalling what happened?

If an officer wants to demonstrate to the court that he or she is an impartial investigator and is attempting to be open and forthright with the court, the officer should record everything, whether it is helpful to the case or not. If the only information recorded is solely relevant to the officer's belief in the guilt of



the accused, he or she leaves oneself open to an attack by defence counsel on the bias of the investigation. The defence will suggest that the investigation centred only on the accused and did not consider whether any other person was the actual perpetrator.

How should police officers go about preparing their notes?

Where two officers have observed the same event, it is only natural for them to be concerned about the notes that they are preparing. They will invariably find themselves on the horns of a dilemma. If the notes are not exactly the same, defence counsel will probably stress each minor discrepancy suggesting that their observations and recollection of the events are faulty. On the other hand, if the notes are very similar, then undoubtedly defence counsel will suggest that the officers collaborated in preparing a single version of the events.

For many years, police forces in Canada encouraged police officers to collaborate when making notes of the event provided that the notes were made while the events were fresh in their minds and provided that the notes contained only what each has observed. This practice is no longer considered by either British or Canadian authorities to be proper. In the United Kingdom, as a result of comments made by a judge in a constitutionally based judicial review of a police shooting investigation conducted by the Independent Police Complaints Commission about the practice of conferring, the Association of Chief Police Officers ("ACPO") recently changed its practice in this area. In its November 2009 edition of the *Manual of Guidance on The Management, Command and Deployment of Armed Officers*, and adopted in its 2011 edition, the ACPO amended its provision addressing officers' providing of accounts in the post deployment stage. It now reads that in general officers should not confer with others before making their accounts because "the important issue is to individually record what their honestly held belief of the situation was at the time force was used."

The Ontario Court of Appeal also considers collaboration by police officers as improper. In *Barrett* (1993), 82 C.C.C. (3d) 266 (Ont. C.A.), reversed on other grounds [1995] 1 S.C.R. 752 (S.C.C.), the Court criticized the practice of one officer taking notes and the other reading the notes over and confirming the truth of the notes. It was held that the proper practice is for each officer to make his or her own independent set of notes.

The inherent danger of collaborating in making notes is obvious. People do not necessarily witness an event in exactly the same way. In fact, what happens is that each of us extracts out of an observation what impresses us the most. As stated by the original author of this text when he was Commissioner of the 2008 Manitoba Taman Inquiry at page 137 of his report:

*The proper practice is for each officer to make his or her own independent set of notes. When officers collaborate in preparing notes, there is a serious risk that one officer may unconsciously supplement something from*

*the other officer's recollection which he or she never observed. If it is then written down in the officer's notebook to be used to refresh his or her memory, it will become part of the officer's recollection even though he or she never saw it. Once combined memories are committed to a uniform set of notes, each officer will later refresh his or her memory as to an event that they never saw.*

The danger that an officer may accept the recollection of a colleague because of the officer's own misgivings as to what he or she actually saw may be heightened when the other officer is a senior officer. The British Psychological Society recently completed a scientific study on memory in relation to the courtroom process: *Guidelines on Memory and the Law*. British Psychological Society Research Board, "Guidelines on Memory and the Law:

Recommendations from the *Scientific Study of Human Memory* June 2008, Revised April 2010. Acknowledging the law's strong reliance on witness recall, the Society recognized the potential of one's recollection being tainted by various factors including two people discussing an event and that influence will vary depending on the relationship between the two parties. In other words, the officers may unconsciously and quite innocently try to reconstruct an event from their combined memories and believe they witnessed something when, in fact, they did not.

In a recent Supreme Court of Canada decision deciding that officers had no right to confer with a lawyer before writing their

notes in SIU investigations, the majority referred to excerpts from the Taman Inquiry, and concluded that officers have a duty to prepare accurate, detailed, and comprehensive notes as soon as practicable after an investigation: *Schaeffer v. Wood*, 2013 SCC 71 (S.C.C.).

There is no reason why each should not commit to their own separate notes their own recollection of the events. There will undoubtedly be marked discrepancies, but is there anything wrong with that? Surely no judge or jury would say to themselves that "because there are certain differences, all of the testimony is to be discredited". Indeed, the lack of differences in recollection may render an officer's testimony suspect.

Our system of justice expects that each witness appearing before the court will testify as to what he or she actually saw and heard. Frailties of observation or recollection are not only recognized but are expected. By encouraging police officers to collaborate on their notes, we may be encouraging them to unconsciously fabricate evidence.

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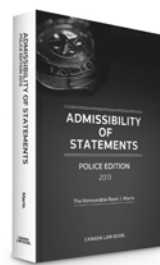
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# FIGHTING GRAFFITI WITH TAGS

by Gerry Murney

After some 23 years patrolling Halifax, I received a mid-morning call about an opportunity to join a new Halifax police unit known as the Community Response Team (CRT).

I had some idea they did something pronounced “sep-ted” (CPTED - Crime Prevention Through Environmental Design) but I didn’t really know anything about it. Now I am a certified Level 2 CPTED Technician.

I found out on my first day on the CRT that I’d spend 25 per cent of my time coordinating graffiti enforcement for the Halifax Regional Municipality.

“Graffiti?” I remember thinking. “What’s the big deal about kids with spray paint?” I was one of the majority of people who have no idea of the level of organization in the graffiti world and of the billions of dollars it costs annually on a global scale.

Unlike CPTED, I didn’t receive any formal training in graffiti management. I’ve learned a lot over the years, both on the job and at The Anti Graffiti Symposium (TAGS), an annual conference for people from different

fields who share a vested interest in preventing and reducing graffiti vandalism.

To acclimatize delegates to the subject matter, TAGS has introduced a Graffiti 101 session to open the conference. This is a condensed version of my own ‘Intro to Graffiti’ — what you need to know for a basic understanding of graffiti:

- There are ten recognized types but one, known as ‘hip hop’, makes up 95 per cent of graffiti worldwide. This system is actually quite simple, which is probably why it flourishes.
- A participant begins by choosing a ‘moniker’ or name. Monikers come from several different sources and are usually something relevant to the participant. A tag, done in a single colour and one dimensional, is also created. If participants can do it in ‘one hit,’ meaning one stroke of the paint-can or marker, they will get extra ‘ups’ from the culture. Ups is a slang term for respect.
- Next comes ‘throw-ups,’ also known as ‘bubble letters’ or ‘fatties.’ They’re done in two colours, are two dimensional and can be traditional or non-traditional designs.

Originally they have a black outline and a white scratchy fill; if the outline isn’t filled in, it’s termed a ‘hollow.’ Someone may return later to do a ‘crack fill,’ but it is more frequently left as a ‘hollow.’

- The final quest with a moniker is to create a ‘piece.’ This starts by using pencil and eraser to block out the letters of the moniker in a sketchbook before applying it to a surface. A design style is chosen to create a two or three dimensional re-creation of the moniker using three or more colours. Probably the most recognized design is called ‘Wild Style,’ which includes numerous arrows that have their own meaning within the culture.

There are endless types such as public, block, Chinese and flava styles. It’s not uncommon for participants to push forward with their own unique style. In a game of trying to get individually recognized, there might be some logic to this approach. Whatever a participant can do to capture the attention of others in the culture is considered positive.

- Hip hop graffiti has its own lingo. ‘Get Up,’ ‘Go All City’ and ‘Stay Up.’ This translates to: Get your moniker up on a wall, on a lamp





post, anywhere you can, and spread it in all its forms within the largest possible area so other members of the hip hop graffiti culture will see it.

It's the same routine to get into hip hop graffiti whether it's Brisbane, Bangladesh or EcumSecum, Nova Scotia — but you'd likely find the approach to anti-graffiti enforcement different in each place.

Graffiti management strategies run the gamut from free spaces where graffiti is permitted and encouraged to by-laws banning the sale of spray paint to minors.

Halifax's graffiti management plan (PDF at <http://goo.gl/Eauyxc>) is grounded in four pillars.

1. Graffiti removal: Using a blend of internal and external resources, manage graffiti to mitigate and control the incidence and

provide an environment for police to make successful apprehensions.

2. Education and civic responsibility: Create an education and public awareness campaign using multiple media streams to enhance the profile of Halifax's anti-graffiti mandate and raise awareness of how communities can get involved in the solution. Seek alignment and support from community partners to mitigate and control assets in the public domain.
3. Enforcement: Police will actively enforce applicable laws as they pertain to graffiti and continue internal and public education on tactics to manage the proliferation of graffiti.
4. Reporting and communication: Create standardized reporting that measures key indicators of successful graffiti management.

It's been my experience that managing graffiti is most effective when all stakeholders participate and apply a multi-faceted approach.

If you're just getting started with an anti-graffiti strategy or are looking to enhance your existing approach, attend the TAGS conference in Coquitlam, B.C. October 24 and 25.

TAGS offers education, inclusion, networking and most of all, team membership. The information I've learned over the years at conferences has been invaluable and I'm honoured to be one of the presenters this year.

Visit [www.tagsconference.com](http://www.tagsconference.com) for more information. I hope to see you there!

**Gerry Murney** is a Constable on the Community Response Team - Public Safety Office of the Halifax Regional Police. He can be reached at: [murneym@halifax.ca](mailto:murneym@halifax.ca)



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# Elevating Police Work

*Officers selected from the best of the best need to be treated as such*

by Valarie Findlay

The boiling anger in the US over use of force, racism and racial, bias in policing has profoundly affected Canada's struggle with our own issues. While we appear similar our cultural and societal changes and policing challenges remain distinctly different at the grassroots level.

