

BLUE LINE NEWSWEEK

A CHRONICLE OF NEWS FOR THE CANADIAN LAW ENFORCEMENT COMMUNITY

March 29, 2013 – Vol. 18 No. 13

Executive Digest

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OTTAWA - Police need special wire-tap orders - not just ordinary search warrants - to intercept cellphone text messages as part of criminal investigations, the Supreme Court of Canada ruled Wednesday.

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MONTREAL - Montreal police officers have lost their battle for a compressed work week.

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A complaint made by the RCMP that a B.C. psychologist was acting inappropriately by advocating for change within the force while treating officers, and when he publicly criticized the force, has been dropped by the College of Psychologists of British Columbia.

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MOOSE JAW - After more than three decades with the Moose Jaw Police Service, including five-and-a-half years as the city's top cop, police chief Dale Larsen is resigning effective May 1.

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BLUE LINE NEWSWEEK

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Toronto cop killer found not guilty



Mar 27 2013

TORONTO - A mentally disturbed man who mowed down and killed a Toronto police officer with a snow plow will be sent to a psychiatric hospital instead of prison after a jury found that his illness was to blame.

Richard Kachkar, 46, showed no emotion Wednesday as a jury found him not criminally responsible in the death of Sgt. Ryan Russell, 35.

The verdict was clearly deeply unsatisfying for Russell's family, including his widow Christine, who hoped for a first-degree murder conviction and its accompanying life sentence.

"I imagine like most people that everyone is very disappointed, that we're heartbroken," Christine Russell said outside court, standing

beside the head of the Toronto police union.

"I believe that Ryan deserved a lot better than this...There is no healing. There's no closure. There's no end."

The jury's verdict, reached in the third day of deliberations, means they believed Kachkar couldn't appreciate what he was doing when he drove the 5,050-kilogram plow at Russell, knocking him down, fracturing his skull and leaving him dying in the snow.

Now that he has been declared not criminally responsible, the Ontario Review Board will assess him and he will be sent to be treated at a psychiatric facility. After the initial assessment, he will be subject to annual reviews.

Only when the board decides he is not a

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significant threat to public safety will he be fully discharged.

Christine Russell said she will remain in limbo as she fights at each annual hearing to keep Kachkar under care. Her four-year-old son Nolan is worried that the man who killed his father will hurt him too, she said.

After the funeral, Nolan, then two years old, asked where his daddy was, Russell said. Now he is starting to understand.

"One night he was very upset," she said in a victim impact statement. "I asked him why he was crying and he said, 'Because daddy can't come down from heaven and read to me.' Just recently he told me, 'I'm not happy because I want daddy to come home.'"

Kachkar was assessed for the trial by three prominent forensic psychiatrists, including one who was chosen by the Crown, each of whom found that the drifter from St. Catharines, Ont., was psychotic when he killed Russell, that his mind had broken from reality.

Now that he is able to grasp what he did, Kachkar "feels terrible," his lawyer Bob Richardson said.

Some people may not agree with the verdict, Richardson acknowledged outside court, but noted it doesn't mean his client will just walk free.

"I think before people criticize something they should take the time to perhaps try and understand it," he said.

"It's not a get-out-of-jail-free card. It's a recognition that someone is very, very sick and needs to be treated...It doesn't mean that they're not accountable. He's accountable because he's going into the hospital system."

Though all three forensic psychiatrists agreed that psychosis had taken hold of Kachkar's mind, they were unsure exactly how to categorize his mental illness and they all struggled with a specific diagnosis.

Dr. Philip Klassen said if he had to offer a diagnosis it would be either an unspecified

psychotic disorder or possibly schizophrenia.

He suggested that Kachkar suffered for several years from a "low-grade" mental illness with periodic spikes, such as in 2006 when he woke up in the middle of the night screaming that he was possessed by the devil and slapped his wife.

It appears to have spiked again before Kachkar killed Russell, Klassen testified at trial.

Early on the morning on Jan. 12, 2011, Kachkar fled a Toronto shelter barefoot, running out into the snowy streets and stole a truck with a plow attached from two landscapers who had stopped for a coffee.

He then drove the plow around the city for two hours, crashing into a luxury car dealership, hitting vehicles and crossing into oncoming traffic. He killed Russell at about the halfway point when the officer tried to stop him.

Witnesses heard Kachkar yelling at various times about the Taliban, Chinese technology and that "it's all a Russian video game."

He was finally stopped by emergency task force officers who Tasered him and shot him in order to arrest him.

As paramedics tended to his gunshot wounds he worried they were trying to poison him or put microchips in his body, court heard.

Toronto Police Chief Bill Blair said he accepts the verdict in what he said was a difficult case.

"There's never going to be any sense of satisfaction from any outcome," Blair said at police headquarters.

"We lost a man and a family lost someone very, very dear to them...The tragedy of that is not relieved by this verdict but we understand the nature of the verdict. It was a tough case."

Russell's father, Glenn Russell, stared straight at Kachkar as he delivered a victim impact statement about the irreparable damage to his family.

"Each day is a challenge to get through. There isn't an hour of the day that goes by that I don't think of Ryan," he said.

"You killed a son and a brother who was much loved. You killed a man who was well respected as a person and as a police officer. You killed a loving husband and most importantly you killed a father who was the centre of his young son's universe."

Christine Russell said she supports legislation proposed by the Conservative government that would see stricter conditions put on people designated as high-risk not criminally responsible. It would also revoke the annual reviews in favour of holding them only once every three years.

In Ottawa, Justice Minister Rob Nicholson reacted to the verdict by lobbying for the new legislation.