One aspect that is the same in both countries: public trust and confidence suffers after negative policing incidents. Accusations fly in the wake of unanswered questions and diplomatic rhetoric from police brass.

There's a lack of strategy to direct communications on controversial topics and manage incidents as they unfold. This results in a firestorm of public emotion at a time when answers are most needed, but also opens a short window of opportunity to quell anger. Instead, the public is often left exasperated and demanding answers to square the circle, while policing agencies are temporarily silenced and well aware of the public's mounting frustration.

The rank and file show up for their shifts and go about their job in a climate of increased tension and added weight to their duties. How did 'tenuous and disparate' become the new normal?

Influenced by jarring headlines, is the public so far off center that it fails to recognize the commitment and cannot empathize with the challenges of those who police their community? Are police so detached from the public that they cannot empathize with the public's fears and need for dialogue and answers?

Possibly the divide has less to do with empathy and more to do with a perceived stalemate — no one knows what to fix first, or even how to fix it.

Bridging communication between the public and police has become a priority and must begin with building trust and honest dialogue before, not after, a serious incident. Police explaining policing to the public is difficult at best — a perceived bias will persist even with the most articulate officer and exemplary soft skills. It doesn't help that the inherent language of authority is loaded with a pejorative tone and that the policing ethos encourages shouldering — not sharing — the weight, creating an impervious barrier.

Even if communications were fluid, the public is unlikely to hear the candid truth — the horrors of policing, the struggle with stress and depression, the burden it places on families, the realization that although the chosen career is not what an officer thought it would be, there is still nothing they would rather do. Moreover, you wouldn't hear about the irreconcilable policing dichotomy, where the person arrested today was the same person an officer served and protected yesterday.

Truly progressive police organizations are recognizing the importance of public confidence and striving to find innovative ways to educate, communicate and explain their processes — but this is not solely the duty of policing agencies. Communities need to engage and accept the reality of the operational challenges of policing and abandon the role of arm-chair 'judge and jury.' Officers are expected to act as psychiatrists, psychologists, social workers and mediators, absorbing the operational stress, resource constraints and psychological impacts of the worst of calls.

These perceptions can be countered through effective communications driven by a well thought out strategy that fosters a

trusting relationship and encourages two-way communications. From there, incident-driven communications maintain the rapport through immediate response to the public and the media, targeting specific audiences using appropriate channels to deliver relevant and timely messages.

Although cheap and easy, one-channel communication approaches such as Facebook and Twitter can only be supplemental; they are effective in delivering low-priority messages but do little to engage and allow for true dialogue when negative incidents occur.

Social media has benefits but can also be an agency's worst enemy. Control over the message and context is quickly lost when the first communiqué of an incident comes from an unverified video circulating on social media. Viewers play a video over and over and — without a counter and often influenced by news media, video games and the entertainment industry — draw their own conclusions.

It doesn't take long for charges of hyper-masculine aggression and insufficient, outdated or militarized police training to be levelled. This is why communicating the functional aspects of these incidents and training and its limits can be valuable forays into developing public understanding.

In a recent *Toronto Star* article, Andrew Mitrovica compared an incident he witnessed to that of James Forcillo's handling of his interaction with Sammy Yatim.

*The cops kept their cool, working together — as they've no doubt been trained — to disarm a kid who was wielding a knife not that much different from the one Yatim was flashing on the streetcar on that fateful morning. They resolved the tense situation without*



firing a shot despite the fact that, arguably, this kid posed more of a danger to the police and public than Yatim did.

In the end, I can't help but think that if this group of police officers — who, like Forcillo, swore an oath to serve and protect the public, but, unlike Forcillo, responded so differently, wisely, calmly and professionally to another disturbed young man in distress — had been there when Sammy Yatim needed help, he might be alive today, getting the help he so desperately needed.

Irrespective of how you felt about Forcillo's conduct, an officer can easily understand that no incident is the same. The public belief that these incidents can be equally compared and assessed by an untrained bystander is a big challenge.

"Officers are trained to identify real firearms from 'fake' ones... hard-edged weapons are much less dangerous than firearms... an unarmed person can't be considered dangerous... it's easy to tell if someone is suffering from a mental crisis if you look for the signs..." the list goes on.

Substantial value can be found in educating the public on the complex challenges arising from the practical aspects of crisis intervention and legislative constraints.

The 2014 Ontario Human Rights Commission report on mental health disabilities and use of force and the 2016 Ontario Ombudsman's report, *(A Matter of Life and Death)* on improved crisis intervention in policing have done little to underscore the complexities; both go in wrong directions in recommending simplifying the use of force model.

Shifting from behaviour causality to a generic 'people in crisis' profile with de-escalation as a core capability makes complete sense — but the theoretical obscures the practical, as is often the case where studies are conducted without front line collaboration. Simplifying use of force and suggesting a more linear model (even though it is represented as a circle), rather than a continuum of options, presents several issues.

First, crisis management and use of force is not a simple concept.

Second, linear models only work well with repeatable, predictable processes and cannot account for complex human behaviours in conflict scenarios; in fact, they are rarely effective except in communicating to non-experts.

Third, taking a complex concept like the use of force model and making it 'simple' can't help but introduce subjective standards — canned, acceptable responses decided by others, such as utilizing the least or minimal amounts of force that stifle expert observation and response capabilities. This creates a conundrum: negotiation versus authority and weighing of options to mitigate liability from judgements and decisions made under stress.

Instead, progressive approaches such as objective reasonableness or a crisis management model — which include a use of force component with strategic options and specialized skills support — empower and entrust officer judgement in the elastic state of an incident and

better reflect our complex societies.

Police training cannot help but be flawed; there is no prescriptive means to prepare for and respond to every action, every time, with guaranteed outcomes. No mechanism temporarily disconnects human behaviours or physiological responses.

Officers know that strategic (diffusion and de-escalation) and tactical and defensive (less-than-lethal and counter force) responses must suppress assessed capability, intent, means and opportunity. The average civilian has no appreciation for this, nor the subtleties of reaching for a pocket, body posture, eye contact or direction, etc.

Civilians would also not appreciate that many fixed factors (perceived mental state, physical capabilities, weapon type or their possible concealment, etc.) and fluid factors (emotional state, passive and active resistance, willingness to sustain injury, etc.) are key inputs that can rapidly change. This awareness can shift the paradigm of the public and the media; a tremendous impact can be seen when viewed through the lens of cumulative stress, multiple-trauma, fatigue and other physical states.

Most Canadians rarely interact with police and when they do, most encounters are positive — yet confoundingly, the growing sentiment towards police is negative.

The power of news headlines and social media are formidable and feed the public perception of police from thousands of miles away. Because of this, police 'abuse of

authority' and 'excessive use of force' have come to exist both objectively and subjectively with the public and must be dealt with as valid realities.

It goes without saying that the most valued officer is the one who can achieve the desired result with the least risk or injury to all parties while maintaining public confidence — but how realistic is this in a job where stress is insurmountable and there is little reciprocity for kindness?

Policing must be elevated and treated as a valuable core service key to community safety and quality of life. Officers selected from the best of the best need to be treated as such — the organization's most valued asset.

Permitting the public to ignore the realities of policing and agencies to stall on adapting to change and adopting innovative communications with the community only widens the divide: the public will hold firm to its point of view, expressing anger and dismay when information needs are not met. Frontline officers will continue to be held to super-human expectations and, with every day that passes, the badge will only get heavier.

---

Police Foundation (USA) research fellow **Valarie Findlay** has two decades of senior expertise in cyber-security for policing, military and government departments. She holds a Masters in Terrorism Studies and her dissertation, "The Impact of Terrorism on the Transformation of Law Enforcement," examined the transformation of western law enforcement. Contact: [vfindlay@humanled.com](mailto:vfindlay@humanled.com) or [www.humanled.com](http://www.humanled.com).

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# DISCLOSING EVIDENCE

*Revealing facts from weakest to strongest can be the best rule*

by Kerry G. Watkins

Most police training courses and manuals offer little or no guidance on when and how to disclose evidence to a suspect during an investigative interview.

Some texts recommend that an investigator should confront a suspect with the evidence at the start of an interview (Yeschke, 1997), while others suggest it should be disclosed relatively early in the process to overcome denials of responsibility (Inbau et al., 2013). However, none of these sources provide any scientific evidence to support their recommendations.

Moreover, while investigators will frequently have some form of evidence they could disclose to a suspect if they chose to, few have been trained on when and how to disclose it to maximize its strategic value (Smith & Bull, 2014).

Research indicates, and the author's personal experience confirms, that many investigators disclose all or much of their evidence at the start of an interview, particularly where they feel they have a strong case. This is done, presumably, in the hope that it will lead to a spontaneous admission or confession. However, best estimates are that suspects confess perhaps 50 per cent of the time, and possibly far less often (Gudjonsson, 2003; St-Yves,

2014). That being the case, what impact does early disclosure have on a suspect interview, and is it the best way to proceed?

Disclosing evidence at the beginning or early stages of an interview can actually impair an investigation in several ways.

First, early disclosure shows an investigator's hand. Suspects who decide to confess know the evidence against them and can tailor their statement to it, constructing a false yet plausible explanation for events which may now be difficult for an investigator to disprove (Fahsing et al., 2009).

Second, the early disclosure of any evidence (not just "hold back") makes it difficult for an investigator to corroborate a true admission or confession with reference to evidence withheld from the suspect until they give a statement.

Third, early disclosure deprives an investigator of the ability to use evidence strategically to encourage a suspect to produce a detailed account of their involvement in the offence, and to subsequently challenge that account where it is inconsistent, either internally or with other evidence.

Investigators have to decide on a case by case basis if, when, and how they will introduce evidence during a suspect interview. However, contemporary police culture has come to recognize the need for police practices



to be "evidence-based;" that is, to be informed by scientific research about what is and is not effective.

There is broad agreement in the research literature that disclosing evidence later in a suspect interview is generally more beneficial. The later disclosure has been found to:



increase the extent to which guilty subjects offer critical disclosures of information; result in more comprehensive and more self-incriminating accounts; increase the likelihood of a suspect confessing (Meissner et al., 2015; Tekin et al., 2015; Walsh & Bull, 2015); and produce more pronounced inconsistencies in the statements of lying suspects relative to those telling the truth (Sorochinski et al., 2014; Luke et al., 2013; Dando et al., 2015; Luke et al., 2016; McDougall et al., 2015).

If we accept that it is generally better to disclose evidence later, the next question becomes how an investigator should introduce evidence to maximize its value. There are a number of arguments to be made for doing so incrementally; that is, progressing from the weakest evidence to the strongest.

First, a suspect may be more likely to respond to weaker evidence where they perceive an opportunity to “explain it away,” than to stronger evidence, which may simply cause them to stop talking.

Second, moving from weaker to stronger evidence allows an investigator to progressively “build” the strength of the evidence against the suspect both factually and psychologically. This is particularly important because a suspect’s perception of the strength of the case against them has been identified as the single most important factor in their decision to confess (Bull, 2014; St-Yves et al., 2014; Fahsing, et al., 2009).

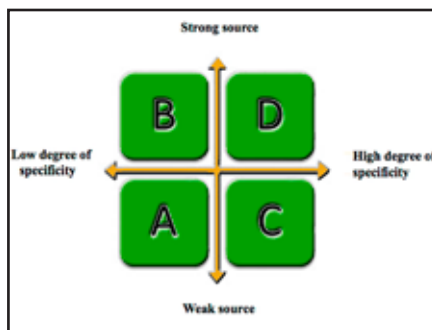
Third, disclosing evidence later in an interview imposes a higher “cognitive load” (i.e., it is more mentally demanding) on a lying suspect than on one telling the truth, which has been shown to result in liars generating more inconsistencies in their statements than truth tellers (Granhag et al., 2013; St-Yves, 2014).

With respect to the last point, investigators can use both questioning and disclosure tactics during an interview to provide a lying suspect with the greatest opportunity to generate inconsistencies. Instead of using many direct questions early in the interview process — something many investigators do — the interviewer should use what is referred to as a “question funnel.”

Starting at the top of the funnel, the interviewer poses a series of open questions (e.g., tell/explain/describe), which invite the suspect to provide a free account about pertinent actions or events. As the funnel gradually narrows, the interviewer begins to ask more direct questions (e.g., who/what/where/when/why/how) about the evidence they hold.

The questioner might start by asking the suspect to describe the various places visited on the day in question. Were they at a particular gas station? If so, did they go inside? Where did they go? To the cashier’s counter? Did they touch it? — and so on.

Research indicates that investigators who withheld evidence until later in suspect interviews and used a funnel type questioning approach significantly improved their ability to make accurate judgments about the truth of a suspect’s statement on the basis of inconsistencies than investigators who do not take this



approach (Hartwig et al., 2006).

Once an investigator decides to disclose evidence to a suspect, careful consideration should be given on how to present it to

maximize its strategic value. Granhag (2013) has developed a simple evidence framing matrix for this purpose which has two different dimensions: source of and specificity of evidence.

The source of evidence varies along a continuum from weak to strong, and refers to how the investigator knows what they know. For example, if surveillance video showed the suspect inside the Quickie Mart at Main Street and First Avenue at 10am last Tuesday, the investigator could “frame” that evidence when they disclose it to the suspect.

For example, “We have video of you inside the Quickie Mart at Main and First Avenue at 10am last Tuesday” is a strong disclosure of the source of the evidence. Instead, the

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“...science suggests that good things may come to investigators who hold the evidence close to their chests...”



investigator could say “We have information that you were at the Quickie Mart at Main Street and First Avenue last week,” which is a weaker disclosure of the source.

The second dimension of the evidence framing matrix involves the specificity of the evidence — in other words, exactly what the investigator knows. The specificity ranges along a continuum from low to high. For example, the interviewer could say, “I know you were at the Quickie Mart last week at Main Street and First Avenue,” which is a high degree of specificity — or “I know you were in Etobicoke last week” (the location of the Quickie Mart), which is a lower degree of specificity.

Suspects first presented with evidence framed in the weakest, least specific manner possible (i.e., quadrant A) may decide to revise their statement to include the information being disclosed, while still attempting to deny more incriminating elements. For example, if the investigator said “I have information that you were in Etobicoke last week,” the suspect may revise their account to include that fact but still try to conceal that they went to the Quickie Mart at Main and First.

If the investigator then presents more specific information about the evidence, the suspect may now be forced to again revise their account. By framing evidence generally at first, and then disclosing it in an incrementally more specific manner, an investigator can maximize its strategic value.

When disclosing evidence an investigator should gradually reveal increasing strength and precision (moving from quadrant A to B, C and finally D). Research shows this tactic can lead a subject to revise their statement to fit more closely with the evidence as it is revealed. Moreover, this approach appears to be relatively resistant to suspect countermeasures (Granhag et al., 2013; Granhag et al., 2015; Luke et al., 2016).

In summary, although there will always

be some exceptions, research suggests that it is generally better to disclose evidence later in suspect interviews rather than earlier; and when disclosing it, to progress from the weakest to the strongest, rather than disclosing the strongest evidence at the start.

As the old saying goes — “good things come to those who wait.” In the case of suspect interviews, science suggests that good things may come to investigators who hold the evidence close to their chests, at least until they carefully consider when and how it is best disclosed.

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**SMITHS FALLS, ON. - An Ontario woman is accused of donning a wig and glasses to impersonate her own mother so she could take a driving test on her behalf.**

Police in Smiths Falls, Ont., say the test took place on June 9 at the local Ministry of Transportation office.

The driving instructor allegedly grew suspicious of the 39-year-old woman, who was claiming to be 73, and called police.

They say an investigation revealed the woman had dressed herself to resemble her mother.

Police say she was trying to pass the test on her mom's behalf.

The woman, whose name was not released, has been charged with adult personation with intent.

...

**BROCKTON, ON. - Police and firefighters were called in after a heated discussion over the shape of the Earth reached fiery levels in eastern Ontario.**

Police in Brockville say they were called to St. Lawrence Park on Monday after an intense argument between family members.

They say a woman who insisted the Earth was flat was locking horns with her boyfriend's father, who argued it is round.

Investigators say the 56-year-old man grew so enraged that he started throwing things into their camp fire, including a propane cylinder.

Firefighters were called to put out the flames.

Police say the man took off and will face a mischief charge.

They say "neither party would change their views."

...

**SAINT JOHN, N.B. - A Saint John, N.B., courthouse has done away with Courtroom 13 after complaints that it felt unlucky.**

People had raised concerns about the number since the Saint John Law Courts opened three years ago, Don Higgins, regional director of court services in Saint John, said Thursday.

Officials quickly took down the sign, but it was still known as Courtroom 13 on dockets and other official documents.

Now, though, a new sign has gone up declaring it Courtroom 14.

"People only come here once or twice in their lives, so we're hoping to make it easier. We didn't do any investigation or analysis to see how many people it impacted. It was an easy fix," said Higgins.

"I'm not a superstitious person by nature, but if there's anything you can do to remove these distractions..."

**PENTICTON, B.C. - Cops called to gas station after man squirts bear spray down pants, strips nude, then pours milk on genitals.**

Mounties in Penticton, B.C., say they got quite an eyeful last week after a man peeled off his clothes and began washing himself with milk after inadvertently spraying bear spray down his pants.

RCMP spokesman Cpl. Don Wrigglesworth said officers were called to a local gas station shortly before 2 a.m. on Aug. 24 to find the victim completely naked.

"He was in excruciating pain and vigorously using his shirt to scrub his genitals with homogenized milk in an attempt to relieve the pain," said Wrigglesworth.

The man told police he had been attacked by three unknown men, but Wrigglesworth said an investigation revealed the spray pattern "was consistent with the alleged victim carrying his own can of bear spray and it went off unintentionally."

Later that night, police were called to a home and found five people outside rolling on the ground after they, too, were hit with bear spray.

Wrigglesworth said the five were also uncooperative, but told police they were attacked over a debt.

**WINNIPEG, MA - Thief dressed as goalie robs beer store.**

There may be a delayed penalty coming for a wannabe goalie in Russell, Man.

RCMP in the Parkland community are investigating an alleged robbery at a local beer store earlier this month.

Video surveillance showed one of the suspects was wearing hockey goaltender equipment during the heist.

Information appearing in the Russell Banner's RCMP report stated the C-Store Beer Vendor at the Russell Inn was robbed around 2:45 a.m. on Aug. 15th. According to the local detachment, video footage showed a man entering the store with his face covered by a baseball cap. That's when, according to RCMP, a goalie trailed behind to pick up an assist.

Police said a man wearing goalie pads, a blocker and a trapper, and carrying a goalie stick, arrived after the first suspect and allegedly began helping him carry away "several cases of beer."

"The RCMP have never seen a disguise like this," the report in the Banner read.

The video is still under review by the RCMP, who continue to investigate.

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by Tom Rataj



# Ransomware holds your data hostage

As if computer viruses and other malicious software weren't annoying and damaging enough, the latest trending computer security threat holds your data hostage until you pay a ransom to free it.