"We have a bill before parliament that puts the protection of the public as paramount consideration...so I hope that gets passed very quickly."

The lead Toronto police detective in the case, Mary Vruna, told reporters it was the most difficult one she's ever worked on but wouldn't comment when asked if she thought

the evidence supported the verdict.

"It doesn't matter what decision they would've come up with, whether it was not criminally responsible or a conviction for murder, it doesn't change the loss that the Russell family, Ryan Russell's friends and Ryan's wife and son will carry with them for the rest of their lives," she said.

FRIDAY MARCH 22, 2013

Mar 22 2013

VANCOUVER - A legal advocacy group in B.C. says the province is considering rules that could leash police dogs.

Pivot Legal Society says Public Safety Minister Shirley Bond and Director of Police Services Clayton Pecknold, confirm a working group has been formed to draft policy to regulate police dog use.

According to Pivot, the working group is in response to statistics compiled by the society, showing police dogs account for nearly half of all injuries caused by municipal police across the province.

Pivot lawyer Douglas King says someone in B.C. is bitten by a police dog, on average, once every two days.

He's hoping the working group hears from medical experts and victims, as well as police forces as it considers possible provincial standards for safe use of service dogs.

Pivot says it's not yet known when the working group will convene.

Mar 22 2013

EDMONTON - One of two men convicted in the deaths of four Alberta Mounties has decided not to apply for early parole.

A hearing for Dennis Cheeseman before the National Parole Board was scheduled for next month.

Board spokeswoman Michelle Goring says Cheeseman has requested the review be cancelled.

Cheeseman and his brother-in-law, Shawn Hennessey, pleaded guilty to manslaughter for giving gunman James Roszko a rifle and a ride the night before he ambushed the officers near Mayerthorpe in 2005.

Cheeseman was sentenced to seven years and two months and is eligible for statutory release in November.

Hennessey was sentenced to 10 years and four months and applied for early parole last year, but was denied.

Mar 22 2013

MONTREAL - A march to mark an anniversary in Quebec's protest movement was swiftly broken up Friday by a police force that has shown increasing strictness in applying municipal bylaws.

Several hundred protesters had gathered to mark the event on a cold, grey afternoon - which was a far cry from a year earlier when, on a scorching summer-like day, tens of thousands of students staged a huge and memorable march.

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GROUP PUBLISHER: Morley S. Lymburner
PUBLISHER: Kathryn M. Lymburner B.A. - Kathryn@BlueLine.ca
NEWS EDITOR: Mark Reesor - News@BlueLine.ca
SUBSCRIPTIONS: Blue Line Store at www.BlueLine.ca
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12A-4981 Hwy, 7 East, Ste. 254, Markham ON L3R 1N1
Phone: 905 640-3048 eMail: news@blueline.ca

The police response was also different this March 22.

Officers quickly jumped in to break up the event, detaining more than 200 people and ticketing them for municipal infractions such as marching against traffic.

Several groups of protesters were also subjected to kettles, the controversial crowd-control tactic in which people are penned into a confined space.

"The right to free speech exists and people have the right to protest," said police Sgt. Jean-Bruno Latour.

"But every demonstration must happen in an orderly way, with respect for all citizens."

Several bystanders complained that they were kettled simply for being near the protesters.

Police have recently begun signalling recently a declining tolerance for the protests, and a willingness to move in faster to break them up.

Last week, for instance, officers stopped the city's annual anti-police brutality march just as it was getting underway.

SATURDAY MARCH 23, 2013

Mar 23 2013

MONTREAL - Some police forces on Montreal's North Shore are concerned about how the province will fight organized crime once federal funding for mixed police squads runs out at the end of March.

The regional police squad on Montreal's North Shore was created in 2008 to help fight organized crime with the help of funds from the federal government.

Though Laval police lead the team, detectives from other municipalities like Terrebonne and Saint-Jérôme are also involved in several of the squad's investigations.

A total of 40 people were arrested last month during raids targeting a drug trafficking ring in the Laurentians and Lanaudière regions.

Quebec Public Security Minister Stéphane Bergeron issued a statement Friday night saying he is disappointed that the federal funding is coming to an end, but refuses to say whether the province will be picking up the tab to keep the mixed squads working across the province.

Antony Donato, a detective with Laval police, said the city is creating its own anti-gang unit to maintain its work once the federal funding runs out. This will most likely leave other towns to fend for themselves, he said.

"I don't know right now if these municipal police services from the North Shore, what they're going to do to keep the pressure on these gangs," he said.

(CBC News)

SUNDAY MARCH 24, 2013

Mar 24 2013

WINNIPEG - Provincial governments have been introducing new laws to crack down on bullying in schools, but they appear to be taking different approaches.

Ontario, Quebec, Manitoba and other jurisdictions all have differing definitions of bullying.

Manitoba's proposed law says bullying can include a single intention to hurt the feelings of another student.

Ontario set the bar higher last year with a law that defines bullying as causing fear or harm.

In Quebec, bullying is a repeated action that causes distress, injury or intimidation.

Manitoba's bill also contains no specific penalty for bullying.

It leaves penalties up to school principals, and also doesn't require principals to report bullying incidents to parents or other authorities.

Mar 24 2013

VANCOUVER - The Conservative government's tough stand on mentally ill offenders likely won't reduce crime and could have just the opposite result, say leaders of the country's forensic mental health organizations who are drafting a letter to express their concerns.

The Canadian Forensic Mental Health Network hopes to submit the letter in the coming weeks to the Parliamentary committee now weighing the changes to the Not Criminally Responsible provisions of the Criminal Code, in an effort to have the legislation revised before it becomes law.