Although first successfully demonstrated back in the late 1980s, ransomware has only gained notoriety recently. Since Microsoft Windows is the most widely used operating system, with a marketshare of about 80 per cent, it is the primary target of most malicious computer software.

Mobile devices such as tablets and smartphones are also generally not immune to malware threats. Devices running Google Android are most vulnerable and some jailbroken Apple iPhone/iPad devices have been successfully attacked. There are some malware issues with Windows Phone devices and Android apps (but not native BlackBerry 10 apps) running on BlackBerry 10 devices.

## Locks system

Ransomware is a malicious computer program covertly installed on a victim's computer or network. It typically arrives through a Trojan virus contained in an e-mail attachment, from visiting a surreptitiously or deliberately infected website or by clicking on a pop-up ad.

Once installed and activated, it typically

encrypts part or all of the computer's operating system and/or files and then displays a web-page demanding a ransom payment for a decryption key to unlock the system and files. There is often a time limit on when payment must be made, leaving a victim little chance to decide what to do. Payment is usually demanded in bitcoin or other non-traceable payment instruments.

The original ransomware programs were relatively simple, often just disabling a computer's start-up file, master boot record or partition table. The computer couldn't boot without them, although the data on the hard-drive was still retrievable and the disabled programs were relatively easy to repair.

The latest generation of ransomware is far more sophisticated, using strong encryption technologies such as 128 or 256-bit AES (Advanced Encryption Standard) or RSA (named after cryptologists Rivest, Sharnie and Adleman) to encrypt all the data on an infected system.

Without a decryption key, the affected data is irretrievable because of the strength of the encryption, so many victims just pay the ransom.

Although ransomware has been around for more than 20 years, it began gaining notoriety in the mid-2000s. The most common

encrypting ransomware include CryptoLocker, CryptoLocker 2.0 and CryptoDefence.

The widespread use of the Internet has made it far easier for ransomware to spread and its growing sophistication has made it much more effective and profitable for the criminal gangs typically behind it.

## Victims

CryptoLocker ransomware corrupted the computer system and most recent backup drive of the Tewksbury, Massachusetts police department in April 2015. An 18 month old backup drive was not affected but wasn't of much use. Despite help from the FBI and others, the department was unsuccessful in recovering its system until it paid roughly \$500 in bitcoins.

Several other small US police departments were similarly victimized by ransomware and had to pay to recover their systems. At least a dozen hospitals around the world have also been successfully targeted by ransomware infections.

The Hollywood Presbyterian Hospital in California paid a ransom in February 2016 after most of its network, including medical records and connected medical devices, was disabled. The original ransom demand was US\$5 million but it ended up paying



US\$17,000 in bitcoins. The case took several weeks to resolve and was an expensive operational nightmare affecting all hospital operations during the attack and for months afterwards.

### Not just computers

With so many devices connected to the Internet, it's not surprising that some have been compromised and used as an infection point for ransomware. There are reports of routers, network attached storage devices and back-up drives being infected through security vulnerabilities.

### Prevention

Most ransomware, viruses and other malware infections begin with individual computers so this is where major defensive efforts should focus.

Ransomware is best prevented by using up-to-date anti-virus/malware software and a firewall. Additionally, all security updates and patches for computer and smartphone operating systems, and other potentially infected hardware such as routers, should be installed as soon as they become available.

All default device and system passwords should be changed to strong passwords with at least 12 characters, including random combinations of both upper and lower case letters, numbers and special characters.

Comprehensive network security tools with behavior detection should be used to monitor business network traffic and e-mail systems for viruses and malware.

Windows users should activate User Access Control to prevent unapproved installation of software. A "pop-up" ad blocker is also important, since enticing and misleading pop-up ads are often used to infect computers. Training and user awareness are also important.

### The pay question

This is a complicated decision that depends on a number of factors, including how current and thorough the back-up files are, whether a victim believes the attacker will actually provide a valid decryption key and ability to pay.

In many cases, paying the ransom is the only way to quickly regain control of a system because the encryption technologies used are unbeatable.

Ransomware is a complicated, dangerous and potentially expensive threat to businesses, government agencies and private computer users.

Comprehensive preventative measures and a thorough and up to date data back-up plan are the most effective ways to counter the threat.

Police agencies may be particularly vulnerable since much of the data they collect and maintain is very valuable to criminal organizations.

Tom Rataj is *Blue Line's* Technology columnist and can be reached at [technews@blueline.ca](mailto:technews@blueline.ca).



## Winnipeg Named Top Police Communicators

The Winnipeg Police Service Communications Division took Public Safety Answering Point (PSAP) of the year honours at the 82nd Annual APCO (Association of Public-Safety Communications Officials) international conference.

The PSAP Finest Awards are an annual global recognition program for emergency communications professionals.

Winnipeg was selected by an independent judging panel of public safety peers who evaluated

each service based on exemplary achievements, knowledge, and years of commitment to public safety. This year's judging panel included representatives from a cross-section of the industry.

WPS will receive a personalized PSAP's Finest plaque from the award sponsor, NICE Systems.

The Winnipeg Police Service PSAP has 92 front line employees, 10 administrative staff and covers a population of 700,000 + citizens. It handled 255,139 9-1-1 calls and 188,889 non-emergency calls in 2015.

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by Michelle Vincent



## *Improving outlook builds resilience*

I still feel amazed that they pay me to do this job, even after almost 15 years of policing. I truly love being a police officer. How many people get to experience the adrenalin and excitement we do, or know what really happened on a call others see only on the news?

That's not to say there are not challenges. Calls that resonate deep within our being, for example, or being denied that promotion we had counted on and worked so many hours of overtime to earn. There are many reasons we can become disenchanted in both our professional and personal lives.

Police officers are exposed to horrible experiences that can strike a chord and make us vulnerable to PTSD. This has been discussed, researched and continues to be a work in progress in most organizations now that they are mandated to find ways to minimize this potential "injury." Yes, PTSD is now recognized as a form of "operational stress injury" because the trauma actually injures the brain.

This can affect the perceptual lens through which we experience life. From work to family life, our perceptual lens translates our experiences and how we perceive life. When we experience mental health issues, our perceptual lens becomes tainted. Add in the exhaustion of shift work, overtime and court between night shifts and that perceptual lens becomes even more foggy!

Experiences that normally may not affect us all of a sudden become monumental issues that we need to immediately fix. You hear a lot of hype about self-care, which really is essential and supports a healthy perceptual

lens. Most of us have likely heard of essential self-care elements such as healthy eating and exercise, however working the perceptual lens muscle is also very important... and yes, it is a muscle!

By practicing some extra steps in our daily routines, not only can we work that perceptual clearing lens muscle, we help improve our outlook on our life journey. It takes some practice to work this perceptual lens muscle but you can start off very simply.

Consider this scenario. You walk in the door after an exhausting shift and long commute home and are greeted with a request from your spouse/partner to take your son to his swimming lessons. I consider myself to be literally "out of order" after finishing a shift — wiped and not very useful!

Your thought process would work something like this. Ask yourself what would be good about taking little Johnny to his swimming lesson? The first thing that might come to mind is having an hour of peace and quiet while he is in the lesson. You get to see him progress toward his goal of learning to swim and being safe in the water. You will have the opportunity to spend quality time with him. You may have a chance to meet other parents and will play an integral role in your son's learning experience.

If even one of these aspects resonates, flesh it out. For example, if spending some alone time while your son takes his lesson resonates, think what you might do to make that extra special. Perhaps you could take along a book to read — that book you've been

meaning to read but haven't had a chance because things have been so hectic.

You might pick up a coffee first, read outside where you can enjoy the sun or stay in the car for some peace and quiet. It takes a little practice and some imagination but if you put your mind to it, you will be surprised at how exciting it can be to complete tasks you once considered tedious, especially after a block of shifts!

We can use these same tools when dealing with challenging and/or tedious aspects of work. For example, the next time paperwork takes you off the road, look at the bright side. It's a break from heading to the next call, offers an opportunity to focus and present your best case and maybe even a chance to grab a bite and use a clean bathroom without the threat of being interrupted by dispatch.

The same thinking can hold true for a challenging call. It's an opportunity to make a difference in the lives of the people you're dealing with, in whatever capacity that might be.

Implementing such practices help us to build resilience with coping mechanisms. Coupling them with a mental health regime may help protect us from further damage caused by OSI we may incur on a shiftly basis!

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## *Did I do the right thing? Second-guessing is a first-rate stressor*

“Gun!”

As soon as the word hit the radio, the entire station went electric. Dispatch shifted to high alert. Adrenaline mixed with calm professionalism. Admin personnel stood at the ready to provide support commands.

Officers, uniformed and plainclothes, hit the street and rushed to the site. Off-duty members showed up to offer assistance (social media is a good thing).

One hundred or more bystanders complicated the stand-off scene (social media is a tool of the devil!).

Fortunately, the weather was not a factor. No howling windstorm, rain, hail or snow.

Officers held their positions behind squad cars and sandbags, on rooftops and alongside a dumpster, firearms poised for service if required.

Communication with the gun holder was established and, after some excellent negotiation by officers, the perpetrator gave up his weapon. The episode ended peacefully.

Most readers can relate to this scenario and may even see themselves in it, replaying the incident with intense reactions. Jaws tighten; shoulders bunch; breathing speeds slightly. The results may have been the same for some; sadly, much more tragic for others.

The debriefing session immediately following was very affirming. Administration congratulated the officers and dispatch on their excellent service. The operations review highlighted how well the platoon responded to what could have been a deadly incident.

Summary statement: “The good news is, the bad guy is detained and everyone’s going home tonight.”

It turned out that the weapon was a toy revolver, but who knew it at the moment? Only the guy holding it.

Then the second-guessing began. As chaplain I listened the next morning to the officer who called, “Gun!”

*Did I do the right thing? I could have looked a little closer and seen it was a toy. Think of all those resources expended. Think of all those people put at risk.* Those were just a few of the dozens of questions for which there were no answers.

I assured him his emotional state and head space were very normal, especially given his lack of sleep the night after the

incident. I gently probed if he had exercised at home after the incident or increased his water intake to flush the stress toxins. How about sitting quietly and just allowing himself some cleansing breaths or journaling his thoughts and feelings?

He had used some of those self-care actions but the questions — the second-guessing — were really plaguing him. Intellectually he knew all was well — no lives were lost — but still wondered if he could have done things better.

This is a natural reaction to a tense situation. With some intentional mentoring and support, he was able to move through the stress in a healthy manner. The four most effective factors which helped the young officer overcome the stress of second-guessing were:

1. A super-supportive partner. His wife was out of town but he was able to reach her and share the details. Her kind and compassionate listening ear was a primary factor in his recovery.
2. Other officers telling him he had performed his duties well. Several senior platoon mates and other members who heard about the incident affirmed him as an officer and person. There is a strong culture of mutual support in the force.
3. Reviewing the events and their emotional impact with the chaplain. [This will sound like I’m touting my role, but not so. I offered an outside set of ears, eyes and voice to affirm and support him in the critical moments and hours after the incident and

re-ground in a set of values that provided some needed stability.]

4. Most importantly, police/family support. This officer’s father is a seasoned member of another police force. His phone calls and visit the next day helped immensely to regain perspective and work through the stress and self-questioning.

In many ways, the scenario I’ve described and the responses offered are ideal. No one was hurt. The right supports were in place and ready immediately after the incident, and on an ongoing basis. Not all situations conclude as well; we know this.

However, the actions taken and the support measures mentioned are essential in building professional and personal resiliency for members of the police family. As an officer, you might benefit by taking a quick inventory. How many of the above support mechanisms do you have in place? You might also ask what other supports you would suggest.

It is not a matter of “if” but “when” stressful incidents will cause you to second-guess your performance. How and from whom will you regain your balance?

**Brian Krushel** is a volunteer Alberta police chaplain and member of the Canadian Police Chaplain Association. His family recently helped him through a stressful incident — his 60th birthday!

This is a series of articles presented by members of the **Canadian Police Chaplains Association**. More information is available at [www.cndpolicechaplains.org](http://www.cndpolicechaplains.org).

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## *An alternative to 'restful lectures'*

A police service called recently to ask if I'd be interested in teaching a session on mental illness, which I know a fair bit about. Another service called later that day to ask if I would conduct a session on a subject I know nothing about.

A few days later, another service asked my opinion about a workshop advertised by alleged "experts" on a specific mental health disorder targeted specifically for police. The hitch was that as far as I could tell, the perpetrators were not mental health professionals, had only self-proclaimed credentials and nothing to do with policing. Maybe it was a very good workshop — and maybe not. I am not sure how one would know.

Clearly, police education and training are a big deal these days — and a big ticket item for police organizations. It has to be a challenge to figure out how to provide the necessary education in a cost effective manner while ensuring high quality and reliable content. Many agencies have their own in-house training folks, of course, but what is less clear to me is whether these folks are always the best people to develop and deliver all types of training.

Education is a complicated business. Aside from the need for subject matter expertise, there are issues related to adult learning styles, knowledge of contemporary teaching techniques (including online and blended learning), evaluation methods, awareness of organizational and police culture — the list goes on.

Frankly, I tend to think it might be preferable to buy this kind of expertise rather than re-invent it (or not) each time a subject comes up. I suspect it will not come as a shock to readers that many police services are dealing with the very same issues (who knew!?!?!). I know for a fact that both big cities and rural areas are concerned about interactions

with people with mental illnesses, the cost of policing, appropriate use of force, interviewing techniques and — well, pretty well 'Everything Police'.

Agencies differ by region, of course, but my guess is that the similarities are greater than the differences. This leads to one of the great philosophical questions of all time: why do so many organizations feel they have to start from scratch when training on a particular topic?

Back to those inquiries I mentioned. I often suggest people check out the Canadian Police Knowledge Network offerings (<http://www.cpkn.ca>) before they go off on a wild goose chase. These folks have the right idea in a whole variety of ways. Their material really is police stuff, written for police by police. Perhaps more importantly, it's not for profit. You just have to look at their web site and board of directors to see they know what they're talking about. They're not a bunch of opportunists trying to make a buck through training.

They have a longer reach than your average individual police service so their courses are also developed by and vetted by subject matter experts who just might NOT be police. Seems like a good blend to me.

Needless to say, given its non-profit status, it's also time and cost effective to use something like CPKN. I note that money is rather a big deal in policing these days. CPKN takes care of all the design, development, delivery and support issues with their courses so you don't have to. They have the infrastructure and seek out funding to do stuff that many organizations do off the corner of someone's desk.

Did YOUR organization get \$15,000 from the Motorola Foundation to develop a suicide prevention course? If not, then I am guessing you either (a) have not done such training; (b) spent your own money to develop something;

or (c) figured it was not rocket science and anyone could develop such a course (good luck with that).

If CPKN makes a bit of money on one course, it reinvests it into updates, new courses, etc. It has adult learning expertise that the rest of us can only admire from afar, and it can assess, evaluate and report on participation. Rumor has it that the average cost per user for a CPKN course is under \$8. Tough to argue with that. It's also hard to disagree that most of us are hopeless at keeping up with technology — and that's one area where CPKN shines.

I used to think online learning was talking heads and endless PowerPoint presentations, but the world of education has changed. We now know that blended learning often outpaces traditional 'you-lecture-while-I-sleep' approaches. Most of us don't have the skill set or technology budget to keep up with this stuff like the CPKN does.

All in all, this seems like a pretty nifty way to go about things, whether you need a general course or supplement to an in-house thing. They can even design something from scratch for local purposes. If you have ideas or experts that others might benefit from, they can also move that along.

You might want to head to the Stanhope Conference one of these years. ([www.stanhopeconference.com](http://www.stanhopeconference.com)).

If you want to know what other police services have that you might leverage, check out the National Police Training Inventory ([www.npti.cpkn.ca](http://www.npti.cpkn.ca)), a searchable database of police training rubrics from all across Canada.

Sounds like a good idea to me!

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Dr. Dorothy Cotton is *Blue Line's* psychology columnist, she can be reached at [deepblue@blueline.ca](mailto:deepblue@blueline.ca).

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# Police Graduates



## CONSTABLE CHRISTINE JOSEPH B.P.S.

Constable Christine Joseph of the Vancouver Police Department was hired in April 2015 and after graduating from the police academy in December 2015 was assigned to District 1, which includes the downtown, west-end and Stanley Park.

Christine's calling to be a police officer comes from her father who served with the Lethbridge and Edmonton Police Services.

Christine attended the University of Lethbridge and graduated with a Bachelor of Arts Degree (Political Science) with Great Distinction. She later attended the University of Victoria Law School and was awarded numerous academic scholarships including a Gold Medal from the British Columbia Law Society for being the top student.

Christine earned a position as a law clerk for the British Columbia Court of Appeal, and subsequently, with the Chief Justice of the Supreme Court of Canada in Ottawa.

She worked with a commercial law firm and later accepted a position to assist a Supreme Court Justice on a very high profile organized crime trial. Christine became a prosecutor at the Vancouver Provincial Courthouse and later moved to the Appeals and Special Prosecutions Division.

## DOCTOR SERGEANT JO-ANN SAVOIE

After a five year journey that saw a weekly commitment of 50 hours of research, class time and study, Sgt. Jo-Ann Savoie is now Doctor Savoie having just earned a Doctorate in Business Administration, with Honours, from Walden University in the United States and was 'hooded' in a graduation ceremony on January 30, 2016.

In her 20th year of policing, Sgt. Savoie is the Executive Officer to the Deputy Chiefs. Her work assignments have included Acting Staff Sergeant of Community Mobilization, Youth Coordinator, Crime Manager, Patrol Supervisor, Divisional Detective and Recruiter.

Her education journey began with a Bachelor of Arts Degree from the University of Western Ontario, Masters of Arts degree from Royal Roads University, Risk Management Certificate from McMaster University and then on to Walden for her doctorate.

"After finishing my Masters in 2009, six

months later I still had the 'bug' so I jumped in", said Dr. Savoie.

"Skills Women Bring to the Position of Chief of Police" is the title of her doctoral study. It's a multiple case study that used a conceptual framework that incorporated the dual lenses of transformational leadership and gender theory. It was in 1994 that Canada had its first female police chief. Since then, 13 women have become police chiefs; six have retired and seven are currently serving.

"It's not a glass-ceiling study," said Dr. Savoie. "It's about leadership skills and the skill sets needed to be competitive. The exciting thing is that I was able to interview all 13 women who have held the position of Chief of Police in Canada."

Coding and analyzing the interviewee's responses showed three underlying themes that the participants considered mandatory for the position of Chief of Police: higher education, political and business acumen and effective interpersonal skills.

The research is ground-breaking as none had been done previously in this area. Recognizing this, Jo-Ann's Chair, Dr. Carol-Anne Faint has nominated her doctoral study for

the prestigious Frank Dilley Award for Outstanding Doctoral Study which is bestowed upon a Walden student whose doctoral study is judged as meeting the highest standards of academic excellence. And so far so good. She has made it through the preliminary round and her research is now being fully considered.