Dr. Johann Brink, co-chairman of the network and head of the forensic psychiatric program at the University of British Columbia, said members are unanimous in their concerns.

"In terms of public safety, we are not convinced that this legislation will necessarily achieve its intended result," Brink said. "It may indeed, perversely, result in an outcome that may increase the risk to the public."

The centrepiece of the reforms is a "high-risk offender" designation. Those offenders could not be discharged until a court lifts the designation; they would not be eligible for unescorted passes into the community and could have their review period extended from one year up to three years.

Brink and his colleagues believe the changes would prompt defence lawyers to start avoiding the not criminally responsible defence and opt for a definitive jail term in the mainstream justice system.

"This will likely result in increased numbers of mentally ill persons in jails and prisons, with the result that they may be released ultimately, ... untreated and still dangerous or perhaps even more dangerous," said Brink.

It may also overburden hospitals forced to house offenders as punishment, rather than treatment, he said.

It was the 2008 killings of 10-year-old Kaitlynn, eight-year-old Max and five-year-old Cordon Schoenborn by their father, along with the 2008 murder of Tim McLean by Vincent Li and the 2009 deaths of five-year-old Olivier and three-year-old Anne-Sophie Turcotte at the hands of their father that sparked a public outcry.

Julie Di Mambro, spokeswoman for Justice Minister Rob Nicholson, said the legislation addresses concerns raised by victims and provincial governments.

"Victims are concerned that their safety is not being specifically taken into consideration by review boards when they make a disposition," Di Mambro said in an email response to questions.

Few offenders are found not criminally responsible, and even fewer would be deemed "high-risk," she said.

"Although it could apply to a small number of accused persons, the government still needs to ensure that these individuals are treated appropriately and that appropriate measures are taken to ensure the protection of victims and the public," Di Mambro said.

Dr. Sandy Simpson, chief of forensic psychiatry at the Centre for Addiction and Mental Health and co-chairman of the Forensic Mental Health Network, said the amendments are based on public misperception, not science.

"We would hope that the government and opposition parties might listen to these concerns and there might be some amendments to the proposals," Simpson said.

The revisions do not reflect the reality, said Richard Schneider, a former defence attorney and judge who is now chairman of the Ontario Review Board.

"Data should normally be driving policy and it would appear to me and other observers that there is a real misalignment between the data which shows that things are working quite well and the desire to change the statutory regime," said Schneider, who shares the concerns of the mental health network that the changes will ultimately channel the mentally ill away from the review board system.

An unpublished report submitted to Justice Canada this month found that the recidivism rate for offenders found not criminally responsible was about 10 per cent during an eight-year study.

It's difficult to compare, but the relapse rate for federal offenders is in the range of 41 to 44 per cent, according to Public Safety Canada.

Only eight per cent of offences committed by people found not criminally responsible are serious violent offences such as murder, attempted murder or sexual assault, says the unpublished report obtained by The Canadian Press.

Schneider is also concerned about an already over-burdened forensic psychiatric system.

"In Canada forensic hospital beds are a very, very scarce and expensive commodity," he said. "You're squandering hospital beds and using them effectively as jails to house mentally ill people who perhaps don't need to be there."

Mar 24 2013

VANCOUVER - Today marks the 22nd anniversary of the disappearance of four-year-old Michael Dunahee, but police say they haven't stopped looking.

Dunahee went missing from the school playground at Blanshard Elementary School in Victoria, B.C., sparking one of the biggest investigations in Canadian history.

Media widely reported his disappearance in Canada and the United States, resulting in at least 11,000 tips.

Constable Michael Russell with the Victoria Police department says the case is still an active investigation.

Over the years, police have released a number of composite sketches to show what the blond-haired, blue-eyed boy might look like as a teen and young adult.

He's asking anyone with information about Dunahee's disappearance to call the Victoria police detachment or Crime Stoppers.

Mar 24 2013

ABBOTSFORD - Abbotsford Police Chief Bob Rich has come out in favour of some form of regional police force for Metro Vancouver and the Fraser Valley.

Delta Mayor Lois Jackson, who objects to the proposal, held a community forum last Wednesday to prompt more discussion around the issue with other civic leaders and police forces.

Rich, who attended the discussion, said cost efficiencies and a better way of policing need to be examined.

"Policing, like many government agencies, needs to take a good hard look at itself," said Rich.

"The whole discussion of cost effectiveness of policing is something we need to pay attention to while still providing excellent service to the public."

The call to amalgamate law enforcement within the Lower Mainland surfaces regularly.

However, the idea has gained momentum with Missing Women Inquiry commissioner Wally Oppal's recent conclusion that a regional force would have limited the number of victims who fell prey to killer Robert Pickton.

Vancouver's Mayor Gregor Robertson and the Vancouver Police Department have also openly backed the idea.

Oppal concluded a larger police force would facilitate communication between forces in different communities and eliminate the silo effect that occurs with multiple agencies, Rich said. (Vancouver Sun)



Mar 25 2013

STANDOFF, Alta. - A judge is recommending police in southern Alberta do a better job of monitoring injured prisoners after a man died from a head injury in a holding cell.

Curtis Justin Mills was put in the cell when he showed up drunk for an annual sex offender interview at the Blood Tribe police station in May 2011.

When he later stood up to get a meal tray, the 48-year-old fell backwards and hit his head on a concrete floor.

Medical staff examined Mills and, although he vomited, they believed he was going through alcohol withdrawal and decided he didn't need to go to a hospital.

Workers checked on Mills throughout the night and he was found dead early the next morning.