Along with her obvious commitment to continuous learning, Jo-Ann also has a passion for law enforcement and the community. For the past six years, Jo-Ann has served as President of Ontario Women in Law Enforcement, OWLE. Additionally, she was the Fundraising Chair of Wilbuild, the Women in Law Habitat for Humanity Hamilton project which raised \$250,000 and saw hundreds of women and men in law enforcement across Ontario build a Habitat home for a family in need. The home was completed in December 2015 and the key turned over to the family just before Christmas. Jo-Ann also served with the Canadian Armed Forces from 1987- 2007 as a Reservist, retiring at the rank of Major.

**Congratulations to Doctor Sergeant Savoie for this remarkable achievement.**

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# Police Leadership Graduates

Fall 2015 — Summer 2016

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**Sgt. Addie J. MacCallum**  
RCMP, Guysborough, NS

**Sgt. Barb Martin**  
London Police Service, ON

**Cst. Stephen Senuita**  
RCMP, Anahim Lake, BC

**Det. Stephen Yan**  
York Regional Police, ON

## LAW AND JUSTICE CERTIFICATE

**Cst. Mark Arbour**  
York Regional Police, ON

**Sgt. J. Todd Christie**  
Peel Regional Police, ON

**Cst. Brittany Hastie**  
RCMP, Chilliwack, BC

**Cpl. Matthew Picard**  
RCMP, Taloyoak, NU

**Cpl. H.V. (Harold) Prime**  
RCMP, Grand Manan, NB

**Sgt. Loretta Smith**  
RCMP, "E" Division, BC

## ADMINISTRATION CERTIFICATE

**Sgt. Jason Collier**  
RCMP, "E" Division, BC

**Cpl. Rodney Guthrie**  
RCMP Drumheller, AB

**Cst. Chris Kelly**  
RCMP, Fort McPherson, NT

**Sgt. Matthew LaBelle**  
RCMP, Prince George, BC

**Cpl. Geoffrey Peters**  
RCMP, Teslin, YT

**Cst. Ken Ramsay**  
Victoria Police Department, BC

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**Cst. Vincent Bouchard**  
QPP, Appalaches County, PQ

**Cst. Janelle Canning-Lue**  
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**Cst. Shawn Arlington Cook**  
RCMP, Ponteix, SK

**Cpl. Sébastien JF Decaens**  
RCMP, Lamèque, NB

**Cpl. Ryan Frost**  
RCMP, Jasper Traffic Services, AB

**Insp. Shawn A. Nash**  
OPP West Region, London, ON

**Sgt. Todd Walsh**  
RCMP, Codiac Det., NB

## LOCAL GOVERNMENT CERTIFICATE

**Insp. Manj Kaila**  
Port Moody Police Department, BC

## ADVANCED CERTIFICATE IN POLICE LEADERSHIP

**Cpl. Graham Gurski**  
RCMP, Peace River, AB

**Sgt. Beth Milliard**  
York Regional Police, ON

This list is not exclusive. Some students could not be contacted and for reasons of privacy and security some did not wish to have their names included. The Staff and Faculty of the Police Leadership Program want to congratulate all graduates on their success!

## Sgt. Bruce MacPhail Award for Academic Excellence at Dalhousie University

The 2016 award recipient, Cst. Mark Arbour of the York Regional Police, has a Bachelor of Arts degree with a concentration in Criminal Justice and Public Policy from Guelph University.

He began his career with York Regional Police in December 2004 and later joined the Canine Unit and spent six years working with his canine partner, Falko, who was trained as a general purpose and narcotic detection service dog.


After Falko was retired, Mark returned to 2 District and took on new roles as a Coach Officer and Acting Supervisor. He also obtained training for a six-month period in the Criminal Investigation Bureau.

During this time, Mark completed his Certificate in Police Leadership in the Law and Justice concentration by completing the *Police Leadership and Management Development*, *Legal Issues in Policing*, and *Policing and the Law of Human Rights* courses.

The online course format and flexibility provided a good balance between work and being a father to his twin three-year old daughters. These courses proved very beneficial as Mark applied the knowledge to his role as a coach officer and as an investigator.

Mark says he is thankful to York Regional Police for their support of continuing education. He is especially thankful to his wife Melissa who was extremely supportive and would debate some of the current issues raised in the course material.

The Sgt. Bruce MacPhail Award for Academic Excellence is presented to the municipal police officer who, in the past academic year, has achieved the highest overall average in a concentration certificate within the *Police Leadership Program* at Dalhousie University.



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Cst. Alison Church  
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## Vehicle inventory justifies search

Ontario's highest court has upheld the search of an abandoned vehicle and discovery of a hidden handgun on the basis of conducting an inventory.

In *R. v. Ellis*, 2016 ONCA 598 a police officer spotted an Acura and VW apparently street racing at about 12:28 AM, going some 30-40 km/h over the speed limit. He followed and chose to pursue the Acura into a residential area. It turned down a dead-end street and was found parked in a driveway between two houses.

The officer saw a man in an oversized white t-shirt walking away from the car toward the back of the houses as he pulled up.

A licence plate check revealed that the Acura was registered to a 68-year-old woman who did not live on the street. While waiting for backup, the officer saw two men. One walking in the distance wore an oversized white t-shirt and looked back in the officer's direction.

Backup officers stopped the men for identification and to ask about their activity in the area. Ellis, the man in the white t-shirt, was advised he was being investigatively detained but not told of his right to counsel.

Ellis said he was walking to the area from his home nearby, looking for a party. His driver's licence listed the same address as that of the registered Acura owner. Ellis volunteered that he had an outstanding warrant for his arrest. A computer check revealed Ellis had a previous firearms conviction, was a gang member and potentially "armed and dangerous."

Officers patted him down and asked him to empty his pockets. He had two cell phones, cash and keys, which were immediately returned to him. The keys belonged to an Acura. The vehicle was to be impounded under Ontario's Highway Traffic Act (HTA) as abandoned and Ellis was arrested for careless driving, an HTA offence, and the outstanding warrants.

The keys found on Ellis were used to search the Acura and police discovered a fully loaded .25 calibre handgun hidden behind a console panel. He was arrested for illegal possession of a firearm, advised of his right to counsel and charged with several weapons offences.

An Ontario Superior Court of Justice judge found police had "articulable cause" or "reasonable grounds" to suspect Ellis was involved in the provincial offence of careless driving, so the investigative detention was valid. The cars were seen speeding and the officer suspected the man in the oversized white t-shirt was the driver.

The pat down search for officer safety was reasonable. Ellis was affiliated with a

gang, potentially "armed and dangerous" and had a previous firearm conviction.

Going into the pockets was also reasonable given that there were hard or sharp objects (a cell phone and car keys) within. The search was executed reasonably and the items were immediately returned to Ellis, suggesting it was not merely a pretext to discover keys but actually for the purpose of officer safety.

The arrest too was lawful. The address on Ellis' licence matched the ownership of the Acura. This tied him to the offence of careless driving and was sufficient to form reasonable and probable grounds for his arrest.

The outstanding warrants revealed by the CPIC check also provided grounds for arrest. The judge found police were entitled to seize the Acura keys from Ellis pursuant to their powers of search incident to his subsequent arrest. As for the search of the car itself, it could not be justified as a search incidental to arrest.

The Acura was not within Ellis' immediate surroundings or under his immediate control, there was no risk he could gain access to it to obtain weapons or to destroy evidence and it was unlikely police might find evidence in relation to the arrest or the offences listed in the outstanding warrants. However, the judge concluded the search was authorized as an inventory search under s. 221(1) of the HTA.

The vehicle was "apparently abandoned" and police were lawfully entitled to perform an inventory search. The evidence, nevertheless, was subject to a s. 24(2) Charter analysis since officers failed to provide a reason for the detention and advise the accused of his right to counsel under s. 10 of the Charter.

The gun was admitted as evidence and Ellis was convicted of unauthorized possession of a firearm, being an occupant in a motor vehicle in which he knew there was an unauthorized firearm and ammunition, unauthorized possession of a loaded prohibited firearm and possession of a firearm contrary to an order. He was sentenced to seven years in prison less time served.

Ellis appealed his convictions to the Ontario Court of Appeal arguing that the pocket search, seizure of the car keys, search of his car and seizure of the gun breached s. 8 of the Charter. In his view, the evidence of the gun ought to have been excluded under s. 24(2).

### Pocket search & key seizure

The appeal court found police did not breach Ellis' Charter rights when they searched his pockets and seized the keys. First, the accused's detention was lawful.

*A police officer may detain an individual*

*for investigative purposes where there are reasonable grounds to suspect in the circumstances that the person is connected to a particular recent or ongoing crime and detention is required* [para. 25].

As for the frisk search, police may conduct a protective pat down search of an individual detained for investigation where officers have reasonable grounds to believe their safety or that of others is at risk. Police had information Ellis was a gang member, potentially armed and dangerous and was previously convicted for a firearms offence.

The search incident to an investigative detention can also extend to a search of the contents of pockets. This case was not like *R. v. Mann*, 2004 SCC 52, where the Supreme Court held going beyond the pat down to search the accused's pockets after feeling a soft object was unreasonable. Instead, this pat down search revealed a safety concern.

*During the pat down search, the officer felt hard objects in the [accused's] pockets that could have been weapons. This was not a case like Mann where the pat down did not give rise to any articulable safety concern. The officer had a reasonable belief that the [accused] might be armed. In these circumstances, it is not the function of this court, many years after the incident and with knowledge of what was actually in the pockets, to criticize the officer for searching the pockets to ensure that the hard objects were not weapons.*

*A police officer in such circumstances is in a dynamic and potentially life-threatening situation and he or she must be able to undertake a protective search in a reasonable manner to preserve his or her safety* [para. 30].