The judge heading a fatality inquiry into the death says staff should monitor injured prisoners more frequently and conduct visual checks rather than watching them on video monitors.

Mar 25 2013

HAMILTON, Ont. - Hamilton police followed not crumbs but coins to nab a suspect in a bakery theft.

Investigators say a bakery in the city's east end was broken into around 11 p.m. Sunday.

Police didn't find a suspect at the scene but they did stumble upon a series of clues - a trail of "unique" coins leading from the shop to a nearby address.

Police say a suspect was found at the end of the currency path, along with property from the bakery including an undisclosed amount of cash and more of the coins.

Thirty-eight-year-old Jason Healey, of Hamilton, is charged with break and enter and possession under \$5,000.

Mar 25 2013

NANAIMO, B.C. - Members of the Nanaimo RCMP detachment are mourning the unexpected death of a young constable.

Sgt. Sheryl Armstrong says Const. Willi Tung Chou was found dead in his home on March 19.

Fellow officers made the discovery when they checked up on Chou because he was uncharacteristically absent from work.

Doctors have determined Chou suffered a brain aneurysm.

The Mississauga, Ont., native was 27 years old and had been an RCMP officer for just 13 months.

Mar 25 2013

HAMILTON, Ont. - A Mississippi man remains in custody after Hamilton police discovered a suspected mobile meth lab set up inside a luxury car.

Police say an officer noticed a suspicious Mercedes-Benz on Saturday night at a park in the city's southeast.

They say the officer suffered minor burns to his hands while arresting a suspect, who was also taken to hospital for injuries caused by burns.

Police are still testing drugs taken from the car but believe they are the stimulant methamphetamine.

A provincial police hazardous materials team joined in efforts to dismantle the suspected lab Sunday.

A 37-year-old Mississippi man is charged with production of a controlled substance. (CHML, 680News)

Mar 25 2013

WINNIPEG - A year-long investigation into a bus passenger's million-dollar backpack has led to criminal charges.

The RCMP say Winnipeg city police were called to the Greyhound terminal in February 2012 and discovered a passenger with \$1.3 million in cash in his backpack.

A 50-year-old man was arrested, but released without charges pending further investigation.

Several law enforcement agencies became involved, including the RCMP, the Canada Border Services Agency, Winnipeg police and the Toronto special enforcement unit.

Last month, Erwin Thomas Speckert of Minden, Ont., was charged with several proceeds of crime offences alleged to be connected to illegal gaming in Ontario.

A warrant for his arrest was obtained and he turned himself in last week.

Speckert, who is 50, has been released and is to appear in court in Winnipeg on April 22.

Mar 25 2013

REGINA - The union representing Regina police officers wants changes to the force's Facebook page after a shooting involving a dog led to an online backlash and threats against officers.

The Regina Police Association, which represents 540 officers and civilian members, says the police service should be able to delay or edit posts before they appear on its Facebook page.

"We're not saying to shutdown Facebook. We're not saying that the public can't comment, question, criticize and critique, but there was a comment posted on there on this weekend that said, 'the only good cop is a dead cop,'" association president Evan Bray said Monday.

"My question is, does that serve any purpose? Is that open and honest and good feedback from the community or is that someone wanting to grandstand and make something that is borderline criminal?"

"There was a post on there this weekend saying maybe we should chain a police officer up in the backyard and shoot them and see how they like it. I mean really, does anyone believe that is fair game on a police service Facebook page?"

Bray says the police service needs a Facebook page. He said it's an effective tool when properly used to enhance communication.

But, he said, comments that threaten officers should not be allowed.

Hundreds of comments were posted on the Regina Police Service Facebook page after a police officer shot and killed a dog while chasing an assault suspect Saturday evening.

Regina police say they got several calls about an assault.

TUESDAY MARCH 26, 2013

Mar 26 2013

SYDNEY, N.S. - The Cape Breton Regional Police Service will be looking for a budget increase of \$1.5 million from council this year, due largely to rising salaries and benefits.

The proposed budget for the fiscal year 2013 is \$24.7 million and will be presented at overall municipal budget sessions this week.

Wages make up 85 per cent - or \$18.6 million - of the police budget.

Regional police officers are looking for parity with their provincial peers and crossing guards are getting a pay bump.

Chief Peter McIsaac says contract negotiations with the union will see a 10 per cent wage increase in two years, with \$84,000 in wage increases over the next five years for crossing guards.

There are 62 full-time and about 30 part-time unionized school crossing guards in the Cape Breton Regional Municipality and they recently signed a contract that will increase their hourly wages by \$1.60 over the next five years.

(Cape Breton Post)

Officers found a severely injured man.

The service says multiple witnesses described three suspects running away from the scene. A canine officer, a police dog and a patrol officer followed a suspect into a yard, where they ran into a pitbull.

The police dog and the pitbull got into a scuffle and the canine officer tried in vain to separate them. The patrol officer joined the struggle and "made the decision to end the fight fearing for his life and the life of the canine officer," according to a news release.

One shot was fired.

"The incident happened extremely quickly and it's important to note that it wasn't immediately apparent that there was a dog in the yard, or that the dog was on a chain," stated the release.

The dog was later determined to be on a long chain with access to a significant amount of the yard.

Regina police say escape or retreat for the officers and the police dog "was very difficult."

The pitbull owner says his pet was chained and he would have been able to restrain it. He plans to file a complaint.

An investigation is underway.

Regina police temporarily disabled public posting on its Facebook page Monday saying the "nature of the discussion was largely disrespectful and despite requests, continued to contain profanity and hate speech, as well as posts inciting violence."

"We support your right to express opinions, even dissenting ones," the service posted.

"We require that to be done without profanity, hate speech, or posts inciting violence. In the future please ensure your comments, opinions, and concerns are expressed in a manner safe for all users."

Mar 25 2013

Microsoft said it received 75,378 requests from law enforcement agencies globally in 2012 for customer information for services including Hotmail, Outlook, SkyDrive, Xbox and Office 365.

The company in its "2012 Law Enforcement Requests Report" revealed that the requests affected 137,424 accounts or other identifiers and only 2.1%, equal to 1,558 requests, resulted in the disclosure of customer content.

Out of the 1,558 disclosures of customer content, over 99% were in response to lawful warrants from courts in the US.

The 14 disclosures of customer content made by the company to governments outside the US were to Brazil, Ireland, Canada, and New Zealand.

Of the 56,388 cases in which Microsoft (excluding Skype) disclosed some type of non-content information, more than 66% were to agencies in only five countries which include the US, the UK, Turkey, Germany and France.

Excluding Skype, Microsoft said it provided no information at all for about 18% of the requests.

Microsoft said it will update the report every six months.

(CBR Communications Mobility)



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Mar 26 2013

REGINA - A Regina police officer who is facing assault charges has been fired.

The Regina Police Service announced Monday that Const. Robert Power, who is 40, has been dismissed.

Last May, police began investigating after a complaint from someone who alleged they were assaulted by an officer as they were being arrested.

Power, a five-year veterans of the city force, was charged in December with assault causing bodily harm.

Police Chief Troy Hagen says even though the case is still before the courts, he fired Powers last Thursday because he found him unsuitable for the force.

Power has 30 days to appeal the decision. (CJME)

Mar 26 2013

CAMROSE, Alta. - Alberta's Law Enforcement Review Board has overturned the firing of a police officer who lied about the number of days he missed during a training course.

The board says it was unreasonably severe for police in Camrose to issue a pink slip to Constable Jeffrey MacDonald.

The officer was fired last year after he pleaded guilty to eight disciplinary charges, including deceit and insubordination.

MacDonald was paid to attend a seminar in Calgary in September, immediately followed by a four-day conference.

But when he was asked about the trip, the officer initially said he only missed one day before admitting that he had actually skipped two days.

MacDonald appealed to the review board, which says the Camrose force didn't follow proper investigative procedure and ignored evidence of depression and mental illness.

It's recommending an 80-hour suspension without pay and a reduction in seniority.

Camrose police have 30 days to appeal, and the force's deputy chief says they're reviewing the decision and considering options. (CBC)

Mar 26 2013

HALIFAX - The RCMP in Halifax has appointed a 23-year veteran of the force to the position of officer-in-charge.

Supt. Roland Wells was named to the post in January and his promotion to chief superintendent will be formalized later this year.

A statement today says Wells joined the RCMP in 1989, with a posting in New Brunswick and various positions in municipal and rural detachments.

He has been involved in enforcement activity along the U.S. border and in 2010, served as the officer-in-charge of the Atlantic Region Review Services.

Wells was most recently the criminal operations officer for the RCMP in Prince Edward Island.

Mar 26 2013

TORONTO - Toronto Police Service employees are earning more at a time when city departments are being pushed hard to find savings and cap their budgets.

In 2012, a total of 3,181 Toronto police employees — about 40 per cent of the police payroll — earned more than \$100,000. That's a huge jump from 2011, when only 2,027 employees took home more than \$100,000.

The employees' names, along with the value of their salaries and benefits, appear on the Sunshine List, an annual list of public servants who earn more than \$100,000 a year.

Toronto police spokesman Mark Pugash said the explanation lies in a collective agreement

negotiated by the Toronto Police Services Board and Toronto Police Association.

"As annual increases kick in . . . more and more people are brought within the Sunshine List without working any overtime," Pugash said.

For example, a detective's base salary was \$98,030 to \$105,803 in 2012, Pugash said, before working a minute of overtime for things such as attending court. Pugash said overtime was slashed by 15 per cent in 2012 over 2011.

A calendar quirk also played a role in the sudden uptick. Every 11 years, employees end up getting their biweekly pay 27 times instead of 26. Because they got their final 2012 pay on Dec. 31, a couple of hundred employees just made it over the \$100,000 threshold. (Toronto Star)



BLUE LINE expo 2013

TRAINING

Truth Focused Interviewing
April 23rd & 24th, 9:00 to 4:00
Instructor: Kevin Byrnes – A Detective with a major GTA police service, an author and facilitator, he has conducted interviews for many police agencies, the FBI and Interpol.

Economic Crimes: Detection & Investigation (Project Mouse and Project Kite)
April 24th, 9:00 – 4:00
Instructors: PROJECT MOUSE: Police Constable Timothy Trotter, Toronto Police Service – 14 Division
Detective Constable Michael Kelly, Toronto Police Service – Financial Crimes Unit
BLANCHARD CASE: Larry Levasseur CFI, CPP Senior Investigator at MTS Allstream Previous: Winnipeg Police Service, Manitoba Hydro

Crisis Intervention for First Responders
April 23rd 9:00 – 4:00
Instructor: Tom Hart – Retired from Durham Regional Police Service, he is now President of Canadian Critical Incident Inc.