Seizing the car keys was lawful as an incident to arrest even though it preceded Ellis' formal arrest.

"The fact that the search was conducted minutes before the arrest makes no difference," said Justice Hourigan. "A search that precedes an arrest is valid as incident to that arrest where, prior to the search, there existed reasonable and probable grounds for the arrest."

Police had reasonable and probable grounds to arrest Ellis for careless driving at the time of the key seizure.

### Vehicle search

The Crown argued that searching the Acura was both valid as a search incident to arrest and as an inventory search of an abandoned vehicle impounded under s. 221(1) of the HTA. The appeal court, however, agreed with the trial judge that the car search could



not be justified as an incidental to arrest.

The car was about 50 metres from where Ellis was arrested. He was in custody and handcuffed and thus unable to secure a weapon from or destroy evidence inside the vehicle. The search would not yield any evidence in connection with the offence of careless driving. Police knew that Ellis and the Acura owner lived at the same address, so it was unlikely to be stolen, and it was not necessary to seize any ownership or registration documents.

The inventory of the vehicle, however, did justify the search. Under *s. 221(1)* of the HTA “a police officer... who discovers a vehicle apparently abandoned on or near a highway... may take the vehicle into the custody of the law and may cause it to be taken to and stored in a suitable place.”

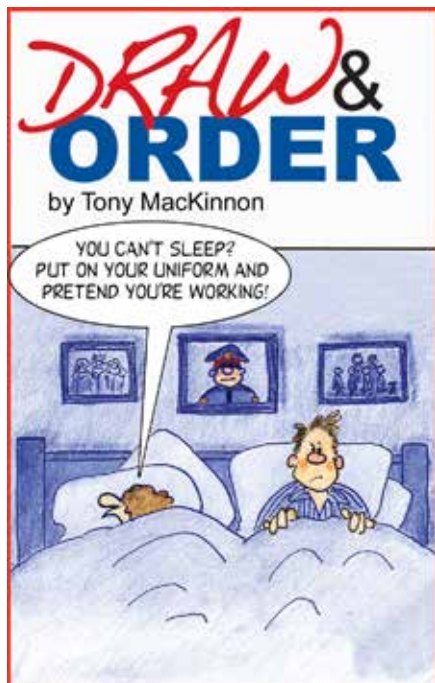
This statutory authority provided a lawful basis for the search. First, the Acura was “apparently abandoned.” Ellis was fleeing police, parked his vehicle with the intention of distancing himself from it and left it on a private driveway where he knew it could not legally remain.

Second, police have a responsibility to keep impounded property safe, which may require they search and inventory the vehicle. Officers testified the inventory search was necessary to see if there were any valuables in the car, as authorized by law under *s. 221(a)* of the HTA. The search was not unreasonable and did not breach *s. 8*.

### Gun admissibility

Even though police breached Ellis’ *s. 10* rights by not advising him of his right to counsel and failing to state the reason for his detention, the evidence was not to be excluded under *s. 24(2)*. The appeal court found the trial judge considered the proper factors in his analysis and the gun was admissible.

Ellis’ conviction appeal was dismissed.



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# Search not justified, crucial evidence excluded



The Ontario Court of Appeal excluded a loaded handgun after police were unable to justify their search of a car.

In *R. v. Dunkley*, 2016 ONCA 597 two plainclothes detectives saw the accused acting suspiciously at a Petro-Canada gas station. He filled his car and entered and exited the kiosk two or three times. As they drove by, he made eye contact with one of the detectives. The detective thought he had “been made” (identified as a police officer).

Dunkley pulled out of the gas station at a high rate of speed. The detectives followed, suspicious of his activity and driving.

The licence plate and car came back registered to Dunkley and the computer check revealed he was on parole for robbery involving a firearm.

Dunkley turned into a McDonald’s parking lot, then an Esso parking lot; seemingly counter surveillance maneuvers. The detectives approached after he entered and then exited the Esso kiosk. One identified himself as a police officer and asked for identification. Dunkley backed away and then ran. The detectives chased, calling out “Stop! Police!” but stopped after one rolled his ankle.

Police returned to Dunkley’s car and opened the unlocked front door to look for identification. A detective saw a gym bag in the back seat, looked inside and saw a handgun. Continuing to search for identification, police looked inside a black laptop bag, also on the back seat, saw the butt end of a black handgun, stopped the search for identification and sealed the car for a search warrant.

Dunkley was located and arrested a short time later and his keys were found in a green space behind a residential area. A search warrant was issued for Dunkley’s car and a Taser and 9 mm Ruger handgun were found.

In the Ontario Superior Court of Justice Dunkley argued that the search of his car before the warrant was issued was unreasonable

under s. 8 of the Charter. He sought the exclusion of the handgun and Taser under s. 24(2). In his view, he had a reasonable expectation of privacy in his car, which he did not abandon when he fled the gas station.

The Crown countered that the accused had no reasonable expectation of privacy in his car and, even if he did, police had the authority to conduct a search incidental to an inevitable arrest or to conduct an inventory search of the abandoned vehicle under s. 221(1) of Ontario’s Highway Traffic Act (HTA).

The trial judge found it was reasonable for the detectives to be suspicious of someone exiting and entering the kiosk two to three times and not unreasonable to investigate further. This suspicious activity, the vehicle owner being on parole for robbery with a firearm, leaving the gas station quickly and the “counter-surveillance manoeuvre” gave the detectives further reasonable grounds to suspect Dunkley was casing gas stations.

The judge found the detectives had reasonable and probable grounds to detain Dunkley for further investigation at the time he exited the Esso kiosk. When Dunkley fled, police had reasonable grounds to search his car to identify who had fled the scene.

The judge also agreed with the Crown that police were entitled to seize the apparently abandoned car under s. 221(1) of the HTA and conduct an inventory search. Even if there was a Charter breach, the judge would have allowed the evidence under s. 24(2). Dunkley was convicted of several weapons offences.

Dunkley challenged his convictions to the Ontario Court of Appeal, arguing the trial judge erred in finding no Charter breaches. In his view, police did not have reasonable and probable grounds to detain him, nor the common law or statutory authority under s. 221 of the HTA to search his vehicle. It was Dunkley’s position that the gun and Taser should have been excluded under s. 24(2).

### The detention

Ontario’s top court agreed with the trial judge that Dunkley’s detention, although momentary when the officers confronted him for the purposes of their investigation and identified themselves, was lawful.

“The police have the authority to detain a member of the public for investigative detention upon the formation of a reasonable suspicion that the individual is connected to an offence that has been or is being committed,” said Justice Hourigan, speaking for the court.

*At the point at which the officers decided to approach the [accused], the evidence supported a reasonable suspicion that the appellant was in the process of casing gas stations. The police observed him exiting and re-entering the Petro-Canada kiosk. While inside, he moved around without purchasing anything.*

*The officers believed that they had been identified as police when he exited the kiosk and the [accused] left the parking lot at a high rate of speed. He then engaged in a common counter-surveillance technique in the MacDonald’s parking lot.*

*Having just gone to a gas station, the appellant then stopped at another gas station. The police officers obtained information at that stage that the [accused] was on parole for robbery and firearms convictions.*

*This was not a situation where the police stop a member of the public based on a generalized feeling that the individual is doing something wrong. This stop was not based on police hunches. These were two experienced detectives who observed a series of suspicious movements by the appellant. There were reasonable grounds to suspect that the appellant was casing gas stations [para. 30-31].*

### The search at common law

Since warrantless searches are presumptively unreasonable, the Crown had the burden of establishing on a balance of probabilities that the search was reasonable. The court found the search could not be upheld on the basis of either the common law authority as a search incidental to arrest or incident to investigative detention.

### (i) Incident to arrest

A search incident to arrest can be conducted to ensure the safety of police and public, to protect evidence from destruction and to discover evidence to be used at trial. A search may be conducted prior to arrest as long as the grounds for arrest exist at the time of the search. Police did not have reasonable and probable grounds to arrest Dunkley at the time of the search.

“When they approached the [accused], they were still in the investigative stage,” said Hourigan.

*They had reasonable suspicion an offence had been or was being committed. However, in my view, even after the [accused] fled, the police did not have the reasonable grounds required, within the meaning of s. 495 of the [Criminal Code], to*



arrest him. On the available facts, taken at their highest, the officers had a reasonable suspicion. Therefore, the officers could not affect a search of his car pursuant to the power to search incident to arrest.

### (ii) Incident to investigative detention

The power to search pursuant to an investigative detention is much more limited than a search incident to arrest and must be related to articulable safety concerns. A search for identification after an accused has fled the scene has no nexus to a concern for officer or public safety directly arising out of an investigative detention. Thus, the search of the car could not be justified on this basis.

### s. 221(1) HTA

Pursuant to a lawful vehicle impoundment under s. 221(1), police may conduct an inventory search to keep the impounded property safe. The fact police may also have been looking for a weapon while conducting an inventory search does not render the search unlawful, nor are they limited to itemizing visible property. They have the authority to open bags or other containers in order to itemize the contents.

The section is triggered if a vehicle is “apparently abandoned” and that determination depends on the facts of each case. Dunkley’s vehicle was in the lot of a commercial establishment and was not parked there with the intent to abandon it and flee police.

It was not until the officers confronted Dunkley that he fled on foot. Although this could be consistent with abandonment, without more it was difficult to conclude that he intended to abandon his vehicle. In Hourigan’s view, the trial judge erred in concluding the vehicle was apparently abandoned within the meaning of s. 221(1). Since this provision did not apply, the search was not authorized by law and unreasonable under s. 8.