Investigative Strategies
April 23rd 9:00 – 4:00
Instructor: Dave Perry – Retired Toronto homicide detective and CEO of Investigative Solutions Network

Coping with Secondary Traumatic Stress
April 24, 9:00 - 4:00
Instructor: Stephanie M. Conn - Registered Clinical Counsellor, Conn Counselling and Consulting and Blue Line Magazine columnist - *Holding the Line*

For complete course descriptions visit www.blueline.ca/expo

Registration available online or at 905-640-3048

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TORONTO - Toronto police Chief Bill Blair is blasting some of his rank-and-file officers and sending a stern warning to all of them after several cases of on-the-job misconduct.

In a video circulated internally within the police service, Blair delivers a scathing criticism of officers for "unacceptable behaviour" such as lying in court, turning off dashboard cameras, and sexist and racist comments, a source told CP24 reporter George Lagogianes on Tuesday.

Speaking directly into the camera, Blair expressed his disappointment as he singled out officers for their abuse of authority, the source confirmed.

According to Blair, the incidents are damaging to the police service's reputation and they erode public trust in Toronto's police officers.

The video was distributed internally late Monday after Blair and his senior team held a private meeting to discuss measures to discourage and prevent officer misconduct.

In his video, Blair showed two clips that he used as examples of abuse of authority.

One clip captured by a dashboard camera shows an officer using excessive force during the arrest of an alleged impaired driver. Responding officers turned off their dashboard cameras in an alleged cover-up.

The second clip shows officers making sexist and racist remarks to each other, the source confirmed to CP24.

Blair also referred to high-profile examples of misconduct, including dozens of G20 officers who removed their nametags.

(CTV News)

WEDNESDAY
MARCH 27, 2013

Mar 27 2013

OTTAWA - Police need special wiretap orders - not just ordinary search warrants - to intercept cellphone text messages as part of criminal investigations, the Supreme Court of Canada ruled Wednesday.

In a 5-2 split decision, the court sided with wireless carrier Telus by agreeing that text messaging is essentially another form of conversation and should receive the same protection to which private communications are entitled under the Criminal Code.

"Text messaging is, in essence, an electronic conversation," Justice Rosalie Abella wrote for the majority of the court.

"Technical differences inherent in new technology should not determine the scope of protection afforded to private communications.

"The only practical difference between text messaging and traditional voice communications is the transmission process. This distinction should not take text messages outside the protection to which private communications are entitled."

The case arose out of Owen Sound, Ont., after the Ontario Superior Court granted police a general warrant that ordered Telus to turn over any text messages sent or received by two of its customers between March 18 and March 30, 2010. The warrant also compelled Telus to provide police with copies of the customers' texts every day for the following two weeks.

Unlike many of other wireless carriers, Telus stores copies of all text messages sent or received by its subscribers in a computer database for 30 days.

The company argued that even though copies of the messages were kept in a database, police would still be "intercepting" the communication by seizing the texts and would therefore need to get a wiretap order, which is more difficult to obtain than a general warrant, because of privacy provisions in the Criminal Code.

The federal Crown said that would clog the courts with thousands of wiretap applications each year.

Telus lost its initial bid to quash the warrant and appealed to the Supreme Court. The company's lawyers argued police need wiretap authorization under the Criminal Code to seize private text messages.

"The intrusion on a person's privacy is identical whether the police surreptitiously listen in to your conversations while they are occurring or surreptitiously read copies of your private communications that are obtained directly from the means required for delivery of the communication," they said in written arguments.

The case split the court.

Justices Abella, Morris Fish and Louis LeBel said there needed to be a broad interpretation of the Criminal Code section that deals with authorizations for wiretaps to intercept private conversations, "to ensure that the general warrant is not used presumptively to prevent the circumvention of the more specific or rigorous pre-authorization requirements for warrants."

"The interpretation should not be dictated by the technology used to transmit such communications, like the computer used in this case, but by what was intended to be protected under Part VI" of the Criminal Code, Abella wrote.

Two other justices - Michael Moldaver and Andromache Karakatsanis - agreed for different reasons. They felt police failed to show there was no other provision of the Criminal Code or any other law they could use to obtain the text messages to justify the general warrant.

"The investigative technique in this case was substantively equivalent to an intercept," Moldaver wrote. "The general warrant is thus invalid."

Justice Thomas Cromwell and Chief Justice Beverley McLachlin also agreed that text messages are private conversations. But where they disagreed was over the notion that police had intercepted communications. Police only sought copies of messages kept in the Telus database, Cromwell and McLachlin wrote, not

conversations as they were actually happening, so a general warrant was appropriate.

Canadians sent and receive billions of text messages each year, according to industry figures. Wednesday's ruling effectively sets new rules for how the authorities can access electronic conversations.

"It clarifies that the courts will approach new communications technology with the same eye towards protecting privacy as they do with old technology," Telus spokesman Shawn Hall said in a telephone interview.

"This will go a long way towards protecting Canadians' privacy, but still provide police access to communications with an appropriate degree of judicial oversight."

Mar 27 2013

MONTREAL - Montreal police officers have lost their battle for a compressed work week.

Officers had been putting pressure on the city to not only keep, but to expand a pilot project that had officers working full-time hours over a three-day span.

The city said it had to cancel the project because the altered hours were too difficult to manage and resulted in very high overtime costs, but the Police Brotherhood said the program was extremely popular and it would fight to keep it.

In February officers held a protest to show their support for the plan, one week after Mayor Michael Applebaum said that the head of the union, Yves Francoeur, had threatened "personal attacks" in the media if the mayor did not intervene.

The issue was sent to an arbitrator, who ruled in favour of the city. As a result the reduced workweek scheduled ended this past weekend.

The Police Brotherhood says it will appeal the arbitrator's decision by taking the matter to Superior court.

(CTV News)

Mar 27 2013

The New Brunswick RCMP is decommissioning their detachment in Port Elgin, with additional closures planned in Hillsborough and Gagetown.

The RCMP is taking a critical look at its infrastructure as part of modernizing the RCMP in New Brunswick, RCMP assistant commissioner Wayne Lang said in a recent e-mail.

"Policing is different today than it was 15 or 20 years ago... Modern policing is less reliant on bricks and mortar than ever."

New Brunswick has 56 RCMP detachments, some 20 to 30 km apart, while Nova Scotia has 37, said Lang.

"This is one of the highest numbers of RCMP offices per capita in the country."

The RCMP is considering operational necessity, proximity to another detachment, and infrastructure age and cost in deciding which buildings will be decommissioned, said RCMP media relations officer Chantal Farrah in a recent e-mail.

(Sackville Tribune)

A complaint made by the RCMP that a B.C. psychologist was acting inappropriately by advocating for change within the force while treating officers, and when he publicly criticized the force, has been dropped by the College of Psychologists of British Columbia.

The College's inquiry committee report, obtained by The Globe and Mail, said the body would take no further action against Michael Webster, a psychologist who had provided treatment to RCMP members for more than 20 years. Dr. Webster has consulted for police agencies, both national and international, during numerous high-profile crises.

"When you win, nothing hurts," said Dr. Webster, quoting football legend Joe Namath. "They [The RCMP] cannot tell me how to practise psychology, nor keep me from practising. Those are two things I take as significant wins."

The complaint against Dr. Webster was made in August, 2012, by Brad Hartl, the RCMP's human resources officer in B.C.

According to the College's report, Mr. Hartl's complaint said that Dr. Webster, during treatment with RCMP members, had "adopt[ed] a strong advocacy stance in favour of organizational change rather than focusing on individual client treatment." This is "detrimental to his clinical effectiveness." The complaint went on to say that Dr. Webster's "progress reports commonly contain statements which indicate a member will return to work when organizational changes occur."

Mr. Hartl also alleged that Dr. Webster's public commentary about the RCMP "lacks objectivity" and the statements could be confusing and disturbing to his RCMP patients.

Dr. Webster was practising outside his area of competence and expertise, the complaint also alleged, by offering opinions on both RCMP organization and structure.

The College disagreed with Mr. Hartl, and concluded Dr. Webster's conduct with patients fell within the realm of reasonable professional discretion and judgment. It also said his public statements criticizing the force did not raise concerns about his behaviour. The College added that nothing substantiated the claim that he was practising outside his area of competence and expertise.

Dr. Webster, who no longer works with RCMP members, acknowledges that he publicly criticized the RCMP in the media and during public inquiries. He said, however, that he never advocated for organizational change during treatments with members.

Dr. Webster has been long sought after by police agencies as a consultant, particularly in crisis management. He consulted police during hostage takings at the former B.C. Penitentiary and during the Waco crisis in Texas. The RCMP turned to him during the Gustafsen Lake standoff between the force and a militant aboriginal group in the summer of 1995.

He says his relationship with the force soured after he criticized the RCMP during

the Braidwood Inquiry into the use of tasers in B.C. after the death of Robert Dziekanski. During Braidwood, Dr. Webster said that RCMP officers involved in the incident panicked and abandoned their basic training. In a highly publicized letter to Mr. Dziekanski's mother, Dr. Webster wrote a scathing indictment of RCMP leadership, saying "an inept, insular and archaic group of RCMP executives has let the force fall out of step with 21st century policing."

After that, Dr. Webster said his work with the force slowly dried up.

The RCMP declined an interview, but said in a statement that "We can confirm that we have received notice from the College of Psychologists of B.C. that they have concluded an investigation into one of their own and dismissed our complaint."

Dr. Webster is still adamant that something urgently needs to change within the RCMP, including the introduction of an officer's union that would give members confidence and security when making a complaints against their employer.

(Globe and Mail)



Mar 28 2013

VANCOUVER - A video showing a Vancouver man being hit in the face by a Vancouver police officer is now being reviewed by the department's professional standards section.

The alleged incident happened Tuesday as Andi Shae Akhavan rode his bike, without a helmet, through downtown Vancouver.

Akhavan says he was stopped by two plainclothes officers and as they began ticketing him, he inquired if they had "something better to do."

According to Akhavan, that's when he was handcuffed and punched in the mouth, driving one of his teeth through his lip.

He says his friend caught the entire incident on video.

Vancouver Police say the officer reported the matter and, in addition to a review by the department's professional standards section, it will be referred to the Police Complaints Commissioner.

(News1130)

Mar 28 2013

VICTORIA - An adjudicator has ruled a Victoria police officer used excessive force during an arrest three years ago.

The circumstances of the March 2010 arrest prompted public outrage when a witness posted video on YouTube, showing the actions of constables Christopher Bowser and Brendan Robinson.

The Office of the Police Complaints Commissioner intervened and an adjudicator has now concluded Bowser abused his authority by using excessive force during

the arrest of Tyler Archer.

Retired provincial court judge Ben Casson found Archer was kicked and kneed several times despite being in a position Casson says was "completely submissive."

Bowser will now face a disciplinary hearing but Robinson has been cleared of any wrongdoing.

A release from the Victoria Police Department says it's too early to say if it will appeal, but it is disappointed because it has always maintained the officers were placed in a very difficult situation and reacted professionally and responsibly.

(CFAX)

Mar 28 2013

OTTAWA - The Supreme Court of Canada has ended an effort by The Canadian Press to lift the shroud of secrecy over an intelligence dossier compiled on socialist trailblazer Tommy Douglas.