### s. 24(2) Charter

The appeal court excluded the evidence under s. 24(2) even though it was important to the Crown’s case. The Charter breach was flagrant and favoured exclusion. Police “acted on a hunch and, rather than wait for a warrant, they ignored the [accused’s] Charter rights in proceeding to search for identification.” The impact of the search on Dunkley’s Charter protected interests was also significant.

*The vehicle belonged to the [accused], and there was nothing about the vehicle that suggested it was in violation of any law or regulation. Further, the weapons would not inevitably have been discovered since the officers would have required reasonable and probable grounds to obtain a warrant and these were not available on the facts.*

Dunkley’s appeal was allowed, the evidence excluded and acquittals entered on all charges.

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## LES MOTS JUSTES - FRENCH LAW TERMS TO GO

by Jason Pilon

It can often be daunting to testify in a criminal trial. There’s the usual stresses and strains of following your oath, responding to compound questions and dealing with the vicissitudes of memory, but witnesses are also challenged by the complexity and frequency of unusual legal terms and concepts.

Even lawyers — “professional linguists” who make their living using precise words or phrases — are often tripped up when it comes to using the proper terms and correct legalese. The difficulties encountered by both “questioner” and “answerer” at trial are only amplified when a witness is examined in a second language.

Under s.530 (4) of the Criminal Code and the Supreme Court of Canada decision in *R. v. Beaulac*, [1999] S.C.J. No. 25 (S.C.C.), persons charged with a crime are specifically entitled, upon application, to choose to be tried in English, French or, if the circumstances warrant, both. As a result, lawyers and police witnesses with varying degrees of proficiency in French are frequently called upon to examine or testify, and often find themselves ill-equipped for the task.

While perfectly capable of communicating in French outside of court, they often strain to identify and use the correct words and phrases as they are commonly used in French trials. Simply put, even the most educated and otherwise bilingual lawyers and police officers are not all equally familiar with “French legalese.”

Having been confronted with this situation many times in the past, I compiled a portable glossary of legal terms and phrases in French to take into court and peruse when the word(s) escape either my knowledge or memory. After a while, the proper words and phrases (some obvious, others far less so) became more familiar such that they eventually became a standard part of my courtroom vocabulary.

While not as exhaustive or otherwise complete as a traditional lexicon, this glossary is not as cumbersome or obvious and not encumbered by irrelevant, non-criminal related terms. The glossary presumes at least a basic working knowledge of French and is intended as a printable/portable quick reference or aide mémoire in court.

The 19th Century French novelist and leading exponent of literary realism, Gustave Flaubert, fervently believed in the principle of finding “le mot juste” (the right word), which he considered the best way to achieve quality in literary art. He would often spend weeks looking for the precise word to use at a specific time. I hope the glossary will assist participants in criminal trials to have the right word(s) closer at hand when it matters the most.

<http://blueline.ca/English-French-Glossary-of-Legal-Terms.pdf>

**Jason Pilon** is an Assistant Crown Attorney for the United Counties of Stormont, Dundas & Glengarry and the District of Akwesasne in Cornwall, ON. The opinions expressed in this article are those of the author alone and do not necessarily represent the position of the Ministry of the Attorney General.

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## DISPATCHES



**Roger Brown**, the Assistant Commissioner of the RCMP in New Brunswick since 2013 retired in June after a 36 year career. The Newfoundland native joined the RCMP in 1980. In addition to front-line policing, Brown also worked in Federal Enforcement, instructed at Depot in Regina, and worked in Officer's Staffing and Personnel and the Executive/Diplomatic protection section. Brown was also C/ Supt. of human resources central division and A/Commissioner Depot. He completed Human Resources studies at UofT Rotman School of Business, St. Francis Xavier University, Dalhousie University and the University of Waterloo.



...  
"Bud" **Herbert Knight**, a permanent instructor at the Ontario Police College for 21 years and police officer with the Sault Ste. Marie Police 13 years before that, passed away on July 31, 2016 at the age of 88. Bud was an expert on liquor laws, the Young Offenders Act and criminal investigations. He was instrumental in establishing the Committee of Youth Officers, which later named their annual provincial award of excellence after him.



...  
**Mario Harel**, Directeur of the Gatineau Police Service was elected as the new president of the CACP, during their annual general meeting in August. Harel has more than 32 years of police experience, has been the Directeur of GPS since February 2009 and was awarded officer of the Order of Merit of the Police Forces in January 2013. Harel has extensive expertise at the regional, provincial and national levels. He was involved in the United Way, is a member of the Board of Directors of the Missing Children Society of Canada, is the past Vice President of the CACP and a board member of the ADPQ.



...  
**William McCormack**, the retired chief of the Metropolitan Toronto Police Force passed away on September 8, 2016 at the age of 83. He joined the force in 1959 after service in the British Navy and with police in England and Bermuda. McCormack's started his career as a beat-officer for 10 years, before moving on to a lengthy tenure at the Homicide Squad where he investigated more than 100 homicides. He served as chief from 1989 to 1995 after several years as a staff superintendent, deputy chief and acting chief of police. McCormack was awarded the Queen's Golden Jubilee medal in 2002 and a Diamond Jubilee medal in 2013.

...  
**CORRECTION:** In the August/September issue of Blue Line Magazine, Superintendent Gordon Perrier of the Winnipeg Police Service was mistakenly listed as the new Chief of Police. He is in fact the new Deputy Chief of Police of the WPS.



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# Two more years of ball bouncing

by Ian Parsons

*Seventy percent of murdered indigenous women are killed by indigenous men – RCMP*

The recently announced, \$54 million National Inquiry into Missing and Murdered Indigenous Women and Girls plans to take two years to complete its work and publish its report. Its efforts will no doubt raise awareness to the ongoing tragedy and utter hopelessness of life on reservations.

A cynic might wonder what the inquiry will change and how many more women will suffer in the interim.

When people struggle with economic deprivation, poverty and loss of identity, alcoholism and drug abuse are common. Domestic violence is almost inevitable under such conditions. Every ghetto in every city in the world has near identical dynamics and statistics when it comes to violence against women.

The data is in.

If one narrowed the focus of the inquiry to law enforcement personnel who have served in indigenous communities across Canada and asked the right questions, the root causations would be blatantly obvious without incurring the exorbitant cost of this national inquiry.

Environmental conditions on most Canadian reservations are abhorrent. Unemployment is rampant, poverty is everywhere, and the likelihood of positive self-identity among residents is remote. With no prospects to escape such a setting, alcohol or drugs dull the pain and self-hatred many indigenous people feel.

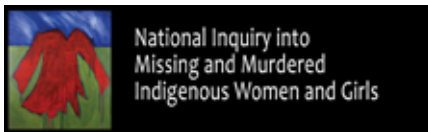
Many who venture to cities gravitate to similar depressed areas and experience even greater rejection due to minimal education and lack of skills or job training.

Just a little over a generation past, the Indian Act deemed it unlawful for an Indian (the official terminology in the Indian Act) to possess liquor either on or off the reserve. In 1970, in the case of *R v Drybones*, the majority of the Canadian Supreme Court considered *s.94(b)* of that act, which made it an offence for an Indian to be intoxicated off a reserve.

In effect the section singled out Indians because there was no similar legislation penalizing intoxicated non-Indians. The court ruled that this section contravenes the equality guarantee in *s. 1 (b)* of the Canadian Bill of Rights and struck it down.

It is not surprising that indigenous people during those years would ingest an intoxicant as quickly as possible to avoid a confrontation with police. Often the result would be a “drunken Indian.” Those were the conditions under which indigenous people were socialized into consuming liquor.

The plethora of negative dynamics was further exacerbated by sexual abuse many indigenous children experienced in residential schools. The trauma victims suffered did little



to prepare them for their roles as parents.

Combine all these factors and it is not surprising that spousal assaults and violence became very prevalent on reservations. Children being reared under such disturbing circumstances often mature into models of their parents, perpetuating the problems with their own children.

These discriminating sections of the Indian Act starkly reflected the paternalistic attitude of successive Canadian governments toward indigenous peoples.

When the dynamics that lead to violence against indigenous women are so self-evident, striking an inquiry to determine causation seems redundant to the extreme.

The \$53.8 million budget allocated to the discovery of the problems would be far better spent beginning to solve them. The issue has prevailed for decades, even centuries.

Sociologists and academics have pointed to the third world conditions on reservations and made recommendations but nothing changes.

Law enforcement is often the “leading edge” of government policy and is caught in the middle. Not always responding to the unique policing needs of indigenous communities with a measure of empathy, police in recent years have attempted to present a more “community based” profile.

Historically, politicians have bounced the ball back and forth on this issue, rarely offering any alternatives to remedy the perennially terrible conditions Canada’s indigenous people have had to endure.

In the end, police are left to confront the vexing and violent manifestations of the shoddy treatment of indigenous peoples. The disproportionate incarceration of indigenous citizens in our gaols is another sad but very evident symptom of the entire issue.

Two more years will pass while this inquiry deliberates, ponders and assembles their findings. Indigenous people will continue to languish in prison. More indigenous women will die along with many of their men. It is time to wrestle this monster to the ground and finally integrate Canada’s indigenous peoples into Canadian society.

It will take resources and money and some very hard decisions. The new Liberal government is turning a compassionate face to these forgotten people. Now it must take the hard steps to really make a difference.

**Ian T. Parsons** is a retired RCMP inspector currently living in Courtenay, BC. He is the author of *No Easy Ride - Reflections of my life in the RCMP* and an occasional Blue Line editorialist. Contact: [liparsonspose@shaw.ca](mailto:liparsonspose@shaw.ca)

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