The high court has denied reporter Jim Bronskill leave to appeal in his case to have information in the Douglas file made public.

Bronskill has been fighting since 2005 for access to the decades-old, 1,149-page file compiled on Douglas by the now-defunct RCMP Security Service.

Library and Archives Canada, which now holds the file, initially released only 400 heavily censored pages on Douglas, a former Saskatchewan premier, first federal NDP leader and father of medicare.

The government argued there was no need for the Supreme Court to hear the matter because there was "no issue of public importance" in the case.

As usual, the court gave no reasons for its decision.

Mar 28 2013

VANCOUVER - A Vancouver police officer who was caught on tape punching a man's face during an arrest Tuesday night has been put on leave.

The victim, Andi Shae Akhavan, was biking home in Yaletown at around 10:45 p.m. when two officers pulled him over and accused him of running a red light on Beatty Street.

When police told him he was getting a ticket, the cyclist, who was also not wearing a helmet and had no lights on his bike, admits he did not comply quietly.

"I asked is there better things to be doing than giving tickets," Akhavan said. "I might have used some words I wouldn't use on TV, but it was in a completely civil manner."

The officers decided to place him under arrest, at which point Akhavan's friend Mike Schwarz recognized him from the street and ran over to film the exchange.

The footage, which was later posted to YouTube, shows the policemen holding Akhavan's arms behind his back and putting one of his hands in handcuffs.

When he starts to move his arms, one

officer strikes him in the jaw.

"Relax your arm!" the officer commands.

Moments later, as Akhavan sits on the curb, he asks why he was punched.

"Because you was resisting," the officer answers. "I was trying to put handcuffs on you and you pulled your arm away."

The Vancouver Police Department issued a statement saying the officer involved reported the incident to his supervisor, and the Office of the Police Complaints Commissioner will be notified.

"Allegations of police misconduct are taken very seriously," Sgt. Randy Fincham wrote. "The officer is currently on weekly leave."

Police also describe Akhavan's behaviour as "confrontational" before his arrest. He was released on a promise to appear pending charge approval.

Vancouver Fire and Rescue Services treated the victim for a cut lip at the scene, but Akhavan said he sought additional care at a hospital afterward.

"It hurt. My tooth went through my lip a little bit," he said. "They gave me a CAT scan at the ER, which I had to bike myself to after the incident. They told me I have to come back for tests. My jaw's a little wonky."

(CTV News)

Mar 28 2013

Two drug-trafficking rings in Quebec were the subject of early morning police raids on Thursday morning.

About 120 officers executed raids targeting a drug trafficking ring in Saint-Amable, east of Montreal.

So far 12 people have been arrested on suspicion of trafficking cocaine, methamphetamines, hashish and marijuana.

Quebec provincial police Sgt. Ingrid Asselin said the police operation began at 5:15 a.m.

Investigators carried out nine search warrants at homes and four search warrants at vehicles.

Asselin said she expects more arrests throughout the day.

Provincial police, along with officers from the Montreal, Longueuil, Richelieu/Saint-Laurent and Saint-Jean-sur-Richelieu forces are involved.

A second police operation targeted a suspected methamphetamine trafficking ring in the Montmagny region, east of Quebec City.

A team of about 40 officers arrested six people and searched five homes.

The Montmagny raids are part of a provincial investigation that began in January.

(CBC News)

Mar 28 2013

MOOSE JAW - After more than three decades with the Moose Jaw Police Service, including five-and-a-half years as the city's top cop, police chief Dale Larsen is resigning effective May 1.

Larsen's resignation was announced in a press release issued by Mayor Deb Higgins, also the chairwoman of the Moose Jaw Board of Police Commissioners, on Thursday.

The chief has accepted a position with the provincial government. He will serve as executive director of policing and community safety for the Saskatchewan ministry of justice, corrections and policing.

Mayor Higgins said she received Larsen's letter of resignation a couple of days prior to the announcement, describing her reaction as "disappointment."

"I know Chief Larsen has done a wonderful job of serving the City of Moose Jaw," she said. "I'm sure he will be missed."

Higgins said that the board would begin the process of appointing a new police chief shortly, although she could not provide any particular details.

"We're in the process right now of setting up when everyone is available for our next meeting," she said.

In the press release, Higgins also pointed to the expansion of community outreach, the lowest crime rates in 30 years and the high degree of community satisfaction with the police service, all of which took place under Larsen's watch.

"While Chief Larsen's leadership will be missed," she stated. "We know his skills will continue to benefit the province through his new appointment."

(Moose Jaw Times Herald)

Mar 28 2013

BRAMPTON – On Friday November 30, 2012 four off-duty police officers were involved in an altercation with another patron who was also in attendance at a Brampton banquet hall. As a result of this altercation a 62-year-old male suffered a fractured nose, plus minor scrapes and bruises.

Chief Jennifer Evans immediately initiated an investigation into this incident. As a result of the investigation, the following officers have been charged with Assault Cause Bodily Harm and Forcible Confinement:

Sergeant Bernard Webber, Constable Darren Barden, Constable Lance Kerec.

Additionally, another officer has been charged with being a party to the offence of Assault Cause Bodily Harm and Forcible Confinement:

Staff Sergeant Doug Schulz

The officers will appear before the Ontario Court of Justice in Brampton on Monday, April 29, 2013. The officers have been suspended since the commencement of the investigation.

Chief Evans states, "I immediately launched an investigation into this serious allegation which has resulted in these charges being laid. I am committed to maintaining the public's trust and confidence in the Peel Regional Police."

(Peel Regional Police news release)

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